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ANNUAL REPORTS

OF THE

DEPARTMENT OF THE INTERIOR

FOR THE

FISCAL YEAR ENDED JUNE 30, 1897.

REPORT OF THE
SECRETARY OF THE INTERIOR.

REPORT OF THE
COMMISSIONER OF THE GENERAL LAND OFFICE.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1897.

REPORT

OF THE

SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., November 16, 1897.

SIR: I have the honor to submit herewith the annual report of the Department of the Interior. It is impossible to treat satisfactorily, in a single volume, of the vast and varied interests of the great internal empire which is administered, under direction of the President, by the Department of the Interior. I must content myself, therefore, with a statement of such recommendations as the interests of the service require and a brief review of the business of the many bureaus of the Department, referring largely for details to the extended reports of the Commissioners of Patents, of the General Land Office, of Pensions, Indian Affairs, and Education, and of the Director of the Geological Survey and other executive officers of the various institutions which are, to a greater or less extent, under the supervision of this Department.

APPROPRIATIONS.

.At the organization of this Department under the act of March 3, 1849, there was then provided a clerical force aggregating about 493, for whom there was appropriated \$183,468.26. Since that time Congress has further extended the jurisdiction of the Department by adding new duties, and the increase of business caused thereby, as well as the rapid growth of the country and of its affairs, has necessitated large accessions to the clerical force until there are now employed 14,519 persons under the supervision of the Secretary of the Interior, to whom are paid as salaries the sum of \$8,776,555. The distribution of this enormous force of employees among the various bureaus and

offices, and the aggregate salaries disbursed to them, is set forth in detail in the following table:

Bureaus.	Number of employees.	Salaries.
Office of the Secretary:		
Regular roll	152	\$220, 070
Census rolls	14	8, 760
Preparation of "Official Register"	4	3, 300
	200	232, 130
Office of Assistant Attorney-General	22	42, 650
General Land Office:		
Regular roll	372	488, 850
Special agents	38	51, 850
Transcribers' roll	9	5, 400
Forestry supervisors and agents	7	15, 260
Miscellaneous	69	93, 871
District land offices—		
Regular employees	316	517, 970
Temporary, contest cases, etc. <i>a</i>	30	8, 175
Offices of surveyors-general—		
Regular employees	104	141, 450
Temporary, mineral cases, etc. <i>a</i>	81	90, 088
	1, 026	1, 412, 914
Office of Indian Affairs:		
Regular roll	93	118, 120
Depredation claims	3	3, 600
Allotments roll	7	8, 600
Miscellaneous	54	111, 365
Indian agencies	2, 040	693, 969
Indian schools	2, 407	1, 057, 211
	4, 604	1, 992, 865
Pension Office:		
Office force	1, 642	2, 086, 710
Special examiners	150	195, 000
Pension agencies	475	488, 640
Examining surgeons	4, 344	622, 845
	6, 611	3, 393, 195
Patent Office	611	695, 990
Office of Education:		
Office force	43	52, 020
Alaska schools	28	23, 252
	71	75, 272
Office of Commissioner of Railroads	6	11, 420
Geological Survey:		
Regular force	333	514, 290
Surveys in Indian Territory	283	130, 200
	616	644, 490
Office of Architect of the Capitol:		
Regular force	12	14, 448
Miscellaneous employees	100	34, 104
	112	48, 552

a Paid from fees and private deposits.

Bureaus.	Number of em- ployees.	Salaries.
Government Hospital for Insane:		
Permanent force	515	\$183, 582
Temporary employees	96	3, 695
	611	187, 277
Miscellaneous:		
Territorial and Alaska	17	27, 700
Reservations and parks	4	2, 500
District of Columbia	8	9, 600
	29	39, 800
Grand total	14, 519	8, 776, 555

The appropriations for all purposes for the Interior Department for the present fiscal year is \$156,460,038.89, being \$161,724.98 less than the amount estimated. The estimates for the ensuing fiscal year have received my careful consideration, and have been so reduced as to represent the lowest possible sum required to administer the public business.

The following comparative statement of the estimates and the appropriations for 1898 and 1899 shows the extent of the reductions made by me of the estimates submitted by the various bureaus, to wit:

Estimates for 1899 as submitted by bureaus and offices	\$165, 635, 950.08
Estimates as reduced	156, 532, 419.08
Decreased difference	9, 103, 531.00
Estimates for 1899 as reduced	156, 532, 419.08
Appropriations made for 1898	156, 460, 038.89
Increase of estimates for 1899 over appropriations for 1898....	72, 380.19
Estimates submitted to Congress for 1898	156, 621, 763.87
Appropriations made for 1898	156, 460, 038.89
Amount appropriated for 1898 less than amount estimated...	161, 724.98
Estimates as submitted to Congress for 1898	156, 621, 763.87
Estimates as submitted to Congress for 1899	156, 532, 419.08
Decrease of estimates for 1899 under 1898	89, 344.79

In 1883 the Civil Service Commission was created. It was made an independent board, but the Secretary of the Interior was required to provide proper quarters for its accommodation and to pay all its contingent expenses, as well as for necessary printing and binding, etc.; and during that year the Commission was provided with stationery to the amount of \$291.45 and printing and binding aggregating \$924.52.

From 1883 to 1897, inclusive, there has been expended for the Commission, from the appropriations provided by Congress for the con-

tingent expenses of the Department, the sum of \$20,783.97; from the fund for stationery, \$16,152.86; and from the fund for printing and binding, \$111,745.52. The following table shows the various sums paid from the Department appropriations, on account of the Civil Service Commission, during each year from 1883 to the present time:

Statement showing the cost of stationery, miscellaneous supplies, printing, and binding, furnished by the Department of the Interior to the Civil Service Commission each fiscal year, from March, 1883, to June 30, 1897.

Year.	Miscellaneous.	Stationery.	Printing and binding.
1882-83.....		\$291.45	\$924.52
1883-84.....	<i>a</i> \$13.89	292.01	3,070.89
1884-85.....	<i>a</i> 163.54	651.85	5,327.08
1885-86.....	<i>a</i> .41	230.68	4,197.93
1886-87.....	1,537.47	644.00	3,908.34
1887-88.....	1,385.02	1,115.12	9,687.60
1888-89.....	1,150.79	1,255.57	9,843.04
1889-90.....	1,012.09	708.48	6,425.60
1890-91.....	1,289.11	856.94	6,206.13
1891-92.....	1,885.46	1,001.24	8,229.82
1892-93.....	2,149.42	1,205.15	14,177.05
1893-94.....	2,778.36	1,309.19	8,666.79
1894-95.....	2,003.14	1,364.65	6,842.30
1895-96.....	2,667.19	2,328.77	9,633.40
1896-97.....	2,748.08	2,897.76	14,625.03
Total.....	20,783.97	16,152.86	111,745.52

a Estimated. No specific record kept during year.

It will be observed therefrom that there has been since its organization a considerable increase in the wants of the Commission, provided for out of the departmental appropriations, and there is every likelihood, owing to the extension of the civil-service rules, that such demands will continue to increase rather than diminish.

A special appropriation is now made by Congress for the rent of a building for the use of the Commission, but the lease therefor is prepared in this Department and the rental thereunder is paid by its disbursing officer.

The Civil Service Commission is, as stated, not under the supervision of the Secretary of the Interior; Congress has recently provided a clerical force for it, and the moneys so appropriated for salaries are expended by the disbursing officer under the control of the Commission. I can therefore see no good reason for requiring this Department to disburse the moneys appropriated for rent, or to pay for the contingent expenses, stationery, printing, and binding of the Commission out of the Department funds, which are inadequate to properly provide for the wants of its bureaus, and I accordingly recommend that separate appropriations be made by Congress for the needs of the Commission, to be expended in every respect under its own supervision.

GENERAL LAND OFFICE.

By the acts of August 7, 1789, the Secretary of War was intrusted with the duty of granting lands to persons entitled thereto for military services rendered the United States.

By the act of September 2, 1789, the Secretary of the Treasury was charged with certain duties touching the sale of public lands, which was extended by the acts of May 18, 1796, and May 10, 1800; under the latter acts the Secretary of State was authorized to countersign and record in his office land patents.

The General Land Office was created by act of April 25, 1812, and, under the supervision of the Secretary of the Treasury, was charged with execution of all laws relating to the public lands. It remained under such supervision until the 3d of March, 1849, when, by the act of that date creating the Department of the Interior, it was transferred to this Department.

The public domain, estimated to contain 1,835,017,692 acres, comprises the lands now owned or heretofore disposed of by the United States, which were acquired by cessions from the original States, purchases from France, Spain, Mexico, Russia, and Texas, and treaty with Mexico, as follows:

	Acres.
State cessions (Western reserve).....	258, 504, 129
Louisiana purchase from France, April 30, 1803.....	750, 686, 855
Florida purchase from Spain, Feb. 22, 1819.....	35, 264, 500
Mexican cession, treaty of Feb. 2, 1848.....	329, 623, 255
Texas purchase, Nov. 25, 1850.....	62, 266, 953
Gadsden purchase from Mexico, Dec. 30, 1853.....	29, 142, 400
Alaska purchase from Russia, March 30, 1867.....	369, 529, 600
Total.....	1, 835, 017, 692

The apportionment of the lands comprising the public domain among the various States and Territories was as follows, to wit:

Cessions by the original States.

	Acres.
Alabama, north of 31° N. (from Georgia and South Carolina).....	30, 990, 080
Illinois (from Virginia).....	35, 465, 093
Indiana (from Virginia).....	21, 637, 760
Michigan (from Virginia) ¹	36, 819, 000
Minnesota, east of Mississippi River (from Virginia) ¹	15, 922, 800
Mississippi, north of 31° N. (from Georgia and South Carolina).....	27, 628, 420
Ohio (from Virginia and Connecticut).....	25, 581, 976
Tennessee (from North Carolina).....	29, 184, 000
Wisconsin (from Virginia).....	35, 275, 000
	258, 504, 129

¹ Disputed territory; also embraced in cessions by Massachusetts and Connecticut.

Louisiana purchase from France, April 30, 1803.

	Acres.
Alabama, south of 31° north.....	1, 667, 920
Arkansas	33, 543, 500
Colorado, east of Rocky Mountains and north of Arkansas River.....	36, 508, 000
Idaho.....	52, 830, 200
Iowa	35, 646, 000
Indian Territory	19, 575, 040
Kansas, except southwest corner	47, 239, 870
Louisiana	28, 863, 188
Minnesota, west of the Mississippi.....	35, 766, 640
Mississippi, south of 31° north.....	2, 056, 580
Missouri	43, 796, 000
Montana.....	94, 057, 000
Nebraska	49, 137, 339
North Dakota.....	44, 910, 000
Oklahoma, east of 100° west.....	20, 818, 680
Oregon	61, 626, 218
South Dakota.....	46, 523, 500
Washington	42, 746, 920
Wyoming, except southwest part.....	53, 374, 260
	<hr/> 750, 686, 855

Florida purchase from Spain, February 22, 1819.

	Acres.
Florida.....	35, 264, 500

Mexico cession, treaty of February 2, 1848.

	Acres.
Arizona, north of Gadsden purchase.....	52, 550, 100
California	99, 361, 083
Colorado, west of the Rocky Mountains	18, 362, 650
Nevada.....	70, 336, 500
New Mexico, west of the Rio Grande and north of Gadsden purchase...	27, 374, 182
Utah	52, 580, 000
Wyoming, southwest part	9, 058, 740
Total	<hr/> 329, 623, 255

Texas purchase, November 25, 1850.

	Acres.
Colorado, southern part.....	11, 520, 000
Kansas, southwest corner	5, 143, 130
New Mexico, east of the Rio Grande.....	41, 922, 823
Oklahoma, west of 100° west.....	3, 681, 000
Total	<hr/> 62, 266, 953

Gadsden purchase from Mexico, December 30, 1853.

	Acres.
Arizona, south part	20, 242, 400
New Mexico, southwest corner	8, 900, 000
Total	<hr/> 29, 142, 400

Alaska purchase from Russia, March 30, 1867.

	Acres.
Alaska	369, 529, 600

The status of the public domain on June 30, 1897, by States and Territories, is shown in the following table:

State or Territory.	Vacant public lands. ¹	Reserved lands. ²	Appropriated lands. ³	Total land surface of State or Territory.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Alabama	532, 339	86, 240	32, 039, 421	32, 658, 000
Arizona	54, 400, 211	12, 727, 090	5, 685, 199	72, 792, 500
Arkansas	3, 922, 042	1, 920	29, 619, 538	33, 543, 500
California	43, 841, 044	15, 127, 621	40, 392, 418	99, 361, 083
Colorado	40, 037, 201	6, 223, 653	20, 129, 796	66, 390, 650
Florida	1, 797, 662	19, 840	33, 446, 998	35, 264, 500
Idaho	45, 962, 855	2, 056, 273	4, 811, 072	52, 830, 200
Illinois		750	35, 464, 343	35, 465, 093
Indiana			21, 637, 760	21, 637, 760
Indian Territory		19, 575, 040		19, 575, 040
Iowa			35, 646, 000	35, 646, 000
Kansas	1, 046, 589	987, 875	50, 348, 536	52, 383, 000
Louisiana	845, 020	1, 474, 834	26, 543, 334	28, 863, 188
Michigan	522, 431	87, 746	36, 208, 823	36, 819, 000
Minnesota	6, 240, 809	4, 843, 229	40, 605, 402	51, 089, 440
Mississippi	441, 220		29, 243, 780	29, 685, 000
Missouri	497, 764		43, 298, 236	43, 796, 000
Montana	71, 432, 917	10, 780, 433	11, 843, 650	94, 057, 000
Nebraska	10, 069, 353	118, 667	38, 349, 319	49, 137, 339
Nevada	61, 578, 586	5, 983, 409	2, 774, 505	70, 336, 500
New Mexico	56, 983, 047	6, 347, 711	14, 866, 247	78, 197, 005
North Dakota	21, 385, 293	3, 050, 610	20, 474, 097	44, 910, 000
Ohio			25, 581, 976	25, 581, 976
Oklahoma	8, 105, 238	6, 953, 257	9, 441, 185	24, 499, 680
Oregon	35, 892, 318	5, 904, 728	19, 829, 172	61, 626, 218
South Dakota	13, 250, 718	9, 225, 802	24, 046, 980	46, 523, 500
Tennessee			29, 184, 000	29, 184, 000
Utah	44, 205, 070	5, 383, 467	2, 991, 463	52, 580, 000
Washington	17, 958, 536	6, 950, 224	17, 838, 160	42, 746, 920
Wisconsin	454, 107	365, 353	34, 455, 540	35, 275, 000
Wyoming	49, 341, 583	8, 166, 002	4, 925, 415	62, 433, 000
Total	591, 343, 953	132, 441, 774	741, 702, 365	1, 465, 488, 092

	<i>Acres.</i>
Lands vacant ¹	591, 343, 953
Lands reserved ²	132, 441, 774
Lands appropriated ³	741, 702, 365

1, 465, 488, 092

Alaska, to which the general land laws are not applicable and in which surveys and disposals of no great importance have been made	369, 529, 600
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Total 1, 835, 017, 692

¹ "Vacant public lands" (272,294,120 acres of which are unsurveyed) are those subject to settlement, and to filing and entry if surveyed.

² "Reserved lands" means those reserved for satisfaction of railroad grants, for military and naval purposes, reservoir sites, Indians, timber, and those embraced in unconfirmed private land grants—in other words, all lands reserved for any purpose whatsoever which may be eventually restored to the public domain.

³ "Appropriated lands" include all lands embraced in selections, filings, and entries, perfected and unperfected, and the area of lands granted for school purposes.

THE DISPOSITION OF THE PUBLIC DOMAIN.

The reservations and appropriations of the public lands may be classified as follows:

Reserved lands.

Reservations for—	Acres.
Forests	18, 993, 280
Military purposes	825, 425
Indians	81, 645, 413
National parks	3, 272, 960
Miscellaneous	27, 704, 696
Total	132, 441, 774

Appropriated lands.¹

	Acres.
Cash sales under various laws	214, 414, 395
Homesteads	102, 280, 228
Timber-culture entries	16, 118, 228
Military bounty-land warrant locations	60, 252, 790
Scrip locations	3, 008, 516
Indian allotments	560, 780
Donations	3, 006, 128
Railroad, wagon-road, canal, and river-improvement grants to States and corporations	106, 584, 898
State grants, general and special (except railroad, etc.)	165, 476, 402
Private land grants	70, 000, 000
Total	741, 702, 365

The report of the Commissioner of the General Land Office presents completely the work of that Bureau during the fiscal year ended June 30, 1897.

PATENTS ISSUED.—Thirty-two thousand and eighty-seven patents were issued for agricultural lands disposed of, a decrease of 2,103; 32 coal patents, a decrease of 29; 1,085 mineral and mill-site patents, a decrease of 391. The following table will show the acreage embraced in patents of various classes issued during the fiscal year and the

¹The areas of appropriations under the heads as above indicated are based upon rough estimates prepared in the public-lands division of the General Land Office, and it is believed that they approximate the actual areas near enough for all practical purposes. The difficulty in finding the net areas arises from the fact that it has been the rule of the General Land Office to charge the areas embraced in all entries, selections, etc., under the various laws, as appropriated, and give no counter credit for restorations to the public domain by cancellations resulting from forfeitures, relinquishments, etc.; also from conflicting filings and overlapping private land grants; in such cases the area of the land in conflict being more than once accounted as disposed of.

amount of increase or decrease as compared with the previous fiscal year:

Patents.	Acres.	Increase.	Decrease.
Agricultural	5, 133, 920. 00	.....	336, 480. 00
Coal.....	3, 606. 59	.....	3, 279. 18
Mineral and millsite.....	28, 756. 47	.....	8, 195. 19
Railroad	5, 101, 969. 31	.....	10, 425, 875. 67
Swamp	800, 673. 12	521, 366. 30	.....
Swamp indemnity.....	1, 278. 41	.....	3, 768. 37
Indian and miscellaneous.....	500, 304. 37	26, 079. 61	.....
School selections	739, 417. 95	.....	134, 957. 98
Total.....	12, 309, 826. 22	547, 445. 91	10, 912, 556. 39

Net decrease, 10,365,110.48 acres.

The railroad lands patented (or certified with the effect of patenting) are distributed among various companies as shown in the following table:

Names of railroad.	Where located.	Number of acres.
Atlantic and Pacific	New Mexico	200. 00
St. Louis, Iron Mountain and Southern	Arkansas	6, 012. 00
Central Branch Union Pacific.....	Kansas	881. 15
Central Pacific (proper).....	California.....	42, 074. 02
Do.....	Nevada.....	101, 844. 82
Do.....	Utah	285, 858. 31
Do.....	Idaho.....	8, 094. 24
Central Pacific (successor to California and Oregon).....	California	13, 504. 36
Union Pacific (successor to Denver Pacific).....	Colorado	194, 827. 09
Florida Central and Peninsular.....	Florida	39, 640. 03
Gulf and Ship Island	Mississippi	27, 331. 88
Hastings and Dakota.....	Minnesota	6, 785. 30
Chicago, Milwaukee and St. Paul.....	Iowa.....	120. 00
New Orleans Pacific	Louisiana.....	1, 335. 77
Northern Pacific.....	Minnesota	113, 138. 29
Do.....	North Dakota.....	10, 659. 60
Do.....	Montana.....	571, 491. 46
Do.....	Idaho.....	49, 378. 76
Do.....	Oregon	40. 00
Do.....	Washington	178, 665. 73
Vicksburg, Shreveport and Pacific.....	Louisiana.....	8, 780. 38
Oregon and California	Oregon	105, 535. 31
Oregon and California (successor to Oregon Central).....	Oregon	11, 153. 46
Selma, Rome and Dalton.....	Alabama	350. 17
Chicago, Milwaukee and St. Paul.....	Minnesota	118. 62
South and North Alabama.....	Alabama	241. 21
Southern Pacific (main line).....	California	89, 388. 31
Southern Pacific (branch line).....	do.....	32, 960. 01
Union Pacific (proper).....	Nebraska.....	995, 455. 99
Do.....	Utah	255, 120. 67
Do.....	Wyoming	904, 040. 84
Do.....	Colorado.....	471, 256. 66
Union Pacific (successor to Kansas Pacific).....	Kansas	423, 371. 41
Do.....	Colorado.....	122, 514. 61
Wisconsin Central.....	Wisconsin.....	29, 799. 95
Total .....	.....	5, 101, 969. 31

SURVEYS OF PUBLIC LANDS.—Surveys were accepted during the fiscal year, after examination in the field, careful comparison of the surveying returns, and inspection of the plats and field notes, covering 9,222,801 acres, distributed as follows:

State or Territory.	Acres.	State or Territory.	Acres.
Alaska	160	New Mexico	294,454
Arizona	309,443	North Dakota	229,302
California	1,298,355	Oregon	648,891
Colorado	178,116	South Dakota	968,628
Florida	1,356	Utah	599,254
Idaho	906,728	Washington	708,831
Minnesota	356,299	Wyoming	572,818
Montana	1,601,785	Total	9,222,801
Nebraska	111,642		
Nevada	438,239		

The appropriation for surveys of public lands for the fiscal year was \$325,000, which included \$15,000 for resurveys and \$40,000 for examinations of surveys in the field, etc. Deducting these amounts and \$10,000 for the reserve fund leaves \$260,000, which was apportioned to the surveying districts as follows:

Arizona	\$3,000	South Dakota	\$12,000
California	20,000	Utah	20,000
Colorado	12,000	Washington	40,000
Idaho	30,000	Wyoming	25,000
Minnesota	7,000	Resurveys	15,000
Montana	40,000	Examinations	40,000
Nevada	5,000	Reserve	10,000
New Mexico	17,500		
North Dakota	15,000	Total	325,000
Oregon	13,500		

The apportionment for South Dakota was in June, 1897, transferred to North Dakota. Additional apportionments from the reserve fund were made to Arizona (\$225), Florida (\$875), Idaho (\$2,500), Montana (\$3,000), and Nevada (\$4,000). The annual surveying instructions were issued July 28, 1896, a copy of which will be found in the Commissioner's annual report.

RAILROAD AND WAGON-ROAD SELECTIONS.—There were pending at the close of the year railroad selections embracing 11,436,809.58 acres, a decrease of 2,758,567.40 acres; wagon-road, 299,164.15 acres, an increase of 78,724.31 acres. Total railroad and wagon-road, 11,735,973.73 acres.

PROTECTION OF PUBLIC LANDS.—Seven hundred and thirty-eight cases were referred to special agents for investigation and hearings ordered in 102 cases; 1,110 cases were held for cancellation, 1,303 canceled, and 366 examined and passed. Final action was taken in 1,907 cases. There were pending at the close of the year 1,531 cases.

TIMBER PERMITS.—Ninety-six applications were received during the year for permits to cut public timber under the act of March 3, 1891 (26 Stat. L., 1093), including 17 applications for renewal of privilege; an increase of 10 applications over the preceding year. During the year 35 permits were issued and 44 applications rejected.

DEPREDACTIONS UPON PUBLIC TIMBER.—Three hundred and seventy cases of depredations upon public timber, involving public timber and the products therefrom to the value of \$635,064.78, recoverable to the Government, were reported.

The amount involved in propositions of settlement accepted and compromises effected under section 3469, Revised Statutes, and sales of timber and lumber, is \$37,990.81, and the amount involved in fines imposed and judgments rendered is \$73,548.98.

There were pending in the courts 145 civil suits for the recovery of a total amount of \$3,129,213.21 for the value of timber alleged to have been unlawfully cut from public lands, and 305 criminal prosecutions for the act of cutting or removing timber in violation of law.

The lack of a sufficient force of special agents to properly investigate the large number of timber trespasses committed each year upon the public lands, and to prevent, as far as possible, such depredations, continues to be a source of regret.

FOREST FIRES.—The devastation of public timber by forest fires has been a matter to which the attention of Congress has frequently been called and the imperative need of laws to prevent such devastation has been urged. These repeated recommendations finally resulted in securing action in the desired direction, and an act entitled "An act to prevent forest fires on the public domain" was approved February 24, 1897 (29 Stat. L., 594). Experience thus far has demonstrated the wisdom and practical excellence of that law; it should be retained as to every part.

Information regarding the tenor of this act was disseminated as extensively as possible through a circular issued by the Commissioner of the General Land Office and sent to the various subordinate officers throughout the United States. Special forest agents and supervisors were instructed to consider the protection of the public forests from fire as one of the most important of their public duties, and were empowered to take such action as emergency required to get fires under control. All attempts, however, on the part of the Land Office to strictly enforce this act must largely fail unless a sufficient force of employees can be placed in the field. The Commissioner is impressed with the importance of securing for the conduct of this work hereafter appropriations commensurate with the needs of the service, in which conclusion I concur.

FORESTRY.—There are now existing nineteen forest reservations, embracing lands having an estimated area of 18,993,280 acres, which from time to time have been set aside by Presidential proclamations

made pursuant to authority conferred by section 4 of the act of March 3, 1891 (26 Stat., 1096).

Thirteen forest reserves created by proclamation of February 22, 1897, were, with the exception of two in the State of California, suspended by the sundry civil act of June 4, 1897, until March 1, 1898. The suspended reservations contain an estimated area of 19,951,360 acres. The preservation of the public forests is a matter of vital interest to the entire nation. The enactment of adequate laws for their protection and the proper enforcement thereof, coupled with the inauguration of a comprehensive forest system, can only effect such result.

The act of March 3, 1891, which authorized the President to create reservations, contained no provision for their protection or care. The importance of supplying such deficiency was repeatedly brought to the attention of Congress, and as a result the act of June 4, 1897, was passed, authorizing the Secretary of the Interior to prescribe such rules and regulations and establish such service as would insure the objects for which the reservations were created. The rules and regulations (Exhibit A) authorized by this act were accordingly prepared for my approval, after mature consideration, by the Commissioner of the General Land Office, and promulgated June 30, 1897, proper means being adopted to bring them to the attention of the public.

It was my intention originally to establish a forest bureau in this Department, but the inadequacy of the appropriation for the work precluded my carrying into effect such plan. I have, however, taken such action as the circumstances permitted, and since July 1, 1897, have appointed special forest agents and supervisors to patrol the reserves and to enforce the regulations. Special Forest Agent Pinchot is making an examination of the entire forest system; Mr. Ormsby is in charge of the forests in Oregon and Washington, and Mr. Allen has been assigned the reserves in southern California. These gentlemen are well qualified for the work intrusted to them, Mr. Allen being one of the originators of the plan of setting aside tracts of timber lands in this country as forest reserves. They have had competent assistants, and have already materially aided in the prevention of forest fires and depredations upon the public timber on the reserves.

Better results could no doubt have been obtained had the appropriation at the command of the Department been sufficient to have warranted the employment of a greater number of assistants. The work performed by this small corps will be a nucleus out of which, no doubt, will grow a forestry system and eventually a forest bureau, one that, if efficiently conducted, will be practically self-sustaining, and a revenue producer, by conserving the forests, protecting them in their growth and providing for their proper utilization.

The force of agents, supervisors, and assistants, it is needless to say, is insufficient for the proper supervision of the forest reserves, and a material increase thereof will have to be made by Congress in order

that the Department may satisfactorily fulfill the requirements of the law. It is in the interest of economy and a wise policy to increase the force to make it effective. A trained corps of from fifty to sixty forest agents, supervisors, patrolmen, and assistants, judiciously distributed, can be made the means of preserving millions of dollars' worth of public timber annually from spoliation by trespassers and destruction by fire, at a relatively slight cost to the Government, aside from the importance of the forest reservations to future generations.

The report of the special forest agent, Mr. Gifford Pinchot, as well as that of the Geological Survey, who are engaged in making surveys of the various forest reserves set aside by Presidential proclamation of February 22, 1897, will not be received until late in December, as they have not yet been completed. Those reports will be brought to your attention at a later date.

I most heartily concur in the recommendation of the Commissioner of the General Land Office that liberal appropriations be made by Congress for the forestry service.

DEFECTIVE LAWS.—Attention is directed to the following laws relating to the public forests which require amendment, to wit:

Section 2461, Revised Statutes, which provides a penalty for the cutting or destruction of live oak or red cedar, or other timber on the public lands, is open to serious objection in that it is inadequate for the punishment of offenses to which it relates; it fails to discriminate clearly and justly as to what constitutes a crime with respect to the use of public timber. As this law is the principal penal statute upon which the Land Department has to rely to check the waste and destruction of public timber its failure to meet the ends desired is a serious matter, and legislation more in accord with the needs of the times should be secured.

The special privilege granted by the act of June 8, 1872 (17 Stat. L., 339), to the Denver and Rio Grande Railroad Company to take timber from public lands for the purposes of repair on a portion of its line continues and should be repealed.

The two acts of June 3, 1878, "Mineral Act" (20 Stat. L., 88) and "Timber and Stone Act" (20 Stat. L., 89), practically threw into the market all the timber on the greater portion of the public lands west of the Mississippi River. The calamitous results predicted and anticipated by the Land Department from the passage of these acts have been fully verified and realized since, and material modifications of them should be made.

The "Permit" act of March 3, 1891 (26 Stat. L., 1093), was in a territorial sense more far reaching than any of its predecessors. This act is defective in allowing *free* use of timber; it is unjust since it allows holders of permits to compete on a *free* basis with parties who have acquired timber by purchase or otherwise, and grants exceptional privileges to residents of States and Territories named therein. When

enacted, the permit policy no doubt seemed wise and necessary, but experience has since demonstrated it to be vicious, and the repeal of the act as well as the extending act of February 13, 1893 (27 Stat. L., 444), or legislation to restrict permits, is urged. Few people realize the vast amount of public timber taken from public lands annually and its great value. The amount of trespass yearly reported added to the value of timber taken under guise of law reaches millions of dollars. The general trend of timber legislation for fifty years has been in the direction of making vast donations of timber, which has been taken advantage of by powerful and unscrupulous organizations in amassing fortunes for individuals and corporations.

CHIPPEWA CEDED LANDS, MINNESOTA.—The act of January 14, 1889 (25 Stat. L., 642), provided for the examination of these lands in order to separate them into pine and agricultural lands prior to their disposal. Investigation has shown that the estimates made by examiners heretofore appointed under said act were erroneous, and, as the Indians were in danger of being deprived of just revenues from the sale of pine lands, a new estimate has been ordered. The new estimate is being made by experienced woodsmen, nearly all from Minnesota. Work was begun on September 1, and is going rapidly forward.

Under the provisions of the act of June 7, 1897, regulations for logging the dead and down timber on the ceded Chippewa Indian Reservation in said State have been issued. It is thought that these regulations will furnish work to 300 or more Indians for at least the entire winter, and possibly result in realizing quite a sum of money for them from timber heretofore regarded as worthless.

DES MOINES RIVER LANDS.—Congress, by act approved August 8, 1846, granted "certain lands to the Territory of Iowa to aid in the improvement of the navigation of the Des Moines River in said Territory." Much of that land had been settled upon under the homestead, preemption, and other public-land laws, and Congress, by joint resolution approved March 2, 1861, endeavored to quiet the title to said lands.

The sundry civil act approved August 18, 1894 (28 Stat. L., 372, 396, 397), appropriated \$200,000 to be expended by the Secretary of the Interior in the adjustment of the claims of settlers on the so-called Des Moines River lands in the State of Iowa, and also authorized the appointment of a special commissioner to investigate, hear, and determine the claims of all settlers, their heirs or assigns. The special commissioner appointed in pursuance of such authority to investigate the claims of said settlers made report thereof on the 1st day of May, 1896. Such report is embodied in S. Doc. No. 258, Fifty-fourth Congress, first session. It shows that the amount of awards made by the commissioner to settlers and claimants on said Des Moines River lands aggregated \$183,854.07. Of that sum, claims have been allowed and paid to the amount of \$173,911.57. Only seven claims remain unpaid. Two of these represent \$7,400. The remaining five have been partly

paid and await only the address of the parties interested to complete payment in full.

IRRIGATION.—Under sections 13 to 21 of the act of March 3, 1891 (26 Stat., 1095), which grant right of way over the public lands and reservations, excepting Indian, for the use of canals, ditches, and reservoirs for irrigating purposes, the right of way has been approved to 149 companies, individuals, and associations, of which 41 were approved during the past fiscal year. By the act of February 26, 1897 (29 Stat. L., 599), all reservoir sites are made subject to application under the above-mentioned act.

There has been a revival of the former interest on the subject of reclamation of arid lands; meetings were held in various States and Territories, and delegates were selected to attend the Irrigation Congress lately held at Lincoln, Nebr.

Section 4 of the act of August 18, 1894 (28 Stat., 422), known as the Carey Law, which has met with quite general approval, should be essentially amended, however, or original legislation be secured which would tend to make more secure investments of capital in the reclamation of desert lands as provided. This subject was treated in detail in the report of my predecessor for 1896.

THE ARKANSAS LAND CLAIMS.—By act of Congress of August 4, 1894 (28 Stat., 229), provision was made for a compromise adjustment or settlement of the claims pending between the United States and Arkansas, and in accordance with said provision a compromise was agreed upon and reported to the Fifty-third Congress, third session. A bill passed the Senate (S. 502, Fifty-fourth Congress, first session) to approve the proposed settlement. Objections having been urged against the settlement as reported, the governor of Arkansas proposed and consented that a new section might be added to said bill, but upon consideration the House Committee on Public Lands adopted and reported to the House a substitute for the amendment proposed by the governor, known as the Meiklejohn amendment, proposing two new sections to said bill.

The State legislature by concurrent resolution of March 10, 1897, (over the governor's veto) pledged the State to carry out the terms of the proposed settlement of the claims as modified by the Meiklejohn amendment. The matter now stands awaiting action of Congress, further action affecting the lands involved having been suspended in the Land Office, and it is urged that a definite decision be reached without delay, to the end that the matter of settlement may be taken up and pushed to a conclusion.

MINING CLAIMS.—No mining claims from the Upper Yukon mining district of Alaska have yet been received, but numerous inquiries from interested parties indicate that many locations under the mining laws are being made. It would be a matter of great hardship for these claimants to be required to file their claims at the local land office at

Sitka, many hundreds of miles away, and another land district embracing that part of Alaska should be provided at an early day. Section 4 of the act approved July 24, 1897, authorized and empowered the President, in his discretion, to create an additional land district in Alaska, but made no provision whatever for the payment of salaries of the register or receiver nor necessary expenses of the office. It is earnestly recommended that Congress at an early day make the appropriation necessary to secure the opening of the additional land office.

For a number of years, in accordance with the ruling made in Department Circular of December 4, 1884, as to the right of a lode claimant to establish the end line of his survey wholly within the lines of a conflicting survey, surveys found defective were amended in accordance with the intent and spirit of the rule. During the past year the practice, sanctioned by the local courts and acquiesced in by the Land Office, of allowing one conflicting claimant to relinquish to another the small tract on the center of the end line in question has grown up, thus practically annulling the requirements of paragraphs 50 and 51 of Circular of December 10, 1891. The tract so relinquished generally contains but a small fraction of an acre, and the result is that a large number of cases of amendment of survey is necessary to show these small relinquished tracts. On this subject the then Commissioner of the General Land Office, on November 17, 1891, addressed the register and receiver at Glenwood Springs, Colo., as follows:

The practice, which prevails to a considerable extent, of relinquishments by claimants after application of small tracts, for the sole purpose of enabling other claims otherwise invalid to be made, is wrong, involves this office in much unnecessary labor, and will not be encouraged. In other words, if no adverse claims shall have been filed with the register during the period of publication, or if so filed judgment is rendered, as in this case, in favor of the defendant, it shall be assumed that the applicant for patent is entitled to a patent for the entire area of the claim (sec. 2325, Rev. Stats., U. S.), and he shall proceed to patent for the whole of the claim, as he is entitled so to do.

This holding having been overruled by departmental decision in the case of Adams Lode (16 L. D., 233), the Commissioner of the General Land Office recommends that section 2322, Revised Statutes, be so amended as to meet the views relative to relinquishments of small tracts expressed in said letter of November 17, 1891.

In circular of December 9, 1882 (1 L. D., 694), it was provided that:

No application by an association of persons for patent to a placer claim will be allowed to embrace more than 160 acres; and not less than \$500 worth of work must be shown to have been expended upon or for the benefit of each separate location embraced in such application. If an individual becomes the purchaser and possessor of several separate claims of 20 acres each or less, he may be permitted to include in his application for patent any number of such claims contiguous to each other, not exceeding in the aggregate 160 acres; but upon or for the benefit of each original claim or location so embraced, he or his grantors must have expended the sum of \$500 in improvements.

This circular was overruled by departmental decision of October 31, 1885 (4 L. D., 221), in the case of the Good Return Mining Company. Under this departmental ruling it is the practice to embrace several claims or locations in one application or entry (the average is two claims or locations to each application or entry). If each application embraced just two claims the practice would not be insufferable, but the records show that many applications are made for single locations only by companies or individuals operating in a moderate way, while applications by individuals or corporations operating on a large scale include almost any number of claims or locations provided, only, they are contiguous. A single placer application or entry is made to cover several hundred acres and to extend several miles in length, usually along some stream or water course, and there is one case where an application covers 47 lode locations which were all included in one patent, the record of which covered 42 pages. It is true that this is an exceptional case, but it shows what may be legally done.

In view of the foregoing, and noting the fact that many mining syndicates are already in the field competing for title to many individual locations, which are just now being made on the rich mineral discoveries in Alaska, it is recommended that the mining law be so amended as to prohibit more than one lode claim or more than 160 acres of placer ground in an application or entry.

The enactment of a law compelling the attendance of witnesses in contested cases before the district land officer would greatly facilitate the transaction of business at those places. The Commissioner of the General Land Office directs attention to the fact that for a number of years his Office has advocated the passage of such legislation by Congress and renews the recommendation of his predecessor in the matter.

LIABILITIES OF REGISTERS AND RECEIVERS ON THEIR BONDS FOR THE PROCEEDS ARISING FROM THE SALES OF INDIAN LANDS.—In the case of the *United States v. George B. Rogers and Charles W. Berryman*, sureties on the bond of Charles W. Danielson, receiver of public moneys at Blackfoot, Idaho, a decision was rendered September 22, 1896, by the United States district court for Idaho and affirmed, on appeal, by the circuit court of appeals for the ninth circuit, July 1, 1897, holding "that it is not a part of the duties of registers and receivers to sell Indian lands, and that the proceeds of sales of such lands are not public moneys of the United States, but are trust funds for which the sureties on receivers' bonds are not liable or responsible to the United States if their principals fail to pay over an account for the same."

Neither the Comptroller of the Treasury nor the Solicitor of the Treasury for the Department of Justice deem an appeal advisable, as both of said decisions were based on that of the United States Supreme Court in the *Brindle Case* (110 U. S., 688), which covers every point in this case. The *Brindle Case* further holds, in effect, that registers and

receivers may receive the same compensation from the sale of Indian lands that they do from the sale of public lands; that if the proceeds from the sale of Indian lands are sufficient they are entitled to the maximum compensation of \$3,000 in addition to the compensation allowed them by law for the sale of public lands. So that their compensation for the sale of both classes of lands may reach \$6,000.

At the present time Indian lands are being disposed of at ten or more land offices, the proceeds of which amount to hundreds of thousands of dollars a year, for which the sureties on the bonds of receivers are not liable. In order to secure and protect the interests of the United States it is recommended that there be added to section 2234, Revised Statutes, as it now stands, the following words, to wit:

Who shall have charge of and attend to the sale of the public and Indian lands within their respective land districts, as provided for by law and official regulations, and receivers shall be accountable under their official bonds for the proceeds of such sales and for all fees, commissions, or other moneys received by them under any provision of law or official regulation.

ABANDONED MILITARY RESERVATIONS of the area of 5,000 acres and over, which were turned over to the Interior Department prior to the passage of the act of August 23, 1894 (28 Stat., 491), for disposal under the act of July 5, 1884 (23 Stat., 103), are subject to homestead entry, when surveyed. Those of a less area, or which were turned over since August 23, 1894, are disposed of only under said act of July 5, 1884, at public sale, after survey and appraisal.

The following is a list of the reservations, showing date turned over to the Interior Department, and the area which can not be disposed of now under either act because they are unsurveyed, viz:

Name.	Date of relinquish- ment.	Area.
Arizona:		<i>Acres.</i>
Camp Bowie.....	Nov. 5, 1895	23,040
Fort Lowell (partly surveyed).....	Feb. 24, 1891	51,631.36
Camp McDowell.....	Feb. 14, 1891	25,628
California:		
Camp Cady.....	July 22, 1884	1,562
Camp Independence (wood reserve).....	.....do.....	2,560
Florida: Fort Clinch.....	Mar. 3, 1897	Unknown.
Idaho: Camp Three Forks, Owyhee.....	July 22, 1884	4,800
Louisiana: Ten reservations on the Gulf Coast partially surveyed.....	Sept. 23, 1886	α 6,170.79
Maine: Fort Sullivan.....	July 22, 1884	1,250
Mississippi: Greenwood Island.....	Dec. 18, 1890	100
Nebraska: Fort Sidney.....	Nov. 5, 1894	640
North Dakota: Fort Buford.....	Oct. 25, 1895	568,720
Texas:		
Fort Elliott.....	Oct. 2, 1890	2,560
Fort Hancock.....	Oct. 25, 1895	469.20

α Aggregate area.

The following reservations are surveyed and ready for appraisal:

Name.	Date of relinquishment.	Area.
Kansas:		<i>Acres.</i>
Fort Dodge.....	Jan. 12, 1885	1,882.89
Fort Hays.....	Oct. 22, 1889	27,600
New Mexico: Fort Butler.....	July 22, 1884	3,010.78
Oklahoma: Fort Supply.....	Nov. 5, 1894	39,356.63
Wyoming:		
Fort McKinney.....	do.....	25,600
Depot McKinney.....	Dec. 5, 1894	640

a Suspended for legislative action.

The following reservations are under contract for survey: Fort McPherson, Nebr., 10,240 acres; Fort Stephenson, N. Dak., 48,000 acres; Fort Klamath (Hay), Oreg., 2,135.68 acres, and Fort Sully, S. Dak., 28,800 acres.

The appropriation of \$6,000 made by the last Congress for the survey, appraisal, and sale of abandoned military reservations, and for the payment of the salary of the custodian of Casa Grande Ruin, Arizona, is about exhausted, and it is probable that the general appraiser, who is now at work at Fort Randall, S. Dak., will be compelled to suspend operations by the end of the present month for the want of funds.

PENSIONS.

The office of the Commissioner of Pensions was created March 2, 1833, and placed under the supervision of the Secretary of War. It was transferred to the Interior Department in 1849.

The report of the Commissioner of Pensions shows that on the 30th of June, 1897, there were on the pension roll 976,014 names, an increase of 5,336 over the number on the rolls on the 30th day of June, 1896. Of these, there were 16 widows and daughters of Revolutionary soldiers; 7 survivors of the war of 1812; 281 widows of soldiers of that war; 18,994 survivors and widows of the Mexican war; 6,661 survivors and widows of Indian wars; 663 army nurses, and 438,064 survivors and widows and children of deceased soldiers and sailors of the war of the rebellion. The latter number represents those pensioned on account of disabilities or death resulting from army and navy service. The number of persons remaining on the rolls June 30, 1897, who were pensioned under the act of June 27, 1890, which allows pensions on account of death and disability not chargeable to the service, was 508,799.

The number added to the rolls during the year was 54,072, the number dropped from various causes was 41,122, and the number of claims of various classes disallowed was 76,234. The amount disbursed for pensions during the year was \$139,799,242.12, exceeding the amount disbursed during the fiscal year 1896 by the sum of \$1,584,480.18. Dur-

ing the year 994,454 pension certificates were issued. Of this number 14,671 certificates were held in the Bureau until after the expiration of the fiscal year, for want of an appropriation sufficient to make payments thereon. Had the certificates been mailed to the pension agents during the fiscal year, they would have required first payments amounting to \$2,191,694.63, besides the additional annual value, which would have been a charge upon the appropriation. This amount added to that actually disbursed makes an aggregate of \$141,990,936.75, of which sum \$2,191,694.63 was paid out of the appropriation for the fiscal year ending June 30, 1898.

The appropriation for the payment of pensions for the fiscal year 1897 was \$140,000,000.

There are about 200,000 pension claims awaiting adjudication, and it is estimated that 40 or 50 per cent thereof will be finally admitted. If these claims are rapidly adjudicated, they will swell the pension roll from \$5,000,000 to \$7,000,000. When, however, these claims are once adjudicated and first payments made thereon, the amount of the pension roll will decrease very rapidly, possibly to \$125,000,000 or \$130,000,000 the first year. The Commissioner estimates that \$140,000,000 will be required to pay pensions during the year ending June 30, 1899. In view of the foregoing statements, however, it is probable that a deficiency appropriation may be necessary. He recommends that the Executive order of July 14, 1897, suspending the operation of the order of February 6, 1897, consolidating pension agencies, be continued indefinitely, as the interest of the service and the Government will be best subserved thereby.

Attention is also directed to the fact that through new leases for quarters for the pension-agency service, judiciously effected, during the fiscal year 1898 a reduction in the amount to be disbursed for rents of \$7,750 per annum has been secured.

The Commissioner recommends the passage of a law providing that no pension shall be granted to the widow of any soldier who shall hereafter marry. Under existing laws a woman who marries a soldier pensioned under the act of June 27, 1890, is not entitled to pension as widow unless she were married to the soldier prior to the passage of the act in question, whereas the woman who marries a soldier pensioned under the general law, and thereafter becomes a widow, *she* is entitled to a widow's pension. In his judgment there should be no discrimination. A woman who marries a soldier now (thirty-two years since peace was declared) takes him for better or for worse; she was not his wife during the war, experienced none of the hardships, deprivations, and anxieties incident to the life of the wife of a soldier, and should not, therefore, be placed on the rolls as such.

The following table shows the disbursements for pensions, fees of examining surgeons, cost of disbursement, salaries, and other expenses of the Pension Office, and number of pensioners on the rolls each year from July 1, 1865, to June 30, 1897.

COST OF PENSIONS.

Statement showing disbursements for pensions, fees of examining surgeons, cost of disbursement, salaries and other expenses of the Pension Bureau, and number of pensioners on rolls each year from July 1, 1865, to June 30, 1897.

Fiscal year.	Disbursements for pensions.		Fees of examining surgeons.		Cost of disbursement, maintaining pension agencies, etc.	Pension Bureau.		Number of pensioners on rolls.
	Army.	Navy.	Army.	Navy.		Salaries.	Other expenses.	
1866	\$15, 158, 598. 64	\$291, 951. 24			a\$155, 000. 00	\$237, 165. 00	\$15, 000. 00	126, 722
1867	20, 552, 948. 47	231, 841. 22			a155, 000. 00	308, 361. 49	27, 615. 86	155, 474
1868	22, 811, 183. 75	290, 325. 61			a155, 000. 00	366, 186. 20	31, 834. 14	169, 643
1869	28, 168, 323. 34	344, 923. 93			a155, 000. 00	366, 007. 31	43, 519. 50	187, 963
1870	29, 043, 237. 00	308, 251. 78			216, 212. 86	333, 660. 00	51, 125. 00	198, 686
1871	28, 081, 542. 41	437, 250. 21			431, 720. 03	372, 378. 97	58, 980. 00	207, 495
1872	29, 276, 921. 02	475, 825. 79			457, 379. 51	436, 315. 71	57, 557. 78	232, 189
1873	26, 502, 528. 96	479, 534. 93			458, 323. 99	456, 021. 26	90, 855. 39	238, 411
1874	29, 603, 159. 24	603, 619. 75			447, 693. 17	444, 052. 24	75, 048. 72	236, 241
1875	28, 727, 104. 76	543, 300. 00			444, 074. 79	464, 821. 21	78, 799. 35	234, 821
1876	27, 411, 309. 53	524, 900. 00			447, 702. 13	468, 577. 80	98, 798. 88	232, 137
1877	27, 659, 461. 72	523, 360. 00	\$66, 057. 42	\$767. 00	455, 270. 05	445, 262. 08	67, 102. 78	232, 104
1878	26, 251, 725. 91	534, 283. 53	231, 658. 26	3, 310. 00	313, 194. 37	443, 096. 56	41, 240. 90	223, 998
1879	33, 109, 339. 92	555, 089. 00	85, 543. 50	995. 00	203, 851. 24	493, 255. 70	54, 088. 70	242, 755
1880	55, 901, 670. 42	787, 558. 66	73, 161	2, 386	221, 926. 76	582, 517. 84	55, 035. 68	250, 802
1881	49, 419, 905. 35	1, 163, 500	113, 392	3, 345	222, 295. 00	686, 565. 45	46, 462. 19	268, 830
1882	53, 328, 192. 05	984, 980	222, 995. 87	9, 600	234, 544. 37	868, 113. 92	130, 981. 85	285, 697
1883	59, 468, 610. 70	958, 903. 11	321, 968. 49	19, 220	285, 620. 29	1, 723, 285. 68	241, 555. 83	303, 658
1884	56, 945, 115. 25	967, 272. 22	247, 966. 32	14, 100	303, 430. 61	1, 936, 161. 65	333, 522. 42	322, 756
1885	64, 222, 275. 34	949, 661. 78	475, 031. 13	7, 150	275, 976. 55	2, 122, 926. 54	511, 492. 12	345, 125
1886	63, 034, 642. 90	1, 056, 500	487, 614. 76	5, 100	294, 724. 14	1, 948, 285. 80	509, 291. 91	395, 783
1887	72, 464, 236. 69	1, 288, 760. 39	1, 089, 724. 92	16, 600	248, 280. 42	1, 968, 599. 66	430, 195. 91	406, 007
1888	77, 712, 789. 27	1, 237, 712. 40	833, 561. 86	11, 581. 75	263, 109. 87	1, 986, 027. 55	420, 776. 24	452, 557
1889	86, 996, 502. 15	1, 846, 218. 43	772, 272. 72	15, 119	278, 002. 20	1, 978, 119. 98	422, 554. 50	489, 725
1890	103, 809, 250. 39	2, 285, 000	876, 108. 51	19, 569. 11	292, 697. 35	1, 957, 725. 43	380, 281. 73	537, 944
1891	114, 744, 750. 83	2, 567, 939. 67	1, 591, 293. 76	49, 700	380, 360. 14	2, 301, 721. 80	377, 560. 74	676, 160
1892	135, 914, 611. 76	3, 479, 535. 35	1, 690, 507. 47	35, 090	500, 122. 02	2, 494, 122. 87	178, 823. 44	876, 068
1893	153, 045, 460. 94	3, 861, 177	1, 614, 392. 80	43, 235. 50	519, 292. 95	2, 460, 044. 50	230, 768. 67	966, 012
1894	136, 495, 965. 61	3, 490, 760. 56	652, 678. 50	20, 000	517, 430. 37	2, 403, 522. 75	370, 344. 69	969, 544
1895	136, 156, 808. 35	3, 650, 980. 43	782, 631. 08	25, 136. 25	563, 449. 86	2, 461, 890. 50	504, 912. 52	970, 524
1896	134, 632, 175. 88	3, 582, 999. 10	665, 313. 97	7, 273. 50	565, 027. 85	2, 258, 959. 35	494, 800. 94	970, 678
1897	136, 313, 914. 64	3, 635, 802. 71	678, 395. 44	(b)	572, 439. 41	2, 262, 597. 70	474, 350. 52	976, 014
Total	2, 062, 964, 263. 19	43, 939, 778. 80	13, 572, 267. 78	309, 278. 11	11, 033, 052. 30	40, 036, 350. 50	6, 900, 278. 90	-----

Making a grand total expenditure of..... \$2,178,755,269.58

a Approximate.

b Now included in Army.

PENSION APPEALS.

Appeals in pension claims lie from the decision of the Commissioner of Pensions to the Secretary of the Interior. These appeals are considered in the division of pension affairs by a board organized for that purpose and are finally passed upon by the Assistant Secretary.

The report of Assistant Secretary Davis shows that there has been an enormous increase in the number of pension appeals filed since he took charge of the office. A large portion of the time of the Assistant Secretary is required for the consideration and disposition of these appeals.

Some important changes have been made in the rulings and practice governing the adjudication of pension claims, which are believed to be in accord with the intent and spirit of the pension laws.

There were pending on July 1, 1896, 1,069 appeals and 28 motions for reconsideration of departmental action. During the year 5,592 appeals and 270 motions were filed; of these 4,851 appeals and 224 motions were disposed of, leaving pending on July 1, 1897, 1,810 appeals and 74 motions for reconsideration.

The action of the Commissioner was reversed in 394 cases.

One thousand two hundred and fifty-seven appeals and 69 motions for reconsideration were on the docket on June 1, when Assistant Secretary Webster Davis entered upon duty; since that date 3,056 appeals and 309 motions have been filed.

On October 2 there were pending 2,950 appeals and 200 motions for reconsideration of departmental action, 1,363 appeals and 285 motions having been disposed of since June 1, 1897.

Between June 1 and October 2 the action of the Commissioner of Pensions was reversed in 187 cases.

INDIAN AFFAIRS.

The office of Commissioner of Indian Affairs was created on July 9, 1832, and placed under the direction of the Secretary of War. Upon the passage of the act of 1849 establishing the Department of the Interior, the Indian Bureau was transferred to this Department.

The total Indian population of the United States, according to the Census of 1890, is 248,253; exclusive of the New York Indians and those in the Indian Territory embraced in what is generally known as the Five Civilized Tribes, they number approximately 177,178. They are located on 177 reservations, situated in various sections of the country, containing approximately 33,404,837 acres. Four thousand five hundred and forty-five have accepted allotments of land, aggregating about 644,147 acres.

No serious outbreak or disturbance has occurred during the year, and the progress of the Indians toward civilization has been as substantial as surrounding circumstances and conditions permitted. The

necessity for their becoming an independent and self-supporting people has been impressed upon them by all proper means, and they have been encouraged to take allotments of land in severalty and work the same, engage in farming and other useful occupations, and to place their children in the Indian schools, where they could not only get a knowledge of the English language, but receive such practical instruction in the several trades as would best fit them for competition with the whites. Remunerative work has been provided by the Department for the Indians wherever it has been practicable so to do. During the year 1,464 were employed in the Indian service proper, to whom were paid salaries aggregating \$272,285, and 903 were appointed to places in the Indian school service, to whom were paid in the aggregate \$187,046 for salaries.

APPROPRIATIONS.—The appropriations for the Indian service for the fiscal year ending June 30, 1898, aggregate \$7,431,620.89, an increase of \$242,124.10 over the previous appropriation. This increase, as appears in the following comparative table, is more than accounted for by the two items for "Fulfilling treaties" and for "Support of schools."

	1897.	1898.
Current and contingent expenses.....	\$738,540.00	\$740,040.00
Fulfilling treaty obligations with Indians.....	2,933,378.17	3,123,871.74
Miscellaneous supports—gratuities.....	671,725.00	673,025.00
Incidental expenses.....	84,000.00	80,000.00
Miscellaneous	244,588.62	182,912.80
Support of schools.....	2,517,265.00	2,631,771.35
Total	7,189,496.79	7,431,620.89

EDUCATION—To the school appropriation of \$2,631,771.35 might be added nearly \$600,000 more taken from tribal funds, making the amount devoted to Indian education over \$3,000,000. The wisdom of such an expenditure is fully borne out by the results. Excluding the Indians of New York and the Five Civilized Tribes, the number of Indian pupils enrolled last year was 22,964, of whom over 80 per cent were in Government schools. The enrollment in Government schools was greater by 814 than last year, while the enrollment in contract, mission, and public schools fell off 1,422, according to the reports received. Many Indian pupils, however, are cared for in mission schools which make no report to the Government. The average attendance at all schools was over 80 per cent of the enrollment. It is disappointing to note that the number of Indian pupils cared for in district public schools is smaller than formerly.

The advance of the past year has been improvement rather than extension of the Government educational work among Indians. The 23 nonreservation boarding schools, with their 5,723 pupils, and the 73 reservation boarding schools, with 8,112 pupils, and the 138 day schools, with 4,768 pupils, have been greatly improved in equipment of buildings

and appliances, in the school curriculum, in personnel of employees, in ideals, and in general esprit du corps. Special attention has been given to remedying defects in ventilating, lighting, and sewerage of school buildings, and in improving the water supply, and a beginning has been made in supplying schools with ring baths. As a means of protection against fire, and thus ultimate economy, the Commissioner recommends substituting electricity or gas for lighting by coal-oil lamps.

The contract schools show a decided falling off in attendance—1,281. Four boarding and seven day schools have during the year been transferred by school contractors to the Government. Other contract schools have taken a smaller number of pupils than hitherto, owing to the reduction, by order of Congress, of the amount of Government aid extended to them. From \$611,570 in 1892, the amount of Government aid allowed contract schools has been gradually reduced to \$159,514—the amount allowed 36 such schools for the current fiscal year, exclusive of the special appropriations made for Hampton Institute, Virginia, and Lincoln Institution, in Philadelphia.

The new work during the past year has been providing a boarding school for Pine Ridge to replace one burned, and another for Rosebud, which has been promised for at least fifteen years; an additional school at Red Moon issue station for the Cheyennes and Arapahoes; the conversion of Fort Bidwell, Cal., into an Indian school; the assuming of contract schools, already referred to, and the beginning of construction of buildings for schools to be established at Chamberlain, S. Dak., and Sac and Fox Agency, Iowa, and the construction of many new buildings and additions to buildings for schools already in operation.

At the Nashville Exposition, an exhibit has been made of the products of school shops and of written class-room work, with photographs of school plants, which makes a good showing of what the Government is undertaking in the way of Indian education and of how it is succeeding.

The three Indian school institutes held this last summer at Omaha, Nebr.; Ogden, Utah, and Portland, Oreg., were well attended, had excellent programmes, and enjoyed much cordial hospitality from the cities in which they were held. They do very much to promote efficiency, cooperation, and good will in the Indian-school service, and to raise standards and ideals.

ALLOTMENTS AND PATENTS.—During the year patents have been issued and delivered to the following Indians:

Sioux Indians of the Crow Creek Reservation, S. Dak. (issued preceding year but not delivered)	830
Chippewas of Lac Court d'Oreilles Reservation, Wis. (issued preceding year but not delivered)	89
Warm Springs Indians, Oregon	954
Jicarilla Apaches, New Mexico	845
Quapaws, Indian Territory	469
Yakimas, Washington	100
Chippewas of Red Cliff Reservation, Wis.	169

Allotments have been approved by the Indian Office and the Department, and patents are now being prepared in the General Land Office for the following Indians living upon reservations:

Yakimas in Washington.....	716
Mission Indians, Temecula Reservation, Cal.....	85
Chippewas in Minnesota	2, 159

Schedules of the following allotments have been received in the Indian Office, but have not been finally acted upon:

Sioux, Rosebud Reservation, S. Dak.....	492
Indians of Fort Berthold Reservation, N. Dak. (schedule received in 1895 but not reported then)	949

Issuance of patents for the Mission Indians has been delayed, awaiting receipt of plats of surveys from the surveyor-general of California. Effort is now being made to secure to the Indians certain tracts contiguous to the Mission reservations which the commission of 1891 failed to set apart, but which have long been occupied by the Indians.

Allotment work has been suspended on the Klamath Reservation owing to injunction proceedings instituted to prevent making the allotments within the lands covered by grant of 1864 to the State of Oregon to aid in construction of a military road. Allotment work is in progress on the Shoshone (Wyo.) and Rosebud (S. Dak.) reservations, and has been completed on the Lower Brulé Reservation; but the removal of about half the Lower Brulé allottees to Rosebud will probably necessitate a readjustment of allotments.

Off reservations investigation has been made of application for allotments in Minnesota and Wisconsin. A few were found to have been made by the Indians in good faith, but many more to have been instigated by white men, whose purpose was to purchase the timber for an insignificant sum. Such applications have been recommended by the Commissioner for cancellation, and the prosecution of the white men implicated is contemplated. In the vicinity of Fort Bidwell, Cal., 150 allotments have been made and assistance has been given other Indians in the filing of their applications. The request of 165 Pi Utes in Harney County, Oregon, for allotments is receiving attention. The Department has approved schedules covering 1,036 allotments granted to scattered Indians, most of them in California, but a few in Idaho, Oregon, Washington, and Arizona.

WICHITA RESERVATION.—For various reasons, which have been stated and discussed in the annual reports of my predecessors, the work of allotting lands to the several tribes on the Wichita Reservation, as provided in the act of March 2, 1895, ratifying the agreement with those Indians dated June 4, 1891, was not begun until the early part of the present year.

Two allotting agents, with separate organized corps of assistants, were on the reservation prosecuting the work on the first day of June last, when the Senate passed the following resolution:

“Resolved, That the right to compensation on the part of the Wichita and affiliated bands of Indians for their possessory right in and to the lands ceded to the

United States by said Indians, under the agreement made and entered into between said Indians and the United States, at Anadarko, in the Indian Territory, on the 4th day of June, A. D. 1891, should be considered and adjusted at the same time and by the same tribunal which shall determine the alleged claim of the Choctaw and Chickasaw nations in and to said lands, and that the President is hereby requested to suspend the allotments to said Indians, now in progress, until the compensation to be allowed and paid to said Indians for the lands in excess of allotments shall be finally determined."

In compliance with this resolution, and by direction of the President, the work was suspended on the 5th of June.

The lands embraced in the Wichita Reservation are claimed by the Choctaws and Chickasaws, and in the agreement of June 4, 1891, ratified by the act of March 2, 1895, it was provided that their right thereto should be tried by the Court of Claims of the United States, and the price to be paid for them by the United States, \$1.25 per acre, should be distributed according to the judgment of that court.

The Wichita and affiliated bands insisting upon additional compensation for their possessory right to the surplus lands above the quantity required for allotment, it was provided in the agreement that their right to such compensation, and the question as to the amount, should be submitted to the Congress of the United States for determination.

The suit so authorized to be brought in the Court of Claims by the Choctaws and Chickasaws was instituted in due time after the passage of the act, and is now pending. The resolution above quoted seems to look to the consideration of all of these questions and interests by the same tribunal and at the same time. This, I have no doubt, would be for the best interests of all concerned.

This reservation is situated in Oklahoma, and the inhabitants of all the surrounding country urge speedy opening of it for settlement. The lands are desirable, and I have no doubt opening of them to white settlement would greatly promote the development of that section of the country. Nevertheless, in view of the unsettled condition of the questions affecting the rights of the Indians, until there is further legislation, I do not see how this can be done without causing them great injury and distress. The subject is complicated, so much so that it is difficult to say what steps may be taken without prejudice to the rights of the Indians. To guard against inflicting a great and permanent injury to them, I recommend that the Commission to the Five Civilized Tribes be authorized to investigate all questions relating to their rights and claims, and report such recommendations as they may deem just and proper for the speedy and just settlement of the same.

INDIAN HOMESTEADS.—The 680 homestead entries made by the Winnebagoes in Wisconsin have been investigated, and all but 12 have been finally disposed of by issuance of provisional patents or by cancellation. Some of them were made under the act of March 3, 1875, others prior to that date under Department regulations, and the rest under act of January 18, 1881.

IRRIGATION.—On the Navajo Reservation three ditches have been completed, which will irrigate about 1,000 acres; other ditches are in progress, and much work has been done during the year in repairing, modifying, and improving ditches already constructed. To a large extent Navajo labor has been employed with excellent results.

A thorough reconnoissance will disclose many more points on the Navajo reserve where lands can be made irrigable, and the work there should be continued and developed.

Under contract dated October 2, 1896, the Idaho Canal Company has constructed 4 miles of canal across Fort Hall Reservation and been paid \$30,000 therefor. The Government has constructed a main lateral 4 miles in length which can irrigate 6,000 acres. Good progress has been made in the extension of the irrigation system on the Crow Reserve, Mont., and a fine system has been put in operation on the Yakima Reserve, Wash., which, with the construction of some more laterals, will irrigate 50,000 acres. Eight other agencies have received help in irrigation from the \$30,000 appropriated for that purpose. The establishment of the position of supervisor of irrigation is urgently recommended, with a salary sufficient to secure the services of a thoroughly trained and experienced person, and he should be provided with three assistants to superintend constructed ditches.

The Commissioner recommends that the following item be inserted in the next Indian appropriation bill:

For construction of ditches and reservoirs, purchase and use of irrigating machinery, tools, and appliances, and purchase of water rights on Indian reservations, in the discretion of the Secretary of the Interior and subject to his control, forty thousand dollars; and of this amount not exceeding three thousand five hundred dollars may be used for the employment of a supervisor of irrigation, including his necessary traveling expenses, and not exceeding three thousand six hundred dollars for the employment of superintendents of constructed ditches, at a compensation not exceeding one thousand two hundred dollars per annum each, on reservations where such employment is necessary.

NEGOTIATIONS WITH INDIAN TRIBES.—By an item in the current Indian appropriation act, Congress ratified the agreement of April 21, 1896, with the Indians of the Wind River Reserve, Wyo., by which they ceded to the United States a 10-mile square tract constituting the northeastern portion of their reservation. At the same time Congress transferred to the State of Wyoming a square mile of the ceded tract, which contained the Big Horn Hot Springs, and provided that the remainder should become a part of the public domain.

A commission has been negotiating for cessions of land with the Indians of the Fort Hall, Idaho, and Yakima, Wash., reservations, but has concluded no agreements.

COMMISSIONS.—The Puyallup and Chippewa commissions were reduced by the last Indian appropriation act to one member each.

The former supervises sales of Puyallup lands and collections of payments; the latter makes allotments on the Chippewa reservations in

Minnesota. During the year 159 allotments have been made. Owing to the general business depression throughout the country, the Puyallup lands have sold at very low rates.

COMMISSION TO THE FIVE CIVILIZED TRIBES (DAWES COMMISSION).

By the Indian appropriation act of March 3, 1893, a commission was appointed to negotiate with the Five Civilized Tribes for the purpose of the extinguishment of the national or tribal title to any lands within the Indian Territory held by any and all of such nations or tribes, either by cession of the same or some part thereof to the United States, or by the allotment and division of the same in severalty among the Indians of such nations or tribes, respectively, as may be entitled to the same, or by such other method as may be agreed upon between the several nations and tribes aforesaid, or each of them, with the United States, with a view to such an adjustment upon the basis of justice and equity as may, with the consent of such nations or tribes of Indians, so far as may be necessary, be requisite and suitable to enable the ultimate creation of a State or States of the Union which shall embrace the lands within said Indian Territory.

By the Indian appropriation act of June 10, 1896, the Commission was further continued, and they were directed as follows: To hear and determine the applications for citizenship in the several nations; to cause a complete roll of citizenship of each of said nations to be made up from their records; to file the list of members as they finally approved them with the Commissioner of Indian Affairs; to make a roll of freedmen entitled to citizenship in said tribes and to include their names in the list of members to be filed with the Commissioner of Indian Affairs; to report to Congress as to leases, tribal and individual, and also as to the excessive holdings of members of the tribes and others.

The Indian appropriation act of June 7, 1897, still further continues the Commission, imposes additional duties upon them, and construes the words "rolls of citizenship" in the act of 1896 to mean "the last authenticated rolls of each tribe which have been approved by the council of the nation, and the descendants of those appearing on such rolls and such additional names and their descendants as have been subsequently added either by the council of such nation, the duly authorized courts thereof, or the Commission under the act of June tenth, eighteen hundred and ninety-six," etc.

The report of the Commission indicates that the investigation of the rights of applicants for citizenship in the Five Nations has been practically completed; that it has been engaged in the preparation of rolls of citizenship of the several tribes and has negotiated three agreements; that with the Choctaws concluded December 18, 1896, in which the

Chickasaws refused to concur was superseded by one concluded April 23, 1897, with both tribes. The latter was forwarded to Congress the 18th day of May, 1897, for consideration and ratification, and has recently been ratified by the Choctaw and Chickasaw tribes.

An agreement was also made with the Creeks September 27, 1897, but the ratification thereof was refused by the Creek council by an almost unanimous vote. The Commission does not speak encouragingly of the prospect of any further agreement being entered into. The Cherokees refused to make any agreement with the Commission, and negotiations with that tribe have, for the time, been abandoned.

Agreements concluded with such of the Five Tribes as have consented to negotiate vary so greatly in their provisions that, in view of the fact that eventually a uniform system of government must be provided for the Indian Territory, it is questionable whether any of the agreements now under consideration should be definitely ratified by Congress until the desired and necessary uniformity can be secured.

The five tribes have undoubtedly violated, in many ways, the spirit of their agreements with the United States under which the Territory is now held and governed, and while I do not recommend any action by the Government of the United States that shall be harsh, or that shall seem, in any way, to break faith with the tribes, I deem it to be my duty to call the attention of the President and Congress to the chaotic condition of the affairs of the Territory growing out of their methods of administering the business of the respective tribes. Leading Indians have absorbed great tracts of land to the exclusion of the common people, and government by an Indian aristocracy has been practically established, to the detriment of the people. A large population of whites, estimated at from 200,000 to 250,000 souls, has, by permission of the Indian government, settled in the Territory. These settlers have improved farms and built villages and towns, but they have no legal status—no property rights—and are merely tenants by sufferance.

The abolition of tribal courts and establishment of United States courts and veto power of the President over acts of tribal councils, provided for by act of Congress, passed June 7, 1897, will, it is believed, cause considerable improvement in the government; but no government for the Indian Territory will be satisfactory until Congress shall provide for the establishment of a single uniform system for the entire Indian Territory that shall place all its inhabitants in possession of the rights of American citizens.

The official report of the Five Civilized Tribes Commission, the agreements negotiated by it with the Choctaw and Chickasaw Indians and the Muscogee or Creek Nation, together with a copy of a letter from the chairman of the Five Civilized Tribes Commission, inclosing a copy of the resolution of the National Council of the Muscogee or Creek Nation, rejecting the agreement entered into between its representa-

tives and the Commission, are hereto appended, marked, respectively, Exhibits B, C, D, and E.

CREEK WARRANTS.—The Indian appropriation act for the fiscal year ending June 30, 1898, approved June 7, 1897, provides that—

Upon the properly authenticated demand of the Creek Nation made after the passage of this act the Secretary of the Interior shall, through an officer of the Government, disburse three hundred and thirty-three thousand dollars of the money in the Treasury of the United States belonging to the Creek Nation of Indians, only for the payment of the debts of the government of the Creek Nation: *Provided*, That no debts shall be paid until by investigation the Secretary of the Interior shall be satisfied that said nation of Indians incurred said debt or issued its warrants representing the same for a full and valuable consideration and that there was no fraud in connection with the incurring of said debt or the issue of warrants.

In pursuance of such authority, special inspector J. W. Zevely and Assistant Attorney George O. Ross were directed to proceed to the Creek Nation, in the Indian Territory, with a view to determining whether there was any fraud in connection with the issue of warrants. Their report shows that warrants aggregating \$352,243.16 had been drawn, of which warrants valued at \$93,704.93 are beyond doubt fraudulent, and that such fraudulent issue was due to a conspiracy on the part of certain parties therein mentioned. The validity of the remaining warrants, aggregating \$258,538.23, has not been satisfactorily established, and no payment thereof will be made until the present holders have proven that they are valid.

The names of the parties implicated in this fraud, so far as they have been ascertained, have been given to the United States district attorney with a view to their indictment. All the facts in the case have also been communicated to the Department of Justice, and such steps will be taken by the Government as will protect the interests of the Creek Indians and bring the guilty parties to justice.

LEASING OF INDIAN LANDS.—The last Indian appropriation act limits the term for which allotted lands can be leased for farming and grazing purposes to three years, and for mining and business purposes to five years. Under the previous appropriation act the limits were fixed at five years and ten years, respectively. No change has been made in the law relating to leasing tribal lands.

Tribal lands have been leased on the Omaha, Winnebago, Otoe, and Ponca reservations. Leases of allotted lands have been made as follows: Cheyenne and Arapaho, 84; Colville, Grand Ronde, Neah Bay, Santee, and Turtle Mountain, 1 each; Nez Percé, 28; Omaha, 119; Winnebago, 78; Ponca, 134; Pawnee, 97; Tonkawa, 59; Sac and Fox (Kansas), 55; Iowa (Kansas), 74; Puyallup, 6; Eastern Shawnee, 27; Modoc, 11; Ottawa, 41; Quapaw, 4; Seneca, 88; Wyandotte, 56; Iowa (Oklahoma), 25; Kickapoo (Oklahoma), 11; Sac and Fox (Oklahoma), 67; Absentee Shawnee, 100; Pottawatomie (Oklahoma), 60; Cayuse, 21; Umatilla, 3; Walla Walla, 18. Of these 4 are business leases, 18 mining, and the others farming and grazing.

INDIAN LANDS TO MISSIONARY SOCIETIES.—Small tracts varying from 2 to 80 acres have been set apart on seven reservations during the year for the use of religious societies carrying on educational and missionary work among Indians, as follows:

Name of church or society.	Acres.	Reservation.
Protestant Episcopal	120	Ponca, Nebr.
Methodist Episcopal South	40	Kiowa and Comanche, Okla.
Foreign Mission Board of German Lutheran Synod of Wisconsin, Minnesota, Michigan, and other States.	10	White Mountain, Ariz.
Board of Heathen Missions of Holland Christian Reformed Church of America.	(2)	Navajo, N. Mex.
Woman's Executive Committee Board Domestic Missions of Dutch Reformed Church.	35	Kiowa and Comanche, Okla.
Methodist Episcopal South	42	Do.
Domestic and Foreign Missionary Society of Protestant Episcopal Church.	80	Crow Creek, S. Dak.

¹ On tract reserved for agency and school purposes, at Ponca sub-agency.

² Lot 150 by 450 feet, set aside in 1891 to Methodist Episcopal Church and surrendered in 1897 in favor of Holland Christian Reformed Church

³ On Fort Sill School tract.

⁴ On agency tract, called "town of Anadarko."

In nearly every case the amount of land assigned is the amount asked for by the society desiring to occupy it, and the Indians have given their consent to such use of the land.

LOGGING.—On the Lac Court d'Oreilles and Lac du Flambeau reservations in Wisconsin the cutting of timber from allotments and its manufacture into lumber by a mill on each reservation has been satisfactorily continued.

The Commissioner of Indian Affairs has recommended that certain Indians on the Bad River Reservation, Wisconsin, whose timber has been burned, be allowed to exchange their old for new allotments. A quantity of burnt timber was cut and banked by the Red Cliff Indians last winter. In August last the sale of all timber in the Red Cliff reserve, Wisconsin, was authorized, the purchaser to be required to erect a mill on the reservation and manufacture the lumber there, and employ Indian labor as far as practicable.

On the Menomonee reserve, Wisconsin, 17,000,000 feet of logs have been cut during the past season and sold at auction for an average price of \$10.20½ cents per 1,000 feet, being an increase of 45½ cents over the price secured the previous season.

From the White Earth reserve dead timber was cut and sold last season to the extent of \$41,223.93.

RAILROADS.—The only right of way through Indian lands granted by Congress at its last session was to the Muscogee, Oklahoma and Western Railroad, through Indian allotments in Oklahoma. The Commissioner gives in detail the status of rights of way previously granted, which have been referred to in former annual reports.

SALE OF LIQUOR TO INDIANS.—By the act of January 30, 1897, it was made unlawful to dispose of intoxicating drinks of any kind in any

way to any Indian who is under the charge of an Indian agent, or under the guardianship of the Government, or who has received an allotment of land to which the Government still holds the trust title. This additional legislation was rendered necessary by decisions of courts in the Northwest that it was not against existing law to dispose of liquors to an Indian allottee. Hence drunkenness was fast making its worst inroads upon the very Indians who had otherwise the best opportunities to gain a foothold in civilization and from whom the most was expected.

Flagrant dereliction of duty on the part of deputy marshals in Oklahoma has transpired by the arrest and imprisonment of an Osage Indian for introducing intoxicating liquors on the reservation. Investigation disclosed the fact that the deputy marshal found the whisky on the Indian and seized it, and then sold it back to him and saw him drink it. This, with the fact that the Indian was old and unable to endure the imprisonment, led to his pardon by the President. Out of this case has come the knowledge that it has been the custom of deputy marshals in Oklahoma to hunt up whisky cases, not to disturb the white man for selling the liquor, but to get the Indian arrested for the sake of the fees. In fact, there is every reason to believe that not infrequently the liquor seller himself has given the deputy the name of the Indian buyer. The authorities in Oklahoma are taking this matter in hand.

The sale of opium and whisky in Nevada has been found to have reached frightful proportions. Special Agent Brewster of the Department of Justice, who made the investigation, was able to secure the arrest of several Chinamen at three towns in the vicinity of the Walker River reserve, which has given a decided check to the business there, for the present at least.

EXHIBITION OF INDIANS.—Authority has been granted to Messrs. Cody and Salisbury to take 100 Indians from reservations in the Dakotas for exhibition purposes; J. C. Henderson, of Chickasha, Ind. T., has been allowed to take 25 from the Kiowa and Comanche reserve to play baseball, and the Soldiers' Reunion at Topeka, Kans., has been authorized to have 50 or 60 Oklahoma Indians present on that occasion.

DEPREDAATION CLAIMS.—No new claims have been filed, so that the number remains as it was last year, 8,007. By act of July 19, 1897, Congress appropriated \$217,749.81 for the payment of judgments of the Court of Claims, making the total amount appropriated to date for such purposes \$1,120,680.29. Judgments amounting to a few thousand dollars have been paid and charged against the tribal funds of some tribes.

ASSAULTS FOR WITCHCRAFT IN ZUÑI PUEBLO, ARIZONA.—In recent years more than one case has occurred in which members of the Zuñi Pueblo, in Arizona, have been accused of witchcraft and cruelly maltreated and even murdered by a society of the pueblo known as "Priests of the Bow." The public torture of an old woman last winter has led

to the taking of active measures to suppress such barbarity, and upon the request of the Department, dated March 13 last, the district attorney was directed to prosecute the offenders. In August last four Indians were arrested and taken to Las Lunas for trial, where they are bound over, awaiting the action of the grand jury in February next. To assist the civil authorities in making the arrest four troops of cavalry were sent to Zuñi, one of which has remained there to protect school employees and others in the pueblo. No disorder has arisen.

GILA BEND RESERVE, ARIZ.—Over a year ago 679 allotments of 10 acres each were made to wandering Papagoes who had been induced to come on this reserve. Unfortunately, however, no arrangements have been made for getting water on the reserve, although the lands are susceptible of irrigation and there are several canal companies from whom water might be purchased.

CHEROKEE FREEDMEN PAYMENT.—In the case of Moses Whitmire, Trustee for the Freedmen of the Cherokee Nation, *v.* That Nation and the United States (No. 17209), the Court of Claims decided, February 3, 1896, that the Secretary of the Interior was authorized to appoint three commissioners to take evidence and prepare a census of the Cherokee freedmen entitled, May 3, 1894, to share in the distribution of a certain fund amounting to \$903,365. The commission consisted of R. H. Kern, of Missouri; W. P. Thompson, of the Cherokee Nation, and William Clifton, of Georgia, who were selected, respectively, by the freedmen, the Cherokee Nation, and the Secretary. The roll submitted by them was approved January 18, 1897, and Special Agent James G. Dickson was designated to distribute the fund. After he had paid out \$596,621.13 circumstances arose which rendered it necessary to relieve him from duty and suspend the payment. Thereafter United States Indian Agent D. M. Wisdom was designated to continue and complete the work. He has disbursed \$228,763.17. Incidental expenses and payments to attorneys consumed \$44,380 of the fund.

ASSAULT UPON NAVAJOES.—Last January sixteen Navajo families, who were grazing their flocks on unsurveyed lands in the Grand Canyon, National Park, and its vicinity, were visited by the sheriff of Coconino County with an armed posse. Arbitrary and unlawful demand was made of the Indians for immediate payment of \$5 for every 100 head of sheep. The Navajoes had no money, and in bitter weather, through deep snow, were summarily driven across the Little Colorado River, losing a large number of their sheep, worth to them several thousand dollars. This so-called assessment of the property of the Navajoes, which had been ordered by the supervisors of Coconino County, was undoubtedly a mere pretext to get rid of the Indians and secure the range for white men.

June 25 last the Department sent a report of the facts to the Attorney-General, with a view to instituting suit for damages against the

officers of Coconino County. On the same date a similar statement was sent to the governor of Arizona, who replied July 7 last that he had given the sheriff of Coconino County a statement of the complaints against him and demanded an explanation of his conduct.

DIGGER INDIANS IN CALIFORNIA.—A few Indians are on the lands purchased for them; but they do not appreciate a permanent home. Steps are being taken to have a practical farmer appointed to gain a hold on them and look after their interests.

SOUTHERN UTES, COLORADO.—The surplus or unallotted lands of that portion of the Southern Ute Reservation lying east of range 14 have not yet been opened to settlement. Delay in opening has been caused by the uncertainty which has heretofore existed with respect to the east boundary of the reserve; but this uncertainty has recently been removed by astronomical observations made by the Geological Survey, locating the one hundred and seventh meridian, and the General Land Office has been requested to make the survey from the point so established.

SEMINOLES IN FLORIDA.—During the past year 3,204.40 acres have been purchased for the use of these Indians. Most of them are located in what is known as the Everglades, and the status of the lands which they have long occupied there is somewhat in doubt. October 9, 1894, the Department decided that the Everglades were swamp lands, for which a patent might be issued to the State. Last February friends of the Florida Seminoles urged that lands occupied by the Indians be reserved to them before the Everglades should be patented to Florida. Later it was reported that the Indians had been driven off a certain tract in township 53, range 40 east; and March 24, 1897, the Department requested the General Land Office to reserve that tract for these Indians. The Commissioner of the General Land Office replied that township 53, range 40 east, was included in a swamp-land list approved by the Department February 13, 1897, regarding which the Indian Office had said, February 23, 1895, that the State should take title to the lands "subject to the right of occupancy of the Indians." Thus Department decision of February 13 conflicted with its instructions of March 24, and the Indian Office has recommended that—

The decision of the Department of February 13, 1897, be modified so as to except the tracts described in office report of March 23, 1897, from the lands to be patented.

Also,

That there be inserted in the patent to be issued to the State a clause expressly reserving the rights of the Indians to the occupancy of lands possessed and improved by them at the date of the patent, that purchasers of lands may have notice of the rights of the Indian occupants.

The legal questions involved are now before the Assistant Attorney-General for the Department, and upon their determination an agent will be sent to Florida to make a thorough investigation of the case.

INDIAN SCARE AT CAMAS PRAIRIE, IDAHO.—In June last the gov-

ernor of Idaho telegraphed the Indian office and one of the Idaho Senators that 300 Indians from Fort Hall, Lemhi, Umatilla, and Duck Valley reservations were at Camas Prairie alarming settlers, burning fences, and killing cattle, and that if they were not recalled trouble would ensue. Newspapers published in that vicinity gave a similar account of this utterly unfounded scare. Lieut. F. G. Irwin, acting agent at Fort Hall, visited Camas Prairie to find less than 75 Indians quietly gathering camas roots, committing no depredations, and willing to return to their reservations.

INTRUDERS IN THE INDIAN TERRITORY.—The work of adjudicating claims to citizenship in the Five Civilized Tribes was completed by the Dawes Commission December 6, 1896. January 23, 1897, the following notice was promulgated:

Whereas by the act of Congress approved June 10, 1896 (29 Stat. L., 339), the Commission appointed under the act of March 3, 1893 (27 Stat. L., 645), to negotiate with the Five Civilized Tribes in Indian Territory, commonly called the "Dawes Commission," was authorized and directed to "hear and determine the application of all persons who may apply to them for citizenship" in any of said Five Civilized Tribes; and

Whereas provision was also made for appeals by applicants and by the several Five Civilized Tribes from the decision of said Commission, to be taken within sixty days from the date of such decision, to the proper courts of the United States for the Indian Territory; and

Whereas it has been reported to me that many of said applicants whose applications were denied by said Commission and who did not appeal to the courts within the time specified, and others, noncitizens, who did not apply for citizenship, are occupants of lands belonging to the Five Civilized Tribes, and are preparing to plant and grow crops on said lands;

Now, therefore, warning is hereby given to all claimants to citizenship in any of the Five Civilized Tribes whose claims have been rejected by the Dawes Commission, so called, and who have not taken their appeals to the courts as provided in the act of Congress first above mentioned, and to all noncitizens who are occupying lands belonging to any of said Five Civilized Tribes, and who did not apply to said Commission for citizenship, that after February 6, 1897, they will have no right to remain in possession of such lands, but from and after that date will be intruders thereon and compelled to remove therefrom.

Only the Cherokee and Creek nations have made formal demand for the removal of intruders. The representatives of the Cherokees stated that out of 5,000 applications, involving the status of about 50,000 persons, only 154 persons had been found by the Commission entitled to citizenship and in only 221 cases had appeals to the courts been taken. They therefore requested the removal of the rejected claimants. In view of the large number of persons and the large amount of property involved the Indian Office recommended that prior to attempting removal the Cherokee authorities be called upon to give the names and residences of the intruders and the character of their improvements. June 11 the principal chief of the Cherokees submitted a list of 317 families whose removal he requested. In reporting on this, the Indian Office pointed out that the addresses of the intruders had not been given nor

the character of their improvements stated; also, that no appropriation had been made for expense of appraisal of improvements or removal of intruders, although such an appropriation had been requested of Congress. At the same time it recommended that some 28 intruders who had accepted and some 22 who had refused the amounts awarded for their improvements should be ejected by means of a temporary force of Indian police, beginning with the intruders who had accepted pay. This plan was adopted, and July 17 last the intruders were notified that they would be given thirty days in which to remove themselves, unless they should have perfected an appeal to the court from the decision of the Dawes Commission. September 1, Agent Wisdom reported that all except five or six had either abandoned their improvements or perfected their appeals. These he proposed to dispossess at an early day.

The Creeks also asked for the removal of their intruders, but gave too meager and indefinite information in regard to them to form a basis for intelligent action.

PEORIA AND MIAMI RESERVE, IND. T.—The Indian appropriation act of June 7, 1897, provides that adult Peoria and Miami allottees who have received allotments of 200 acres or more may sell 100 acres.

In accordance with this legislation, regulations to be observed in the execution of deeds of conveyance, and best calculated to protect the interests of the Indians and to set forth the bona fides of every conveyance made thereunder and to secure the payment of the purchase money to the grantors or their proper representatives, were approved by the Department July 10. They provided, among other things, that the title to the land conveyed by such a deed should not vest in the grantee therein named unless the deed should be approved by the Secretary of the Interior.

Copies of these regulations have been furnished the Indian agent at the Quapaw Agency for his information and for the guidance of the Indians and others in the execution of deeds of conveyance.

CHIPPEWAS AND MUNSEES IN KANSAS.—The act above named provided for the issuance of patents to such Chippewas and Munsees as might be found entitled; and for the appraisement and sale of the residue of their lands, provided the Indians should consent to such action. At a council July 26 last, 22 Indians favored and 10 were opposed to the legislation. The appraisement of "the residue of their lands" by a commission is now in progress.

BLACKFEET AND FORT BELKNAP RESERVES, MONT.—The portions of the Blackfeet and Fort Belknap reservations ceded by the agreements of September 26, 1895, and October 9, 1895, respectively, and ratified by the act of June 10, 1896, have not yet been opened to settlement. The survey of the ceded portion of the Fort Belknap Reservation has been completed and the work of surveying the Blackfeet boundary is now in progress.

DISTURBANCE AMONG TONGUE RIVER INDIANS, MONT.—Last May

the killing of a white sheep herder by an Indian of the Tongue River Agency caused great excitement among ranchmen and settlers in the vicinity of the reservation. The acting agent, Captain Stouch, asked that two troops of cavalry be sent from Fort Custer to the agency to prevent trouble between the Indians and the settlers. He arrested the murderer, Stanley, and with one troop of cavalry as escort turned him over to the sheriff at Rosebud Station to be taken to Miles City for incarceration and trial. A week later he also delivered up to the civil authorities two accomplices of Stanley. The reports of Captain Stouch give in full the successful steps taken by him to secure the murderer and obtain his confession without firing a shot, and the embarrassment to his work caused by the persistent presence at the agency of armed deputy sheriffs. The skill and wisdom with which Captain Stouch conducted the affair to a successful issue and averted what might easily have become a serious outbreak calls for special recognition.

PYRAMID LAKE INDIANS, NEVADA.—An agreement was negotiated October 17, 1891, with the Pah-Ute Indians upon the Pyramid Lake Reservation for the surrender of the southern portion of the reservation, which includes the town of Wadsworth. This agreement was laid before Congress January 11, 1892, but it has not yet been ratified, although its ratification has been repeatedly recommended.

The citizens of the town of Wadsworth, in the southern portion of the reservation, are without title to their holdings, being, as the Indian Office regards them, intruders upon the rights of the Indians. The Indians feel agrieved on account of the trespass of the whites upon their reservation, and thus the matter has been for years in an unsettled condition. I therefore respectfully suggest that Congress be urged to ratify the agreement of 1891.

NEW YORK INDIANS.—Mr. Philip C. Garrett, appointed commissioner to negotiate for the extinguishment of the claim of the Ogden Land Company, has reported his failure to conclude an agreement with either the company or the Indians. The lowest terms offered by the company was \$270,345—\$70,000 more than was asked a few years ago. He recommends that allotments be given the Indians, which would probably put the claim of the company to a test in the courts.

The agent who was directed to investigate the leases on the Allegany Reservation has submitted reports from the clerk of the Seneca Nation, and the clerk of Cattaraugus County. The former reported 76 leases as recorded in a book commencing March 22, 1881, and 1,443 ninety-nine year leases since the year 1892, with a large number of sub-leases. The number of acres covered is approximately 5,490, but the descriptions are very imperfect. The county clerk has a record of 3,111 leases, 2,031 made prior to 1892, of which 1,080 were renewed in 1892 for ninety-nine years. The descriptions are so imperfect that the quantity of land could be ascertained only by survey. A large percentage of these leases are recorded by both clerks.

Under the laws of New York sole jurisdiction in land matters is conferred upon the incompetent "peacemakers' courts" of the Seneca Nation. The State courts should have appellate jurisdiction.

The lease between the Indians and the Seneca Oil Company, entered into December 3, 1896, was ratified by Congress in the last Indian appropriation bill after an investigation by Inspector McCormick, who recommended its ratification.

TURTLE MOUNTAIN CHIPPEWAS, NORTH DAKOTA.—The affairs of these Indians continue in the same unhappy state of uncertainty. The agreement concluded with them October 22, 1892, has not yet been ratified, and until it shall be their state of disquiet and unrest will doubtless continue. Drafts of bills for the ratification of the agreement have several times been submitted to Congress with recommendation for favorable action, which it is hoped will not be much longer delayed.

REMOVAL OF SAC AND FOX AGENCY SITE, OKLA.—The agency, under existing conditions, is too remote from the Indians, and should be removed to the town or vicinity of Shawnee or Tecumseh, Okla., on the railroad, so that the agent can maintain a more uniform oversight over the several tribes under his supervision. Such removal would render it more accessible to Government officials as well as to the Absentee Shawnees and Pottawatomies, whose business interests connected with the sale and lease of their lands absorb a large proportion of the official attention of the agent. A reasonable appropriation should be made to defray the expense of removing the agency and for the erection of necessary buildings at the new site.

SALE OF CITIZEN POTTAWATOMIE AND ABSENTEE SHAWNEE LANDS, OKLA.—Since the last report the Department has approved 87 assignments of land by the Pottawatomies, at an average of \$5.55 per acre, and 14 by the Absentee Shawnees, at an average of \$6.85 per acre. The total of 101 assignments cover 9,958 acres of land for \$56,477.22, or an average of \$5.67 per acre.

BOUNDARY OF KLAMATH RESERVE, OREG.—The Klamath Boundary Commission, authorized by the act of June 10, 1896 (29 Stat., 321), reported December 18, 1896, that by an erroneous survey 617,490 acres had been excluded from the reserve, valued at \$533,270. The Indians should have this compensation, and Congress has been asked to place \$350,000 in the United States Treasury at 5 per cent, and to provide that the remainder shall be used, after paying attorneys, in purchase of cattle and farming implements and in building of houses and in irrigation.

These Indians are undoubtedly entitled to compensation for the lands erroneously excluded from their reservation, and the amount proposed is reasonable and just. As they are now taking allotments and preparing for citizenship the money will be of greater benefit to them now than at any future time. I trust the matter will receive favorable consideration at the coming session of Congress.

UNCOMPAGHRE RESERVATION.—The Uncompahgre Utes of Colorado, by an agreement made with the Ute Indians and ratified by act of Congress, approved June 15, 1880, were removed from their reservation in that State to lands in the Territory of Utah on which they are now located. Subsequently deposits of gilsonite or asphaltum were discovered in paying quantities on such lands in Utah. The agreement of 1880 provided that a sufficient sum or its equivalent in bonds of the United States be set aside (say \$1,250,000) in the Treasury of the United States, which, at 4 per cent interest, would annually yield \$50,000 for the benefit of the Ute Indians as a part consideration or compensation for the lands in Colorado relinquished by them. The lands in Colorado relinquished by the Utes was, under said agreement of 1880, to be sold for their benefit and the proceeds applied as follows, to wit:

1. To reimburse the Government for the expense incurred in removing the Indians from the reservation in Colorado to the lands assigned them in Utah, and for necessary farming implements supplied, etc.
2. To reimburse the Government for the estimated sum of \$1,250,000, which, at 4 per cent interest annually, yielded \$50,000.
3. To paying the Government \$1.25 per acre for the agricultural lands allotted them.
4. The remainder as a trust fund for the Utes.

The charge of \$1.25 per acre for the agricultural lands allotted the Utes is not to be paid by them until sufficient money is realized from the sale of their Colorado lands to permit such payment without interfering with their trust fund of \$1,250,000 bearing 4 per cent interest. The records of the General Land Office for the year 1896, it is stated in the report of my predecessor, show that the Colorado lands relinquished by these Indians contained 12,467,200 acres, of which 698,086.57 acres had been disposed of, realizing \$1,323,870.10. The cost of removing and settling the Indians and providing agricultural implements, buildings, stock, etc., was \$429,557.25, and of providing a trust fund \$1,250,000, aggregating \$1,679,557.25, which sum at least must be realized from the sale of the balance of the Colorado lands before the Uncompahgre Utes could be required to pay \$1.25 per acre for lands to be allotted them.

Within these lands, however (12,467,200 acres), the following "forest reservations" have been created by Presidential proclamations, dated respectively—

	Acres.
October 16, 1891, White River Plateau (about).....	921, 600
December 24, 1892, Battlement Mesa.....	858, 240
Total	1, 779, 840

So that over one and three-fourths millions acres of lands belonging to these Indians have been withheld from sale, which, at \$1.25 per acre, amount to over \$2,000,000.

These lands, if held permanently for the purpose reserved, must apparently be paid for by the United States, and the Ute fund credited with the sum found due.

In the Indian appropriation act of August 15, 1894, provision was made for the appointment of a commission to allot lands in severalty to the Uncompahgre Indians, and required the latter to pay \$1.25 per acre for the same. The Commission appointed for such purpose, having reported their inability to find sufficient agricultural lands within the reservation on which to make allotments and that they were unable to secure the consent of the Uncompahgres to the payment of \$1.25 an acre for the lands to be allotted them, were relieved from duty on February 4, 1896. It is probable that had they advised the Indians that the payment of \$1.25 an acre for the lands to be allotted them was not payable out of their trust fund, but only when sufficient money was realized from the sales of their Colorado lands to permit of payment therefor, without interfering with the trust fund, they would have consented.

The act of Congress approved June 7, 1897, directs the Secretary of the Interior to allot to the Uncompahgre Utes in severalty agricultural lands on the Uncompahgre or Uintah Reservation or elsewhere in the State of Utah, and provides that all land on the Uncompahgre Reservation not so allotted shall, on and after April 1, 1898, be open for location and entry under all the land laws of the United States; except all lands containing gilsonite, asphalt, elaterite, or other like substances, the title to these being in the act expressly reserved to the United States. In pursuance of this act, a commission (as provided for in the act of August 15, 1894) has been appointed and the work of allotments begun. Many difficulties in the way, however, will unavoidably retard the work, and it is evident that the allotting can not be completed by the day fixed for the opening of the reservation for settlement. The Uncompahgre Indians through a delegation from the tribe, recently accorded a hearing at the Department regarding their rights, stated that allotments of lands on the Uintah Reservation would be accepted, and the Uintahs, I am advised, have informally expressed a willingness to the allotment of a portion of their lands to the Uncompahgre Indians. No agreement, however, has yet been negotiated with the Uintahs by the commissioners appointed under the act of June 10, 1896, to negotiate with the Crow, Flathead, Northern Cheyenne, Fort Hall, Uintah, and Yakima Indians for the disposition of their lands; consequently, the terms on which the Uintahs will dispose of the lands in their reservation on which the Uncompahgres can be located is a matter for future negotiation with the Indians and adjustment by Congress. In view of this state of affairs, I recommend that the time for the allotment of lands to the Uncompahgre Indians be extended for such time beyond April 1, 1898, as Congress shall deem best.

By the terms of the act of June 15, 1880, the Uncompahgres are apparently required to pay \$1.25 per acre for the lands to be allotted to them. They have insisted, from the beginning, that they did not understand when they signed the agreement that it contained this

requirement. This has been the greatest obstacle to inducing them to take allotments; as a fact, except as a matter of exchange, the Uncompahgres do not pay for the allotments; the proceeds of the Colorado lands, when received, over and above the cost of removal of the Indians (\$429,557.25), and the trust fund of \$1,250,000 being applied so far as requisite to the reimbursements of the Uintahs, whose lands are to be taken. If the sales of Colorado lands can not immediately yield a sufficient amount for this purpose, I recommend that the Government advance the necessary sum and await the sale of lands for reimbursement.

There is in the Treasury at this time to the credit of the Ute fund, resulting from sales of lands in Colorado, the sum of \$1,216,886.32; in addition to this there must yet be realized from sales of such lands over \$500,000 in order to reimburse the Government the expenses, etc., of the removal of the Indians and the \$1,250,000 set aside from the public moneys as a trust fund.

The act of June 7, 1897, reserves to the United States the title of all lands containing gilsonite, asphalt, or other like substances, but does not authorize the Secretary of the Interior to lease the same, or to work such deposits, or to permit them to be worked by others on royalty. I have, therefore, to recommend such legislation by Congress as will enable the people of the United States to reap the benefit of these valuable and useful mineral deposits.

FISHERIES IN WASHINGTON.—A suit has been prosecuted in the United States district court of Washington against the Alaska Packing Association, to prevent them from interfering with the treaty fishery rights of the Lummi Indians in the fisheries at Point Robert, Wash. March 13 last the courts decided that no rights of the Indians had been interfered with, as the defendants were licensed, under State laws, to fish in those waters. United States Attorney W. H. Brinker recommended, and the Attorney-General directed, that the case be appealed, since similar cases have come up, and will come up, with other tribes under other treaties, and a final decision of the Supreme Court on a test case should be secured.

STOCKBRIDGES AND MUNSEES IN WISCONSIN.—The enrollment of the Stockbridges and Munsees was confirmed by the Department November 30, 1896, with the exception of a few names dropped from the roll—one whose right required further investigation, and others who had elected to take rights with the tribe in New York. In a final examination in the Indian Office of a report of Agent Savage on the matter it was decided that patents should be issued in 29 cases and that in 22 cases no patents should be given. The schedule of allotments to be patented was approved by the Department February 20, 1897.

Among these allotments one was found to embrace lands which, as swamp lands, had been patented to Wisconsin in 1865, and which the

State had refused to surrender when called on to do so in the following year. The Assistant Attorney-General for the Interior Department decided July 12, last, that—

A relinquishment of the lands in question can only be procured through the voluntary act of the State of Wisconsin, and that a cancellation of the patents heretofore issued to that State for these lands can not be obtained by suit.

TRANSPORTATION CONTRACTS.—The Indian appropriation act approved March 3, 1877 (19 Stats., 291), contains the following provision relative to transportation contracts:

That hereafter contracts involving an expenditure of more than two thousand dollars shall be advertised and let to the lowest bidder.

This provision has been held by the Department to be mandatory, and the only recourse it has, if satisfied that the bids are excessive, is to reject them and readvertise. This takes time, and delays the forwarding of supplies, compelling open-market purchases to be made to supply immediate wants at a loss to the Government.

No discretion is given the Secretary of the Interior, as in other contracts, and goods can not be shipped except as provided by the law as it now stands, even though cheaper rates might be obtained from other parties, common carriers, not bidders.

This provision should be repealed, and the same discretion given the Department in transportation contracts as in other contracts.

LIABILITY OF INDIAN AGENTS ON THEIR OFFICIAL BONDS FOR PRIVATE FUNDS OF INDIANS.—It is the custom of Indian agents to receive for safe keeping and disbursement moneys of their Indians received as rents of tribal and allotted lands, from the sale of cattle, hay and grain, and from other sources. Sometimes the agent makes the sales and collections. In other instances the Indians receive the money themselves and then take it to the agents for safe keeping until they need it, or to be expended for them in the building of homes or purchase of property. This is usually done, probably in all cases, at the request of the Indians and for their convenience and protection. Of recent years the sums so held by the various agents have been quite large, and the practice is growing more general and the business more important every year.

I have no doubt it is of great benefit to the Indians to be thus assisted, and it would be desirable to encourage the practice, if the agents could be held to proper accountability. But as these are not public funds, the agents are not responsible for them on their official bonds. In consequence of this the Department has never formally sanctioned the practice or prescribed rules for the care and disbursement of the funds, though with that end in view I have recently called upon all agents to report as to the amount of such funds on hand, and to submit similar reports at stated periods. Recent investigations have developed the fact that some losses have been sustained in such cases.

In one instance of recent occurrence an army officer as agent had in his hands \$17,644.69, which he deposited in a national bank. The bank was a depository of public funds, but the deposit was made by the agent on his private account instead of to his official credit. The bank failed, and as it is not believed that the assets will be sufficient to pay the depositors in full, the Indians will probably lose a portion of the money forever, besides being deprived of the use of the whole of it for a long time. In another late case a civilian agent is reported to have had several hundred dollars of such funds in his hands when his term of office expired, which he refuses to pay over to his successor. As he is not accountable on his official bond the only recourse is a suit against him individually, which would probably be a remedy without relief.

In view of this want of responsibility of the agents in these matters, and to the end that the best possible help of these officers may be secured to the Indians, until they be sufficiently experienced and progressive to build homes for themselves and successfully protect and manage their interests incidental to civilized life and pursuits without assistance, I deem it of great importance that legislation be enacted to hold the agents responsible on their official bonds for all funds of which they may so become the custodians. Furthermore, that officers of the Army acting as Indian agents, be also required to give bond for the same purposes as are civilian agents, and that such bonds be provided, when so desired, at the expense of the United States in suitable surety companies.

THE PATENT OFFICE.

The Patent Office was created July 4, 1836, and placed under the direction of the Secretary of State, under whom it remained until it was transferred to the Department of the Interior by the act of March 3, 1849.

The report of the Commissioner of Patents upon the business of the Patent Office for the fiscal year ended June 30, 1897, shows that there were received within that year 43,524 applications for patents, 2,088 applications for designs, 80 applications for reissues, 2,137 caveats, 1,964 applications for trade-marks, and 91 applications for labels and prints. There were 23,994 patents granted, including reissues and designs; 1,790 trade-marks, 3 labels, and 32 prints registered. The number of patents which expired was 12,584. The number of allowed applications which were by operation of law forfeited for nonpayment of final fees was 5,034. The total receipts were \$1,343,779.44; the expenditures, approximately, were \$1,026,644.39, leaving a surplus of \$317,135.05. The moneys covered into the Treasury of the United States on account of receipts from fees, etc., in patent cases, from July 4, 1836, up to and including the 30th day of June, 1897, and in excess of the cost of the management of the Patent Office, amounted to \$5,093,614.23.

Comparative statement.

Fiscal year ending—	Receipts.	Expenditures.
June 30, 1894.....	\$1, 183, 523. 18	\$1, 053, 962. 38
June 30, 1895.....	1, 195, 557. 07	1, 038, 166. 08
June 30, 1896.....	1, 307, 090. 30	1, 087, 368. 85
June 30, 1897.....	1, 343, 779. 44	1, 026, 644. 39

Applications for patents, including reissues, designs, trade-marks, labels, and prints.

Fiscal year ending—	
June 30, 1894.....	29, 206
June 30, 1895.....	41, 014
June 30, 1896.....	45, 645
June 30, 1897.....	47, 747

Applications awaiting action on the part of the office.

June 30, 1896.....	8, 943
June 30, 1897.....	12, 241

A greater number of applications for patents were filed during the year 1896 than in any previous year in the history of the Patent Office, and yet the number filed during the first six months of 1897 has exceeded by more than 7 per cent the number received in the first half of 1896. From January 1, 1897, to June 30, 1897, there were filed 25,559 applications. During the same period the total receipts of the office were \$722,897.47, a gain of \$102,015.50 over the six months immediately preceding. A comparison of the same periods shows an increase of about 6 per cent in the number of patents granted, and a like increase is shown in the number of assignments recorded and certificates issued. During the same period in 1896 there were sold 334,931 printed copies of patents, while in 1897 there were sold 679,483 copies, or an increase of nearly 103 per cent during the first six months of the present year.

The Commissioner states that while it was reported that on June 30, 1896, there were 8,943 applications before the office awaiting its action, during some weeks prior thereto, and all of October and November of that year, as well as at other periods the number exceeded 10,000; but beginning with February, 1897, and continuing to the close of June, 1897, a steady increase was maintained until the applications pending for action on the part of the office reached the number of 12,241, reported in the above table. By constant and diligent effort of the examining corps the number has since June 30 been brought down to about the number in arrears in the fall of 1896. The field of search, especially among foreign patents now accessible to the Patent Office, has greatly increased during the last few years, and the character of the work is such that it is practically impossible for the examining corps, in which there has been no increase since 1891, already pressed to its utmost capacity, to reduce the volume of work and do it properly. With the indicated increase of applications the work must continue to fall further behind unless relief is afforded.

Notwithstanding the large increase in arrears of work on hand, it is so distributed that in none of the divisions of the Office was the work on June 30 more than three months in arrears.

The Commissioner draws attention to the fact, of which mention has been made in previous annual reports, that there are 76 copyists in the Patent Office receiving a salary of but \$720 per annum, whereas the salaries paid for persons doing work of equal grade in the other bureaus of this Department is \$900. He regards such a discrimination as unwise and unjust, and states that it has the effect of causing a loss, from time to time, of employees whose capacity to dispatch work efficiently has been demonstrated, by transfers to other Bureaus and Departments of the Government in which for the same service \$900 per annum is paid.

Especial attention is called to the steady increase in the business of the Patent Office and to the necessity for an additional force and the providing of means for the improvement of the facilities for transacting the steadily increasing volume of business. To that end the Commissioner recommends an appropriation of \$49,020. There can be no doubt that the present condition of the business in the Patent Office is such as to require a material increase in its force in order to properly dispose thereof; and, in view of the fact that there has been turned into the Treasury receipts from this Office, over and above its running expenses, aggregating \$5,093,614.23, I commend to your favorable consideration the recommendation of the Commissioner of Patents that Congress provide for the necessary increase in the clerical force of his Office.

OFFICE OF RAILROAD AFFAIRS.

The office of Auditor of Railroad Accounts established by the act of June 19, 1878, as a bureau of the Interior Department, and the duties of the Auditor, under and subject to the direction of the Secretary of the Interior, are defined to be "to prescribe a system of reports to be rendered to him by the railroad companies whose roads are in whole or in part west, north, or south of the Missouri River, and to which the United States have granted any loan of credit or subsidy in bonds or lands; to examine the books and accounts of each of said railroad companies once in each fiscal year, and at such other times as may be deemed by him necessary to determine the correctness of any report received from them; to assist the Government directors of any of said railroad companies in all matters which come under their cognizance, whenever they may officially request such assistance; to see that the laws relating to said companies are enforced; to furnish such information to the several Departments of the Government in regard to tariffs for freight and passengers and in regard to the accounts of said railroad companies as may be by them required, or, in the absence of any request therefor, as he may deem expedient for the interest of the Government; and to make an annual report to the Secretary of the

Interior, on the 1st day of November, on the condition of each of said railroad companies, their roads, accounts, and affairs, for the fiscal year ending June 30, immediately preceding." The title of Auditor of Railroad Accounts was changed by the act of March 3, 1881, to that of Commissioner of Railroads.

The report of the Commissioner sets forth the operations of the last fiscal year and the present condition of the several railroads which have received subsidies in bonds and in grants of land from the United States.

The Commissioner remarks on the very depressed condition of business, brought about by the failure of crops, low prices, and uncertainties in political affairs, which is reflected in the reports of greatly reduced railroad earnings during the past year as compared with former years, in the unusually large number of roads which passed into receivers' hands or were sold at foreclosure, and in the unprecedentedly small amount of new construction. He notes, however, a steady improvement during the first six months of the present year, particularly in the bond-aided lines, in which the United States is financially interested, and states that the outlook for larger crops, higher prices, and consequently increased railroad earnings is very encouraging.

A careful inspection was made of all the bond-aided lines and many of the land-grant roads. Substantial improvements were noted in the maintenance of these properties, particularly in the main lines of the Union and Central Pacific, respectively, and the roadbed and track are kept up to a high standard. The offices of these bond-aided roads were visited and the books examined with a view to ascertaining the amounts due the United States for the year under the existing laws. The results for the year, as compared with the preceding year, show decreases as follows:

Union Pacific, \$42,587.42, attributable to reduced earnings from transportation of Government freight; Central Pacific, \$3,816.20, and Sioux City and Pacific \$66.58. In the case of the Central Branch, Union Pacific, there was an increase of \$7,679.90, caused by a decided improvement in net earnings.

The Commissioner submits statements showing in detail the subsidy bonds which have matured and in the payment of which the companies have defaulted, the payments of the United States on account of interest, and the repayments which have been made by the companies. The bonds and cash now held in the sinking funds in the United States Treasury to the credit of the Union and Central Pacific companies are shown in detail.

The balance of debt of the several companies to the United States on June 30, 1897, after deducting all credit allowed both on account of bonds and interest and of sinking fund, was as follows:

Union Pacific (including Kansas Pacific)	\$53, 371, 180. 71
Central Pacific (including Western Pacific).....	59, 829, 032. 29
Sioux City and Pacific	4, 199, 066. 41
Central Branch, Union Pacific.....	3, 765, 998. 97

The report recites the legislation attempted by Congress at its last session looking to a settlement of the indebtedness of these companies.

The Commissioner sets forth the measures taken by the Department of Justice in protecting the interests of the Government pending the prosecution of suits to foreclose the Government lien on the Union and Kansas Pacific railroads.

The report contains detailed statements pertaining to all of the subsidized and land-grant railroads. The following is an abstract as to the earnings and payments on the subsidized portion of the several bond-aided roads for the year ended December 31, 1896, under the acts of 1862, 1864, and 1878, these statements being made under the "Thurman Act" for the calendar year. The full report gives the financial condition and other statistics to June 30, 1897, covering both aided and nonaided portions.

UNION PACIFIC.—The gross earnings of the Union division for the year ended December 31, 1896, were \$10,853,881.07, and the net earnings \$2,550,899.69. The requirement for the year was a sum equal to 5 per cent of the net earnings and the entire Government transportation, and amounted to \$1,193,510.97, being \$555,786.05 in excess of 25 per cent of the net earnings. The gross earnings of the aided portion of the Kansas division was \$2,248,866.94, and the net earnings \$705,761.66. The requirement of the year was a sum equal to 5 per cent of the net earnings and one-half of the Government transportation, and amounted to \$100,974.07. The total amount due from the Union Pacific Railway Company on account of the Union and Kansas divisions for the year ended December 31, 1896, was \$1,294,485.04, while the Government paid out in interest on the bonds advanced to this company the sum of \$1,650,384.97 during the corresponding period.

CENTRAL PACIFIC.—The gross earnings of the aided portion of the Central Pacific Railroad for the year ended December 31, 1896, were \$7,789,191.94, and the net earnings \$1,115,466.42. The requirement for the year was a sum equal to 5 per cent of the net earnings and the entire Government transportation, and amounted to \$644,573.83, being \$365,707.23 in excess of 25 per cent of the net earnings, while the Government paid out in interest on the bonds advanced to this company the sum of \$1,433,620.80 during the corresponding period.

SIOUX CITY AND PACIFIC.—The gross earnings of the aided portion of this road for the year ended December 31, 1896, amounted to \$378,001.93, and the net earnings to \$106,764.93. The requirement was 5 per cent of the net earnings and one-half of the Government transportation, and amounted to \$19,991.35, while the Government paid out in interest on the bonds advanced to this company the sum of \$97,699.20 during the corresponding period.

CENTRAL BRANCH UNION PACIFIC.—The gross earnings of the aided portion of this road for the year ended December 31, 1896, were \$445,921.77, and the net earnings \$153,640.91. The requirement was 5

per cent of the net earnings and one-half of the Government transportation, and amounted to \$15,868.06, while the Government paid out in interest on the bonds advanced to this company the sum of \$57,600 during the corresponding period.

THE GOVERNMENT DIRECTORS OF THE UNION PACIFIC RAILWAY COMPANY.

The act of July 1, 1862, provides for the appointment by the President of two directors of the Union Pacific Railway Company, to represent the Government and act with the regular board of directors of the company. By the act of July 2, 1864, the number of Government directors was increased to five. They are required to attend the meetings of the board, to visit all portions of the road as often as necessary, and to report to the Secretary of the Interior from time to time touching the condition and management of the company.

The compensation of a director is \$10 per day for each day actually employed, and mileage from residence to place of meeting and return at the rate of 10 cents per mile each way. This compensation is paid by the railway company.

The report of the Government directors of the Union Pacific Railway, for the fiscal year ended June 30, 1897, shows that there have been marked improvements both in the character of the roadbed and condition of the equipment of the road.

The comparative statements given of the earnings and expenses for each month, from January to June, 1897, indicate an increase in gross earnings and in surplus over the corresponding period in 1896; the surplus earnings for the year ended June 30, 1897, being \$192,005.15 in excess of the earnings for the preceding fiscal year.

The directors append to their report a copy of a special report made by them to the Secretary of the Interior on January 23, 1897, setting out at length the correspondence between the Department of Justice and the reorganization committee of the Union Pacific Railway, which correspondence resulted in the following agreement being reached: That in the event that the Government should proceed to foreclose its lien by sale of the railroad property of the Union Pacific Railway Company, and sale of the sinking fund in the United States Treasury, said reorganization committee would guarantee a minimum bid for the Union and Kansas Pacific lines of railroad and property within the lien of the Government, and for the cash and securities in the United States Union Pacific sinking fund taken at par, which shall produce to the Government, over and above all prior liens on such railways and sinking fund, the net sum of \$45,754,059.99. As security for the performance of this agreement, the chairman of the committee deposited with the United States Trust Company of New York the sum of \$4,500,000.

The directors state that they advised the acceptance of this offer and

show that it will result in refunding to the United States the principal amount of the bonds originally issued and the sum of \$32,843,629 on account of interest, an equivalent to over 3 per cent for the thirty years during which the bonds have run. Or, from another point of view, the offer is equivalent to about 65 per cent of the total present obligation of the company to the Government. They regard it as preferable to funding and extending the debt, as was proposed by the "Powers bill" of the last Congress.

The directors review at length the various suits which were instituted to foreclose the first-mortgage liens and the subsidy liens of the United States on the Union and Kansas divisions, respectively, in accordance with the above-mentioned agreement, and recite the terms of the final decrees which were entered in such suits. The decrees in the United States foreclosure suits fix the minimum bids which the special master is authorized to accept for the Government claim at \$23,000,000 for the Union Division, and \$2,500,000 for the subsidized portion of the Kansas Division. It is also provided that the bonds held in the sinking fund shall be sold as an entirety to the highest bidder, no bid less than a sum equal to the aggregate par value of all the bonds in said sinking fund to be accepted.

They estimate the total amount of securities taken at par and the cash in the sinking fund at \$18,000,000; since the guarantee bid of the committee of \$45,754,059.99 includes the sinking fund, it follows that the minimum bid for the railroad properties, if presently sold under the decrees, would be \$27,754,059.99. This would be more than \$2,000,000 in excess of the minimum bid authorized to be received by the decrees; but the directors urge that inasmuch as a deposit has actually been made as security for the faithful performance of the agreement of the reorganization committee, no sales should be confirmed which shall not result in the United States receiving the full sum of \$45,754,059.99. The decrees fix the total amount due the Government for principal and interest from both the Union and Kansas divisions on April 1, 1897, at \$70,654,330.12, so that the bid of the committee represents a loss to the United States of about \$25,000,000.

The directors repeat their approval of the action of the Department of Justice in accepting the proposition of the reorganization committee and instituting foreclosure proceedings. They say that, having "always been firmly convinced that the ownership of these railroads by the Government would be most injurious to the people, would result in gross inequalities and discriminations in favor of the territory served by them, and would be a prolific source of political corruption, they find themselves unable to consider the subject from the point of view of Government ownership," and they address their report to the single question of realizing for the Government the best financial return for its investment in this property. They express themselves as satisfied

that the course pursued by the Department of Justice "has been wise, discreet, and advantageous to the Government," and call attention to the fact that, the arrangement having been openly and publicly made in January last and the sale postponed until October, there has been ample time for all great railroad corporations and financial institutions to examine into the subject in detail and make such necessary arrangements as will enable them to become bidders at the sale.

In conclusion, the directors call attention to the fact that foreclosure suits are being prosecuted for the sale of the securities under the three collateral trust mortgages made by the Union Pacific Railway Company. Inasmuch as many of these collaterals have greatly advanced in market value, and it is possible that the foreclosures will leave surpluses applicable to the payment of the general debts of the company, they argue that it is to the interest of the United States to secure to the Union Pacific Railway Company all such assets or surpluses and all property of every form not covered by the mortgages, to the end that the aggregate of general assets may form the largest possible fund for part payment of its general creditors.

FORECLOSURE SUITS.

The present condition of the suits instituted for the foreclosure of the Government lien on the Union and Kansas Division of the Union Pacific Railway is as follows:

The interest of the United States in the Union Division of the Union Pacific Railway terminated on November 1, 1897, when this division was sold to the reorganization committee, of which Louis Fitzgerald was chairman.

The accepted bids covered the entire indebtedness to the Government to November 1, 1897, and the bonds, at par, held in the sinking fund.

The amount due the Government consisted of the principal of the subsidy bonds, \$27,236,512, and the unreimbursed and accrued interest thereon, \$31,211,711.75, making the total indebtedness \$58,448,223.75. The sinking fund in the United States Treasury belonging to the company consists of \$4,549,368.26 uninvested cash, and \$13,645,250 in bonds, aggregating in all \$18,194,618.26. Deducting this fund from the indebtedness, a balance of \$40,253,605.49 remains of the debt.

The bonds in the sinking fund were sold at par to the same committee for \$13,645,250, making the total bids by the reorganization committee, together with the cash in the sinking fund, \$58,528,532.76, the total indebtedness.

The sale of the Kansas Division of the Union Pacific Railway has been postponed until December 15, 1897. The debt of this division to the Government on November 1, 1897, was the principal of the subsidy bonds, \$6,303,000, and the unreimbursed and accrued interest thereon, \$6,626,690.33, making a total of \$12,929,690.33.

THE ELEVENTH CENSUS.

The supervisory powers relating to the acts of marshals and others in taking and returning the census were given to the Secretary of the Interior by the act creating the Department. Prior to that time such powers were exercised by the Secretary of State.

The Commissioner of Labor, by authority of an act of October 3, 1893, was directed and authorized by the President of the United States to perform the duties of Superintendent of Census under the direction of the Secretary of the Interior.

On the 2d of March, 1895, Congress abolished the "Office of the Eleventh Census," and provided for the completion of the unfinished work thereof in the office of the Secretary. Under the same act, the continuance of the services of the Commissioner of Labor in charge of the Eleventh Census was authorized, and the census work was thereafter conducted under his supervision in the Census Division of the Secretary's office. Subsequently the Census Division was abolished, and a census clerk was provided for, who is now in charge of the records of the Eleventh Census. The Eleventh Census is practically a matter of the past, and, in accordance with his request, the Commissioner of Labor has been relieved of all further responsibility in connection with the office, the latter being in the hands of the census clerk.

The Commissioner of Labor, in his report, calls attention to the necessity for early legislation providing for the Twelfth and subsequent census enumerations. A bill is now pending in the Senate incidentally providing for a permanent census office, but more specifically making provision for the immediate creation of a force, under a director* or superintendent, for the purpose of making preparations for the Twelfth Census. It would have been well had some legislation taken place during the last session, thus securing ample time for the details of preparation for future census work. Should the census bill become a law early the coming winter, whoever has charge of the next enumeration will have a year's advantage of his predecessors, but even then none too much time for careful preparation. I earnestly hope, therefore, that there will be speedy action in securing proper legislation for the Twelfth Census.

I am satisfied that many of the difficulties which have arisen during the past two or three enumerations could have been avoided had the officer in charge of the Census Office had sufficient time in which to make preparations. At the Ninth Census, I am advised, the Superintendent did not know under what form or system the enumeration was to be made until a short time before active work was to begin, while the Tenth Census was taken in accordance with an act approved March 3, 1879, a little more than a year before the enumeration, although important amendments, without which that enumeration could not have been made, were not enacted as law until June 16, 1880, two

weeks subsequent to the commencement of the actual enumeration. The act providing for the Eleventh Census (that of 1890) was approved March 1, 1889, but legislation making provision for important inquiries did not take place until February 22, 1890, barely three months before the enumerators commenced their work. The Superintendent, of course, could not perfect his schedules or make any final preparation for the enumeration of 1890 until after the date last named. Insufficient and tardy legislation is not the fault, probably, of any committee of either the House or Senate, the inherent difficulty lying in the fact that there is no officer on duty whose particular business it is to see that the details of the census are properly prepared and digested for enactment into law.

At my request the Commissioner of Labor has specifically set forth the necessity for early legislation in a communication of date October 11, which I have forwarded to you for your information. With ample time the head of the Census Office can work out the details of methods that will insure for the coming enumeration many reforms over past methods, and among these reforms there should be some means by which the inquiries can be reduced and the number and size of the reports on final results greatly lessened. The completed reports of the Eleventh Census number twenty-five quarto volumes, and this is a great reduction of the number of reports contemplated by law. Several branches of inquiries can be eliminated from the Twelfth Census, either by postponement or transfer to bureaus already in existence.

GEOLOGICAL SURVEY.

The office of Director of the Geological Survey was established March 3, 1879, and placed under the direction of the Secretary of the Interior.

The work of the Geological Survey in its several branches was actively prosecuted throughout the year. A general plan of operations was submitted by the Director and approved by the Secretary of the Interior June 22, 1896, and the work was executed in conformity with such plan.

The Survey is organized in four branches: Geology, topography, publication, and administration, and within each of these branches there are several divisions.

In the Geologic Branch 30 parties have worked in 27 States and in Alaska and Indian Territory. The geological work included the study of the surficial and glacial formations of the southeastern and northern central States; the geological problems connected with the underground water supply of the arid and Great Plains region west of the Mississippi River; the continuation of the mapping of the areal and structural geology of the coal and iron belt of the Appalachian region; the continuation of the survey of the great iron-ore district of the Lake

Superior region; the study and mapping of the mineral-bearing areas in the Pacific Coast and Rocky Mountain States; the completion of the survey and map of the phosphate belt of Florida, and the study of many minor problems, accounts of which will be found in the Director's Annual Report.

Under the recent legislation (act of June 11, 1896, 29 Stat. L., 413) providing for the establishment of levels and permanent monuments and bench marks, the Survey took a step toward the preparation of a much higher grade of topographic maps. During the year 10,840 miles of levels were run, and 1,820 bench marks were established in connection with them. The topographic surveys covered 27,466 square miles, distributed through 25 States and Territories.

By act of Congress approved June 4, 1897, provision was made for a survey of the forest reserves by the Geological Survey, and an appropriation of \$150,000 was made for the purpose. The plan of operations for this work was approved early in June, and before the close of the month surveying parties left Washington to begin the work in the Black Hills Reserve, S. Dak.; the Teton and Big Horn reserves, Wyo.; the Bitter Root, Flathead, and Priest River reserves, Mont.; and the Washington Reserve, in the State of Washington. Plans were also approved for an examination of the distribution of the forests in these reserves. It is anticipated that before the close of the field season sufficient data will have been secured in relation to the settled areas of the reserves embraced in the Executive orders and proclamations which were by the act of June 4, 1897, suspended from the operation of the statute until March 1, 1898, to enable the Department to form an opinion based upon maps and notes, as to population and improvements included within the reserves; also the distribution of the forested and agricultural lands.

In the Division of Hydrography field work has been carried on in a manner similar to that of preceding years, but more streams have been measured and a greater area has been covered by the investigation of underground waters and artesian wells. In the humid region of New England, the Atlantic Coast, and the Mississippi Valley the work consisted principally in gauging streams and studying the problems connected with local artesian water supply. In the subhumid region of the Dakotas, Nebraska, Kansas, and Texas the principal work has been in connection with the artesian investigation, although a considerable number of stream measurements have also been made. In the arid region of the Rocky Mountain and Pacific Coast States, the principal work has consisted in maintaining measurements of the discharge of streams rising in high mountains and flowing out upon the adjacent valleys. The results of the operations of this division are given in Part IV of the Eighteenth Annual Report of the Survey, which is devoted entirely to hydrography.

The Division of Mineral Resources has maintained its usual accuracy

and promptness. The two large volumes for the calendar year 1895, on the metallic and nonmetallic minerals, were distributed prior to the assembling of Congress, and the data for the mineral production for the calendar year 1896 were gathered and prepared for publication before the close of the fiscal year.

The publications of the Survey have appeared with unusual promptness, the entire Seventeenth Annual Report, comprising 4 volumes, aggregating 2,998 pages, with numerous illustrations and maps, being printed and distributed during the year. There were also issued 2 monographs, 13 bulletins, 6 smaller bulletins of the water-supply series, and 10 geologic folios. Special attention is called to Monograph XXVIII, on the Marquette iron-bearing district, which is one of the largest and most thorough reports yet published upon the iron-ore producing formations of the United States.

The subdivisional surveys of the Indian Territory were carried forward systematically until checked by the failure of the Indian appropriation bill on March 4, 1897. The work was resumed the latter part of June, and it is anticipated that the field surveys of the Territory, exclusive of the Chickasaw Nation, will be completed in December, and all field notes and plats filed with the Department by the close of the fiscal year ending June 30, 1898. Under the special appropriation for the resurvey of the Chickasaw Nation, work was begun in the latter part of June, and it is expected that the field work of the entire area will be completed by July 1, 1898.

The number of miles surveyed in the Indian Territory from July 1, 1896, to April 17, 1897, was 16,079, and the total number of miles to that date, 38,411, leaving about 320 miles of exterior lines to be run and 9,500 of subdivisional lines, including the necessary meanders. The topographic mapping has been prosecuted contemporaneously with the subdivisional work, an area of 17,430 square miles having been mapped since the beginning of the work. In connection with the topographic work, and in conformity with the law relating to the establishment of bench marks, 4,174 miles of spirit leveling were run and 700 permanent bench marks were established.

The expense of the topographic work, spirit leveling and permanent bench marks and of the land subdivisional surveys to April 15, 1897, was nearly \$26,000 less than the contract price for the simple subdivisional surveys would have been, showing that it is far more profitable for the Government to do this work in large areas by its own surveyors than by the contract system. It can be done much more thoroughly, and at the same time the topographic map can be made and permanent iron monuments established at township corners, upon which the elevation above the sea is recorded. If the topographic surveys already completed in the Territory had been made independently of the land survey, they would have cost the Government between \$80,000 and \$85,000.

As a whole, the work of the Survey has progressed in a satisfactory manner, and it is anticipated that the usefulness of the work will be augmented during the fiscal year 1897-98.

OFFICE OF EDUCATION.

The act of Congress approved March 2, 1867 (14 Stat. L., 434), established a Department of Education—

For the purpose of collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories and of diffusing such information respecting the organization and management of school systems and methods of teaching as shall aid the people of the United States in the establishment and maintenance of efficient school systems and otherwise promote the cause of education.

By the act of Congress approved July 20, 1868 (15 Stat. L., 106), the Department of Education was abolished, and instead there was "established and attached to the Department of the Interior an office to be denominated the Office of Education, the chief officer of which shall be the Commissioner of Education, * * * who shall, under the direction of the Secretary of the Interior, discharge all such duties and superintend, execute, and perform all such acts and things touching and respecting the said Office of Education as are devolved by law upon said Commissioner of Education."

The Commissioner of Education reports that during the past year the office has continued its work of preparing a statement of the condition and progress of education in the several States and Territories by collating the information obtained on over 12,000 statistical returns that were received during the year, and by the examination of nearly 8,000 catalogues of special institutions and 2,000 printed reports. The information so collated has been tabulated and the results discussed in detail in the annual report of the office for 1895-96, now in the hands of the Public Printer. The act of Congress, approved January 12, 1895, regulating the public printing has made it possible to print the annual reports of the office without the delays formerly necessitated by the awaiting of the special appropriation therefor on the part of Congress. Under this act the first volume of the annual report is printed within six or seven months after the close of the fiscal year, and is followed by a second volume four or five months later. The public has now the use of the report of the Office of Education one or two years earlier than has been found possible hitherto.

While the act in question has facilitated the issue of the annual report of the office, it has seriously interfered with the printing of circulars and documents required in its proper administration by restricting the printing of any report, publication, or document to the number of 1,000 of each in any one fiscal year without authorization therefor by Congress. Many circulars covering the history of higher education in the States and other circulars on various educational subjects, for which

there is great demand, are in the office awaiting publication, but can not be issued unless special appropriation for the printing thereof is made by Congress, and the restriction as to the number of copies imposed by said act is removed. The Commissioner recommends an appropriation of \$20,000 as a printing fund, and that he be authorized to use the same in the publication of a bulletin.

According to the tabulated returns of the schools of the country for the year 1895-96, there were almost 14,000,000 children receiving elementary instruction in the public schools, and 1,250,000 in the private schools. In the public high schools there were nearly 400,000 more, and somewhat less than 200,000 in private academies and preparatory schools. The universities and colleges enrolled nearly 100,000 students, while the professional schools of the United States had an enrollment of 53,000; in the training schools for teachers there were upward of 60,000 students. The value of the school property owned by the public amounted to \$456,000,000, and the total annual expenditure in the public schools was \$184,000,000. In the Southern States there were 4,000,000 of white children enrolled, and about 1,500,000 colored children. The average length of the school year for the whole country was 140 days.

The comparative statistics of the public schools of the United States, showing the total population, number of pupils enrolled, the number of schoolhouses, teachers, etc., and the amount of expenditures for seven years, including 1890, 1891, 1892, 1893, 1894, 1895, and 1896, will convey some idea of the magnitude of this interest and of its rate of growth.

Growth of the common schools.

Year.	Pupils enrolled.	Teachers.		Total expenditure.	Expended per capita of population.	Expended per pupil.
		Male.	Female.			
1870-71.....	7,561,582	90,293	129,932	\$69,107,612	\$1.75	\$15.20
1874-75.....	8,785,878	108,791	149,074	83,504,007	1.91	15.91
1879-80.....	9,867,505	122,795	163,798	78,094,687	1.56	12.71
1884-85.....	11,398,024	121,762	204,154	110,328,375	1.96	15.12
1889-90.....	12,722,581	125,525	238,397	140,506,715	2.24	17.23
1890-91.....	13,050,132	123,360	245,028	147,494,809	2.31	17.54
1891-92.....	13,255,921	121,573	252,653	155,817,012	2.40	18.20
1892-93.....	13,483,340	122,472	260,278	164,171,057	2.48	18.58
1893-94.....	13,995,357	125,402	263,547	172,502,843	2.53	18.62
1894-95.....	a 14,201,752	128,376	267,951	178,215,550	2.59	18.98
1895-96.....	a 14,379,078	130,366	269,959	184,453,780	2.61	18.92

a The figures for 1894-95 and 1895-96 are subject to correction.

During the year there have been maintained in Alaska 20 day scholos under the immediate supervision of the Education Office, with 23 teachers and an enrollment of 1,267 pupils. These schools, together with about 20 mission schools and homes conducted by the various missionary organizations of the United States (the most efficient of

which is the fully equipped industrial school at Sitka), and a few schools of the Russo-Greek Church, supported by the Imperial Russian Government, constitute the educational facilities of Alaska.

Southeastern Alaska is within easy communication by a line of steamers which make trips from Puget Sound every two weeks during the entire year. The schools in this region are under the immediate supervision of a district superintendent. A local school committee has been organized wherever the white population has been sufficient for the composition of such a committee. In the towns of Sitka, Juneau, and Douglas separate schools are maintained for the white and native children. From the smaller day schools the more promising of the native pupils are sent to the industrial school at Sitka, where, in addition to the instruction received from books, the girls are trained in cooking and household duties and the boys in carpentering, blacksmithing, and shoemaking.

During the summer of 1896 a much-needed schoolhouse was erected near the Treadwell gold mine at Douglas, in southeast Alaska, and this season a school building has been completed at Hoonah, a large native settlement on Chicagoff Island.

A public school was opened in Circle City, in the Yukon mining district, in September, 1896.

There are at present five herds of reindeer in Alaska, one at Cape Prince of Wales, numbering 253; one at Cape Nome (under three Esquimo apprentices) numbering 218; one at the Swedish mission station at Golovin Bay, and one at St. James Episcopal station, near the former, the two numbering together 206; the central Government herd at Teller reindeer station numbering 423, making a total of 1,100 head. The needs of the service are fully set forth in a recent report of Dr. Sheldon Jackson, general agent of education in Alaska, which will be found in the appendix hereto. (Exhibit F.)

The opening of the new mines on the Klondike River threatens to draw away the settlements in and about Circle City in the Yukon mining district. In former reports of the office a plan to arrange a reindeer express connecting the towns in line from Bering Strait to Kadiak Island has been described. The superintendent of the Teller Reindeer Station, Alaska, has recently made a successful trial trip over this route, thereby demonstrating the practicability of communication, even in the depth of winter, between civilization and arctic Alaska. At the instance of the Secretary of the Interior orders have been issued to bring such reindeer as have been trained to harness to St. Michaels, to be placed at the disposal of the officer commanding the United States Army post at that station for use in transporting provisions, etc., to the Klondike mining region should scarcity of food among the mining population in that region demand such course.

For the purpose of transportation a large number of male reindeer at the Teller Station and elsewhere are under active training. It is pro-

posed to detail three of the skilled herdsmen with 30 reindeer broken to harness to the upper Yukon the present season for the use of the miners in the gold camps. The reindeer finds pasturage at nearly all places in Alaska on the long moss which grows there, while dog teams require animal food, and this must form a considerable portion of the freight that they carry. While a dog team can travel from 20 to 30 miles a day, the reindeer can travel 60 miles and even 90 miles. The reindeer herd promises to be the solution of the most important Alaska problem which is to furnish rapid transit winter and summer, and to utilize the only abundant food there, namely, the moss.

The statistics for 1895-96 for agricultural and mechanical colleges endowed by acts of Congress approved June 2, 1862, and August 30, 1890, with public lands or a part of the proceeds arising from the sale thereof are given in accordance with the law of Congress.

It is shown by the table giving the financial statistics of these institutions that each of the States and Territories received its quota of \$21,000 from the United States Treasury under the act of August 30, 1890, appropriating \$15,000 the first year, \$16,000 the second year, and an annual increase until the annual appropriation reaches the sum of \$25,000, in the year 1901. These States and Territories having reported the proper application of the previous year's endowment in accordance with the act of Congress, were certified to the United States Treasurer as entitled to the sum of \$21,000.

THE ASSISTANT ATTORNEY-GENERAL.

The report of the Assistant Attorney-General for the Department of the Interior will be found in the appendix hereto (marked Exhibit G), and shows the character and extent of the work of the law division.

Hon. Isaac H. Lionberger, of Missouri, succeeded Hon. William A. Little as Assistant Attorney-General for this Department on October 26, 1896; and on March 23, 1897, shortly after the incoming of the present Administration, Mr. Lionberger was succeeded by Hon. Willis Van Devanter, of Wyoming.

The duties of the office of the Assistant Attorney-General consist mainly of the examination of cases brought before the Department on appeal from the Commissioner of the General Land Office, involving all questions relating to the disposal of the public domain under the numerous laws pertaining to homestead, preemption, or timber-culture entries, mineral lands, desert lands, swamp lands, school lands, railroad grants, etc. In order to formulate decisions upon these questions for the signature of the Secretary, the assistant attorneys in this office are called upon to examine the records in these cases, amounting frequently to hundreds and sometimes thousands of pages, and to familiarize themselves with the laws of the Supreme Court and previous departmental decisions bearing upon the questions involved. Many

of the cases present difficult questions of law, calling for intelligent and painstaking research.

This work has during the past year been especially difficult and onerous, on account of the unprecedented number of records containing very voluminous transcripts of testimony and presenting important and closely contested legal propositions. An unusually large number of motions for review, usually incident to a change of Administration, have been filed and disposed of during the last eight months. In addition to these matters, a considerable number of questions pertaining to other bureaus and branches of this Department have been referred to the Assistant Attorney-General for his opinion.

The number of assistant attorneys in this office is not sufficient to dispose of the great volume of work which comes before the office, and the compensation provided for some of them is not commensurate with either the amount of work to be done or the ability and learning required.

PUBLIC DOCUMENTS.

Section 92 of act of January 12, 1895, regulating the printing and distribution of public documents, provides that "public documents received by the several Executive Departments shall be distributed by a competent person" who "shall keep an account in detail of all publications received and distributed by him. He shall prevent duplication, and make detailed report to the head of the Department, who shall transmit the same annually to Congress."

The report of the chief of the document division shows that publications of the Government were received during the year by the several Offices and Bureaus of the Department, as follows:

Office of the Secretary	153, 088
Patent Office	429, 070
General Land Office	80, 616
Pension Office	6, 848
Office of Indian Affairs	6, 900
Office of Commissioner of Railroads	1, 611
Office of Education	99, 500
Geological Survey	298, 878
Total	1, 076, 511

Of those received by the office of the Secretary, 73,429 were Reports of the Eleventh Census, comprising Final Reports on Real Estate Mortgages; Vital Statistics, parts 2 and 4; Insane, Feeble-minded, Deaf, Dumb, and Blind; Crime, Pauperism, and Benevolence, part 1; Insurance, part 2, Life; Farms and Homes; Proprietorship and Indebtedness, and Monographs on Agriculture by Irrigation, second edition, and Occupations of the Population.

The whole number of reports of the census received to the close of the fiscal year is 554,696. Since that date a portion of the edition of part 3 of the Compendium and of part 2 of the Final Report on Popu-

lation, ordered by Congress, has been delivered by the Government Printing Office. There still remain to be published of this series the report on Vital Statistics, part 1, and the Statistical Atlas. It will, therefore, probably be the middle of 1898 before the complete report of the census of 1890 is laid before the public.

Three hundred and seventy-six copies each of volumes 162 to 166 of United States Reports were delivered to the Department by the reporter of the Supreme Court, in compliance with the provisions of section 681 of the Revised Statutes and of act of February 12, 1889, which have been distributed to judicial and other officers of the Government entitled to receive them. Since the passage of this act Congress has authorized the appointment of a number of additional United States judges and the holding of courts in new places in the several States and Territories, so that the number of copies received is now insufficient for a full compliance with its provisions. The attention of Congress has been repeatedly called to this subject and additional legislation in the premises urged. A bill having this in view passed the Senate during the last Congress, but was not considered by the House. A similar bill "to provide for the further distribution of the Reports of the United States Supreme Court" is now before the Senate. It is earnestly hoped that favorable action may be taken upon it by both Houses at an early day, and the Department be thus enabled to meet the urgent requests for these reports made by the officers of the Government who suppose themselves entitled, under existing laws, to receive them.

The Official Register of the United States for 1897 is now in process of preparation. It is expected that volume 1 of this work will be published early in December, and volume 2 in March next.

The sum of \$1,712.57 was received from the sale of documents during the year by the office of the Secretary, and \$1,756.07 by the Geological Survey. The amount received by the Patent Office from the sale of its own publications is not separately shown in the report of the Commissioner of Patents giving the receipts of that office.

THE TERRITORIES.

ALASKA.

By the act of Congress approved May 17, 1884 (23 Stat., 24), a district government was provided for the Russian purchase known as Alaska. Provision was made therein for a governor, a district court, a land office at Sitka, and four commissioners. The laws of the State of Oregon and the mineral-land laws were extended over the district, but the public-land laws of the United States were expressly excepted from operation therein. Subsequently, by act of Congress approved March 3, 1891 (26 Stat., 1099), the town-site laws providing for the incorporation of town sites and the acquirement of title thereto from the Government was extended to Alaska.

The population of the district, according to the census of 1890, was 32,052, which has been greatly augmented since; notably so during the last two years, when discoveries of valuable gold mines in Alaska, and particularly in the Klondike region, has caused a large influx of white people from all grades in society. This increase in the population, which in all likelihood will continue for some time to come, together with the number of new mines constantly being opened up and the valuable output therefrom, has caused new towns and villages to spring up, advanced commerce, and stimulated and developed new industries and business conditions to such an extent that the existing laws in the district do not provide adequate protection therefor. In other words, the organic act is no longer sufficient for the administration of justice and the enforcement of law and order or the economic administration of government in the district. Congress at its last session (sundry civil act, approved June 4, 1897) sought temporarily to provide for this emergency by authorizing the appointment of four additional commissioners, who have all been appointed and have probably reached their posts of duty. By the act of Congress approved June 24, 1897, a surveyor-general for the district was specifically provided for; and an additional land office was created, but the latter could not be opened, as no appropriation was made for the salaries of the officers to be placed in charge thereof.

Existing conditions in the District of Alaska demand a radical change in the laws relating thereto, and that it be placed on the same footing as the existing Territories in the United States. To that end, I recommend that the public-land laws be extended to the District, that additional land offices be created and appropriations made to carry the same into effect; that the granting of rights of way for railroads, telegraph and telephone lines and the construction of roads and trails be specifically authorized; that provision be made for the incorporation of municipalities, providing for the holding of elections, defining qualifications for voting, and giving such powers as are used and exercised by municipalities elsewhere; that the legal and political status of the native population, which is in doubt, be defined; that citizenship be extended to the Metlakahltla Indians who emigrated from British Columbia and, under authority of an act of Congress approved March 3, 1891 (26 Stat., 1101), now occupy Annette Island; that complete Territorial government be authorized and established, and that representation in Congress be granted.

It will probably be found necessary to divide Alaska into two Territories. The coast country from the boundary of British Columbia to the mouth of the Yukon River, including the islands, forming one government and the balance of the district the other.

The governor of Alaska, John G. Brady, in his report on the condition of affairs in the district, gives an interesting summary of events transpiring therein from the year 1867 to the present time. He states that the encouragement given to mining by the full extension of the

mining laws under the organic act has pushed that industry forward by leaps and bounds; that nothing, however, has so retarded the true and substantial growth of the country as the inability on the part of settlers to obtain title to their homes, owing to the fact that the public land laws are not operative therein.

The introduction of reindeer has proved a great boon to the natives, and solved for them the food problem to a considerable extent. Since this undertaking began, the governor states—

The rich discoveries of gold in various parts of the Yukon Valley have opened up a far more extended field for the usefulness of these animals. Transportation is very costly, and consequently the miner can only skim over the country and dig and thaw out his prospecting holes upon the richest spots.

The dog so far has been his faithful friend, and he is valued as high as \$200. But the dog must be fed on animal food, and when a prospecting trip is undertaken, a large part of the freight must consist of provisions for the teams. On the other hand, the moss for the deer is spread out over the face of the ground, and when he is unharnessed, he can go to eating. A long journey of 2,000 miles and more with reindeer taken last winter by the superintendent of the Government reindeer station and two Lapps shows how well adapted this animal is to serve the people who are ready to pour in upon the Yukon and its branches.

Congress should feel that it has spent the money well, and be ready to grant more, if the Department asks for it.

The schools are reported to be in a flourishing condition; but more are needed to meet the demand for education on the part of the growing communities springing up in various parts of the District. The governor urges that the appropriations for school buildings and teachers be increased to \$60,000. Attention is directed to the necessity for exercising exceeding care in the letting of contracts for mail routes, as a failure of a single delivery is a great disappointment, if not a serious financial loss, to hundreds who depend upon the mails for information and instructions. It is urged that the route from Sitka to Unalaska be increased from seven deliveries to twelve, as with reindeer transportation, mails can be sent all over the country during the winter season.

Alaska has never been exploited as a land of great agricultural possibilities but with the same expenditure of toil and care bestowed upon lands in the States much can be done in the District in the way of raising staple crops, grasses, etc. The whole coast of Alaska, including the islands from 54° to 40° to the eastern part of Kadiak Island, is covered with timber. This timber, it is stated, is one of the great resources of the country; it stands to-day almost in its virgin state. All that has heretofore been used scarcely amounts to as much as is burned in one small fire in Washington or Oregon. The early disposal of these timber tracts is a matter of great concern to the people, and if authorized by law they would at once enter into the lumbering business and in the near future could build up a very profitable trade with Japan and China. The great facilities for water transportation will make the southeastern coast very desirable for lumber shipments.

Common rough spruce lumber sells in Sitka at \$13 per thousand feet; tongued and grooved flooring and beveled siding at \$18 per thousand feet; clear boat stock, dressed two sides, \$25 per thousand feet.

Interesting statistics regarding the status of pelagic sealing are given. The fleet of United States revenue cutters has been on patrol duty all season, with as satisfactory results as those of the four preceding seasons. The governor states that pelagic sealing is constantly reducing the herd upon the islands; that the contention that we have a property right in these animals is surely the proper allegation for us to set up and constantly to maintain.

The branding of all the female pups upon the rookeries is a wise course to pursue, for it will put an unmistakable mark of identification upon the animal; and if it renders the pelt valueless to the furrier pelagic sealing will cease, because it will not pay. These experiments of Mr. Jordon and Colonel Murray and their associates will be followed with great interest. If they solve this problem of the fur-seal question between ourselves and Great Britain they will deserve the gratitude of the nation.

The fisheries of Alaska are reported to be in a fine condition, the salmon-canning industry being especially flourishing.

The mines of the district have within the past few months come into unusual notoriety, owing to new discoveries of gold in the Klondike-Yukon regions. A résumé of the mining industries is given, together with an historical account of mines and mining in Alaska from the early days of American occupation to the present time.

Attention is called to Alaska's need of a board of local inspectors of hulls and boilers. At present it is joined to the Puget Sound district, and the inspectors arrange to come up on a summer trip and do the work. The business, however, is increasing and they are not able to keep up with it.

The channel around the north end of Douglas Island, it is believed by many, could be deepened and made navigable at no very great expense to the Government. This would be a great benefit to Juneau and all points north of it. A Government engineer should be sent to examine this channel and report as to the feasibility of the improvement desired.

Public buildings, it is stated, are needed at Sitka, Alaska, for the accommodation of Government officials, etc., and appropriation therefor by Congress is urged. The governor also recommends the passage of a law creating a commission of five, of whom one shall be a Senator and one a Representative, and the remaining three bona fide residents of Alaska, to draw up a code of laws suitable for governing the District.

The proper enforcement of law in Alaska, the governor states, requires that the United States attorney be represented by an assistant at the court of each commissioner. He adds:

The commissioner at Circle City, for instance, can put the United States to an enormous expense by committing persons on insufficient testimony which will not hold even before a grand jury.

The marshal and his deputies are the executive officers of the court. A glance at the shore line of Alaska will convince one of the helplessness of officers who are to serve papers and make arrests. They can depend only upon the regular mail steamers which touch at Wrangell, Juneau, and Sitka, and return twice each month. All traveling communication must be by water.

Among the multitudes who will turn their feet toward Alaska next spring will be numbers of daring criminals. They are now reading the papers and picking up every item of information. A small seaworthy and fast steam vessel will always be a necessity to look after this class. The value of the protection to life and property which it will give will more than offset the expense.

Appended to the report is a schedule of steamship transportation and freight rates, the cost of outfitting for two men for fourteen months, a table of distances in Alaska, and other information useful to persons going to that country.

ARIZONA.

The governor, Myron H. McCord, reports that the Territory is in a prosperous condition. The permanent population of the Territory is estimated at 87,000. The bonded and floating debt of the Territory on the 1st of January, 1897, aggregated \$965,588.12, the cash on hand at that time, \$79,829.93, leaving the net debt of the Territory \$885,758.19. The aggregate value of the lands in the Territory is \$9,678,273.33, and the value of the improvements thereon is \$4,905,418.97.

There are 998.724 $\frac{2}{3}$ miles of railroad in the Territory, valued approximately at \$5,139,669.60. The assessed valuation of all taxable property in 1896 was \$28,074,176.92, and that for the current year \$30,613,702.81. During the year goods were imported, valued at \$3,047,764, upon which duties aggregating \$124,978.07 were collected. Twenty-three per cent of all goods imported were dutiable. One hundred thousand two hundred and ten head of cattle were imported, of which 12,749 were admitted free of duty. Goods were exported during the year aggregating in value \$1,032,414, an increase of \$90,635 over the previous year. The total number of entries of lands of all classes in the Territory was 1,069, embracing an acreage of 117,081,468.39. The internal-revenue collections during the year aggregated \$19,900.80.

The governor strongly urges statehood; he also sets forth a number of cogent reasons for erecting a Federal building, among others the necessity of providing a safe place for the Government and Territorial books and records, which are now scattered in various parts of the city of Phoenix and kept in wooden desks and boxes, which are liable at any time to be stolen or destroyed by fire.

The report states that the aridity of the Territory, great as it appears on first sight, does not by any means prove a bar to high agricultural development. The farming lands now embrace about 1,000,000 acres, over 260,000 acres of which are under canal irrigation, and much of it among the most fertile to be found anywhere. The only obstacle to the very rapid extension of this area is the lack of water. Lands are being brought under cultivation as rapidly as the development of water will

admit. Upon the completion of several irrigation enterprises now in progress additional large areas will be brought under canal and improved. The notable increase in population during the past few years in the Salt River and Gila valleys consists almost entirely of a rural population, bespeaking unusual agricultural development and a bright outlook for these sections.

Among the most promising agricultural products, new to this Territory, are the following: Sugar beets, canaigre, ramie, cotton, dates, tobacco, sugar cane, peanuts, etc. Among the staple crops is Indian corn. In the Upper Gila Valley, in Graham County, enormous crops of corn are grown.

The live stock interests of Arizona are flourishing. For grazing alone there is a total area of 35,000,000 to 40,000,000 acres well suited, a large portion of which is used, supporting cattle, horses, mules and asses, sheep and goats, with an aggregate value, at present prices, of over \$6,000,000. The number of head of cattle shipped from the Territory from July 1, 1896, to June 30, 1897, is 865,379; number of head of cattle slaughtered by licensed butchers of Arizona, 24,897, to say nothing of 3,000 killed for home use and occasional sale by ranchmen.

The mining industries are reported to be in flourishing condition. The governor states that owing to the absence from the Territory of Prof. W. P. Blake, of the University, he was unable to get a detailed account of mines and mining. In view of this fact, the report made by Professor Blake to his predecessor was copied, as the general conditions have not changed from what they were last year. Gold, silver, lead, copper, iron, and lime are mined. The gold output for 1896 was \$5,200,000; silver, 1,650,530 ounces, which gave a return of \$1,105,855.10; copper, 71,210,331 pounds, valued at \$7,121,033.10, and lead, 21,255,000 pounds, valued at \$531,375.

The educational institutions report progress. The following statistics show the status of the public schools for 1897: teachers, 354; school districts, 227; enrollment, 13,361; children of school age at last census, 17,427; average length of school term, 6.37 months; average salary paid teachers, \$68.69; amount paid in salaries of teachers, \$155,991.07; total expenditures, \$205,948.65; valuation of school property, \$445,379.85.

The National Guard of Arizona numbers 484, officers and enlisted men. Says the governor: "It is extremely important that the guard be thoroughly equipped for field service, as no one can predict at what day they may be urgently needed. The southern portion of the Territory borders upon a foreign country. In the immediate vicinity of the international line there is a large and powerful tribe of Indians with whom the authorities of our sister Republic have been at war for years. For these reasons I would urgently recommend that the appropriation by the General Government be increased to not less than \$4,000 per annum. Even with this amount available, it will take some few years to properly equip the guard for field service."

The number of Indians in the Territory is reported to be 37,723.

It is stated, in the report, that the acreage of all the reservations is large, but as there is no pressing demand at present for any of this acreage for settlement by white people, there is no necessity for the Government undertaking any negotiation for the purchase of any part of any of them.

The Indian schools of the Territory seem to be well attended and well managed, and doing great good in educating the Indian and teaching him to cope with his white brother in the ways of everyday life. The money expended in the way of giving to the Indian boys and girls an education and an industrial training is well expended, and should not be begrudged by the people or the Government.

In regard to the questions of salaries and contingent expenses, the governor states as follows:

I would respectfully call attention to the action of Congress with regard to salaries of the Federal officials of the Territories and the contingent expenses allowed for the use of the executive office. The organic law declares that certain salaries shall be paid, yet year by year Congress, without changing the original law, reduces the amount specified by such sum as the public demand for economy may suggest. This is not only an injustice to the officials, but it is not in the interest of the public service. Similar action is taken with reference to contingent expenses. But one-half of the amount allowed under this head by the organic law is appropriated. This sum is altogether inadequate to the needs of the department, the expenses of which are daily increasing. The duties of the governor of Arizona have been greatly increased by legislative enactments. He is a member and chairman of the board of control, which has full charge of all charitable, penal, and reformatory institutions of the Territory, which supersedes three boards of commissioners, and is charged with all the duties which belonged to said boards. He is a member and chairman of the Territorial board of education, member and chairman of the Territorial board of loan commissioners, and member of the board of regents of the university. The governor is required, with other members of the board of control, to visit all the institutions under its control, as well as to sit with other boards of which he is an *ex officio* member. No provision is made for paying his traveling expenses or for the clerk hire these extra duties impose, as the organic act prohibits any other compensation being allowed the governor than that provided by Federal law.

The sum of \$500 is appropriated by Congress for contingent expenses. The Territory provides a private secretary at \$600 per annum and \$250 for contingent expenses, making the total appropriation, both Federal and Territorial, \$1,350 per annum for all contingent expenses, secretary's stenographer, clerical services of all kinds, including all official correspondence, the preparation of the governor's annual report to the Secretary of the Interior, and all other reports, part of which the executive is obliged to have done at his own personal expense.

If Congress in its wisdom refuses to appropriate for the governor's salary the amount specified by law, it certainly ought to amend section 1855 of the Revised Statutes so as to permit the Territorial legislature to pay the governor his actual traveling expenses while visiting various parts of the Territory in the discharge of his official duties.

NEW MEXICO.

The report of Miguel A. Otero, governor of New Mexico, presents many interesting statistics of the growth of the Territory, besides historical information concerning its early settlement. He states that

New Mexico is a vast domain in herself, capable of supporting 5,000,000 population, and is moving in the line of civilization very rapidly. When the Territory becomes a State it will be fourth in area, and now ranks eleventh in the list of Union Commonwealths producing gold and silver. The total population is estimated at 267,839, of which 25,839 are Indians. As a sanitarium for pulmonary diseases the Territory has acquired world-wide fame, and numerous opinions of famous American and European physicians are cited to prove the curative effects of the climate.

The assessed valuation of property in the Territory was \$36,396,748.48, the receipts from all sources were \$342,219.06, and expenditures \$181,554.07.

The New Mexico weather service, which was established in 1895 by an act of the legislature to cooperate with the Weather Bureau, has done excellent work, about fifty stations having been established, which represent every county in the Territory. These are fully equipped with proper instruments for observation.

Favorable reports are given of mining operations in the Territory. In addition to the gold deposits, there are veins of silver, lead, copper, zinc, iron, coal, building stone of all kinds, including marble and onyx. The mining industry is under a steady growth, and new machinery for reducing ores is being erected in many localities. The output of coal for the fiscal year 1896-97 was 733,539 tons, the value of which is estimated at \$1,196,915.

As a sheep-breeding and wool-growing country, New Mexico is unequaled. Over 11,000,000 pounds of wool are raised annually, which is shipped abroad. In the opinion of the governor, factories for the production of coarse and medium grades of cloth and blankets would pay. He states that—

While the sheep of this Territory produce some wool which is suited for carpets, yet all of it can be used for clothing. The quality is constantly being improved by crossing with Ohio and Vermont merino. So long as we do not produce enough wool in the United States to supply all the demand for clothing manufactures, the present tariff will adequately protect us, if improved third-class wool should be limited in its use to carpets. When our country supplies all of its clothing wools, then it will be necessary to change the duty on carpet wools so as to give better protection against them. The flocks in New Mexico can be easily doubled every five years, and in twenty years we would have over 40,000,000, which this Territory can easily support, along with the 400,000 farmers who will occupy the plains and mountain sides when they can be aided by a system of water storage, for which purpose there is an ample supply of water. The sheep and wool industry of New Mexico is in a prosperous condition, and has an exceedingly bright future if it can continue to be protected against the foreign product.

The cattle and lumbering interests are reported to be in a most flourishing condition. The statistics of fruit raising show some remarkable results. Socorro County has 100,000 fruit trees and 500,000 grapevines. One single orchard raised without irrigation 10,000 pounds last year. Grapes are being shipped from Las Cruces in carload lots. The Mesilla

Valley's melon crop alone returns \$150,000 annually. The product of San Juan County is 300,000 pounds of apples and 200,000 pounds of other fruits, while Santa Fe County produces 700,000 pounds of apples and 700,000 pounds of other fruits.

The wheat grown in the Territory has already won a reputation for itself among millers. Like the Colorado article, it mixes to excellent advantage with Northern wheat and, for that reason, commands a good price. Flour mills are being erected in the grain-growing districts. Within the Territory there is an actual demand for 20,000,000 pounds of flour annually.

The most encouraging accounts of experiments in sugar-beet culture are reported, particularly in the Pecos Valley, where the industry has been permanently established.

Improved systems of irrigation have been introduced in the Territory, giving renewed impetus to agriculture. Many new enterprises have been started within the year.

Sixty thousand pamphlets on the subjects of mining, fruit growing, sugar-beet culture, climate, acquisition of land, farming by irrigation, etc., have been distributed by the Territorial immigration bureau, evoking replies from many people in the Central, Northern, and Northwestern States.

In regard to the Pecos River Reservation, the Governor urges and recommends the appointment of a suitable custodian with power and authority to prevent herders and campers from going over the grant and building camp fires, which in the past have caused great loss of valuable timber on this fine reservation.

The interest in the National Guard of the Territory has increased materially during the past year. An increase of the allowance from the general appropriation for equipping the National Guard is recommended, in view of the fact that New Mexico borders on a foreign country and has several tribes of Indians within its borders, some of which have given considerable trouble and have required the presence of United States troops to control them within the past few years. A number of United States military posts have been abandoned and the forces at those remaining have been reduced to a minimum.

In educational matters the Territory is progressing. Most favorable reports are received from the school of mines, the University of New Mexico, the military institute, normal school, and other educational centers. In the public schools the enrollment is given as 27,087; total daily average, 18,980; receipts, \$302,289.81; expenditures, \$332,940.75; number of schools, 550; teachers, 745. The deaf, dumb, and blind institution and the insane asylum are in a prosperous condition.

The United States Court of Private Land Claims has passed upon the validity of 44 private land claims, alleged to contain 1,855,243 acres, 15 of which, containing 204,193 acres, have been confirmed, and 29,

containing 1,651,050 acres, rejected by said court. There are still about 100 cases to be acted upon.

The governor makes the same recommendation respecting the amendment of the act of March 3, 1891, amended February 21, 1893, relating to small-holding claims as that embraced in the surveyor-general's annual report for the fiscal year ending June 30, 1896, and embodied in Governor Thornton's report for the year 1896, and also reiterates the recommendation of his predecessor respecting the passage of an act of Congress relating to the precious minerals situated upon the grants confirmed by the Court of Private Land Claims.

The international question involved between the Republic of Mexico and the United States regarding the use of the waters of the Rio Grande by the citizens of the Republic of Mexico who had acquired water rights prior to the American occupancy, is discussed at length. The governor cites the opinion of the court in the Rio Grande Dam and irrigation suit, and renews his protest, made to the Secretary of State, against the formulation of any treaty between the two Republics "whereby the Republic of Mexico asserts, and seeks to obtain joint control of the waters of the Rio Grande, and other rivers flowing through the Territory of New Mexico, and to prevent the construction of systems of storage and irrigation along said streams in said Territory." The Rio Grande, he states, is not a navigable stream, and that a system of storage reservoirs along that river is absolutely essential to the growth and prosperity of the people of the Territory.

Regarding the Indians living in the Territory, it is stated that their transfer from the control of civilian agents to that of officers of the Army, acting as agent under the supervision of the Secretary of the Interior, has worked wonders. The army officers handled their Indian charges with a certain degree of firmness that quickly begets docility, and the Indians themselves learned that under such supervision they fare better. In discussing the subject of New Mexico and statehood, the governor makes a strong plea for the admission of the Territory to the Union of the States, adding that "of the Territories admitted to statehood within the last ten years, none, with the exception of Dakota, has been as populous as New Mexico, and few were in better condition to support a State government. The assessed valuation of New Mexico, including the exemption from taxation allowed heads of families, is in the neighborhood of \$40,000,000, which is at least \$10,000,000 larger than the valuation of Idaho or Wyoming when they were admitted to Statehood."

The governor concurs in the recommendation of his predecessor that provision be made by Congress for the establishment of an appellate court for the Territory of New Mexico, Oklahoma, and Arizona, to be composed of judges entirely independent of the district judges, who preside over trial court, such appellate court to hold a session for a stated period in each year at the capitals of the respective Territories.

OKLAHOMA.

The report of Governor Cassius M. Barnes is very complete, embracing the subjects of population, taxable property, taxes, Territorial indebtedness, educational institutions, public schools, social and religious conditions, the press, vacant lands, school lands, banks and banking, building and loan associations, railways and telegraph, manufacturing, agriculture, stock raising, horticulture, irrigation, minerals, undeveloped resources, Indians, Indian reservations, climate, public health, legislation, courts, crimes and punishments, public buildings, counties, cities, pharmacy, dentistry, labor supply, national guards, soldiers' home, free homesteads, and statehood.

The governor says that Oklahoma has made greater progress in seven years than have most commonwealths in three times that length of time, casting 53,000 votes at the last election, 11,000 more than Florida and 22,000 more than Delaware, and outranks a dozen different States in population. The Territory has never had a boom, and consequently no collapse. It has been a steady growth from the first, and, blessed with abundant crops this year and still brighter prospects for the future, all Oklahoma is prosperous. Business is reviving in every channel, the products of the soil are going to the outside markets, and outside capital is coming in for investment. No portion of the United States to-day offers a more inviting prospect for the homeseeker or a better field for the safe and profitable investment of capital.

The population is considerably in excess of 300,000, and is distinctively American in character, the proportion of foreign-born citizens being smaller than in any State of the Union. The people of the Territory are industrious, thrifty, and enterprising, known the nation over for their push and energy.

The governor states that in spite of the financial depression of the past three years, which has caused a general shrinkage of values, the assessed valuation of the Territory has increased from \$19,937,940.86 1894 to \$32,034,752 in 1897.

The total Territorial tax levy for the year is $4\frac{3}{10}$ mills, which is less than that of any Western State or Territory.

The bonded debt of the Territory is but \$48,000, issued for the purpose of erecting the college buildings. There are outstanding warrants against the Territory amounting to \$190,000, caused by a deficit in the collection of taxes each year, this indebtedness being almost identical with the amount of uncollected taxes for the seven years' history of the Territory.

The educational institutions of the Territory are all in a flourishing condition. The university at Norman, the normal at Edmond, and the Agricultural and Mechanical College at Stillwater all have fine buildings and equipments and are doing excellent work. The attendance at each is large and is growing rapidly. Provision has been made for the

establishment of another normal school to be located at Alva, and an agricultural and normal university at Langston for colored students. The blind and deaf-mutes are also to be cared for and educated.

Oklahoma, it is stated, has one of the best public-school systems in the Union. There are in the Territory 1,909 school districts, over fifteen hundred of which have good comfortable schoolhouses. Every town has graded schools and the principal cities first class high schools. Many of the city school buildings cost from \$10,000 to \$20,000. In the towns from seven to nine months school is held, and in the country districts from four to seven months. The scholastic population is about ninety thousand and the various school districts of the Territory spent close upon half a million dollars for the carrying on of the schools the past year.

There are also in the Territory half a dozen sectarian colleges and academies, several business colleges, and a large number of Government Indian schools.

There are confined in the insane asylum 143 patients, an increase of 17 during the year. These patients are cared for by contract, the Territory paying \$39,812.75 for the year.

In a social and religious way Oklahoma will compare favorably with any State in the union. The percentage of crime among all classes is lower than in half the States in the Union. All laws are, as a general thing, enforced, and churches and other religious institutions receive liberal support. The principal religious denominations report 688 church organizations and 389 church buildings, with a church membership of 40,715. There are many other scattered organizations. There are 150 Christian Endeavor societies, with a membership of 6,095, and 850 Sunday schools, with a membership of 39,950.

The press of Oklahoma will compare favorably with that of any portion of the United States. There are published in the Territory at this time 10 daily, 80 weekly, and 12 monthly papers.

There are in the Territory 7,512,933 acres of vacant land subject to homestead entry, a large portion of it good agricultural and fruit land, the balance excellent for grazing. Some of this land must be paid for at the Government price of from \$1 to \$2.50 per acre, but several million acres of it are absolutely free.

There are 2,300 sections of common school, college and public building lands in the Territory, exclusive of Greer County. Sections 16 and 36 in every township were reserved by Congress for the benefit of the public schools of the Territory, and in the Cherokee Strip section 13 was reserved for the Territorial colleges, and section 33 for a public building fund. These lands are all leased to actual occupants at reasonable rates and afford an excellent opportunity for many people to obtain comfortable homes and productive farms. During the year the common-school lands brought in a net return of \$80,447.31, which was distributed among the different school districts per capita of school population.

The receipts from the college lands were \$13,528.51 and from the public building lands, \$14,927.02, making a total income to the Territory from public lands of \$108,902.48. The total receipts from these lands since the organization of the Territory has been \$350,470.37.

The banking interests of the Territory are in a prosperous condition. There are 5 national and 49 Territorial or private banks. A Territorial banking act passed last winter provides for regular reports from all except national banks, and a thorough examination and supervision by a banking examiner and banking board. The 49 Territorial banks have resources and liabilities aggregating \$2,294,263.64, their loans and discounts being \$1,096,470.36, their real estate at cash market value reaching \$202,398.80, and the cash on hand \$743,756.09. The capital stock of these banks is \$613,328.70, their deposits \$1,385,020.33, and they have out certificates of deposit amounting to \$114,129.36.

The five national banks have resources and liabilities reaching \$866,042.47, capital stock of \$250,000, individual deposits in the amount of \$483,236.06, \$267,250.77 in loans and discounts, \$200,420.63 due from approved reserve agents, and \$75,358.37 cash on hand.

The reserve of every one of the banks is far in excess of that required by law and the deposits have increased 25 per cent in two months.

The Territory has four building and loan associations, all in a flourishing condition and paying good dividends.

There are 475 miles of railway in the Territory, 20 miles of which were built the past year. All railway, express, and telegraph companies report a large increase in business and the prospect is good for the building of several other lines through the Territory the coming year. Deep water at Galveston, Port Arthur, and other Texas coast points has resulted in lower freight rates to the seaboard and a consequent increase in the value of farm products.

Manufacturing is just beginning to be developed. Every town has its flouring mill, eight new ones having been erected this year. Three canning factories, two creameries, a vinegar and yeast works, two book binding and manufacturing establishments, employing forty hands each, a large cotton-seed oil mill, fifty or more cotton gins, several iron foundries, a bicycle factory, and a cement works are among the industries that are doing a prosperous business. Salt is being manufactured for market and five distilleries have been started this year for the manufacture of peach brandy. Two cotton compresses are being put in and the Choctaw railway is completing its general machine shops at Shawnee.

"After all," says the governor, "it is upon the tiller of the soil that the real progress and prosperity of the entire Territory rests. Agriculture and her handmaiden, horticulture, are the mainstays of any prairie community.

"Oklahoma's progress in agriculture has been in keeping with her advance in all things and this year she comes before the people with the greatest crop of grains and other products ever raised upon an equal area of land."

Interesting statistics are given relative to agriculture, horticulture, and stock raising. The wheat yield of the Territory is put at 20,000,000 bushels and yields per acre are cited that are astonishing. The general average was 25 bushels or over per acre, and many large fields averaged over 40 bushels. In Kay County, the banner wheat county of the Territory, over 4,000,000 bushels were raised, and one field of 5 acres threshed out 56 bushels to the acre. At the Government experiment station at Stillwater many varieties went over 50 bushels, and many farmers in the Territory paid for their farms with the proceeds of this year's wheat crop. Oats run from 60 to 75 bushels to the acre and all other crops look well. The Territory raises millions of bushels of corn, but the greater part of it is marketed in the shape of beef and pork. Last year corn ran from 50 to 60 bushels in the bottoms and 40 on the upland, and it will do as well this year.

Kaffir corn is becoming an important crop and makes the best of feed. Cotton has proved one of the successful and profitable crops of the Territory. The cotton output last year was 40,000 bales, and this year it will be three times as much. The Territory last year produced 150,000 bushels of castor beans, bringing a dollar a bushel, and the crop this year will be more than double that. Some flax and broom corn are grown. Several hundred car loads of water melons were shipped to northern markets, also a dozen or more carloads of early potatoes.

Oklahoma peaches are in market from early June until late in October. Every variety does well, and the quality is equal to that of any fruit grown on the continent. Many samples of this luscious fruit have been shown measuring from 9 to 12 inches in circumference and weighing from 8 to 14 ounces. Trees produce abundantly in three years from the planting, and the growth is very rapid. A hundred or more carloads of fruit were shipped to outside markets this year, and Oklahoma peaches are supplanting the California fruit in many places. Apples are just beginning to bear, but the yield of some varieties is already remarkable. Pears weighing a pound are shown, and plums, cherries, and all pitted fruits do remarkably well. Grapes yield six to eight tons per acre, and all kinds of small fruits do well. Enough orchards are now growing in the Territory to make it one of the greatest fruit sections of the country. Stock raising is also an important industry, and Oklahoma hogs and cattle are favorably known in every market.

There are undoubtedly many rich mineral deposits in the territory, but as the mineral laws of the United States are not in force here but little has been done to develop them.

Oil has been found in the Osage reservation and exists at other points. Coal has been mined in Pawnee and Payne counties. There are outcroppings of iron, lead, and zinc at several points and there is no doubt of the existence of gold and silver deposits in the Wichita mountains.

Some gold is now being mined in the Navajoe Mountains in Greer County. Every county has good building stone. There is gypsum enough to supply the world and great deposits of pure salt at several places. Asphaltum deposits exist near Fort Sill and beds of cement and finest clay have been located.

The governor gives the Indian population of the Territory as 12,631, and says the tribes which have taken their lands in severalty are progressive in civilization and industry. Many are supporting themselves by farming, polygamy is being abandoned and the medicine-man practices and ghost dances being given up. During the past year the births have exceeded the deaths in every tribe in the Territory. The speedy allotment of the lands of the Kiowas, Comanches, and Apaches, and the Wichita and affiliated tribes is advocated, and the early opening of the residue of their lands to homestead settlement urged.

A table is given which shows all the climatic conditions of the Territory for the past five years. From this it is seen that the extremes of heat and cold are not as great as in most parts of the United States, that the average temperature is very pleasant, and though the rainfall is adequate for the growing of crops, the number of cloudy days in a year is very small.

Seven pages of the report are devoted to public health, showing the almost entire absence of contagious diseases of any kind at all times, the general good health of the people, the heartiness of children and the desirability of the Territory as a place of residence for invalids and those afflicted with pulmonary troubles of any kind.

There has been a great decrease in new business, both civil and criminal, in the district courts the past year, and many of the dockets have been practically cleared. The supreme court is becoming clogged with business and the plan of having the district judges also sit as a supreme court is coming more and more into disfavor. The governor suggests the organization of a supreme court to have jurisdiction over both the Indian Territory and Oklahoma.

There are in the penitentiary 128 convicts, an increase of but 28 during the year. These convicts are cared for under contract by the State of Kansas, and the Territory paid for their care and transportation the past year \$16,504.35. Crimes against both person and property are steadily decreasing in the Territory.

The Territory has no public buildings except its college buildings, but has on hand \$36,707.69 in cash with which to build them, and this fund is increasing rapidly.

All the counties and cities of the Territory are on a cash basis and their affairs are, as a general thing, economically managed. No municipality in the Territory has ever repudiated a single just debt.

The demand for labor is steady, and industrious laboring men willing to work can always find steady employment in Oklahoma.

The National Guard consists of 500 officers and enlisted men, with a complete regimental organization of 12 companies of infantry and a regimental band.

The governor makes a strong plea in behalf of the old soldiers of the Territory (of whom there are over 7,000), and urges that the timber reservation at Council Grove be donated to the Territory as a site for a soldiers' home.

He urges the speedy return to the policy of free homes for free men so long pursued by the Government, and the granting of the settlers of all parts of Oklahoma the rights to which they are fully entitled under the old homestead law, a granting to them of the lands which they have settled and improved without the payment of any price save the land-office fees.

"Measured by all standards and precedents under which other States were admitted to the Union, Oklahoma is certainly entitled to immediate statehood," says the governor in closing, but he declares that thoughtful citizens are not clamoring for immediate statehood, but generally concede that the interests of the whole people will best be subserved by the union of the Indian Territory and Oklahoma into one State, and they are willing to wait for this, hoping that Congress will take speedy and effective action in that direction.

INSPECTORS OF COAL MINES IN THE TERRITORIES.

By act of Congress approved March 3, 1891 (26 Stat. L., 1104), the President was authorized to appoint, at an annual compensation of \$2,000 each, a mine inspector in each organized or unorganized Territory of the United States wherein were located coal mines, the aggregate annual output of which should be in excess of 1,000 tons per annum. Appropriation was originally made for three of such officers, and inspectors appointed for the Indian Territory and the Territories of New Mexico and Utah. The office of inspector for the latter Territory, however, ceased to exist on the 4th of January, 1896, upon the admission of Utah as a State.

INDIAN TERRITORY.

The mine inspector, Luke W. Bryan, reports that there has been little change in the condition of the mines in the Indian Territory during the past year. The production of coal has been slightly increased, but the number of men employed and the number of days' work has decreased. The introduction of mining machinery in some mines not before using machinery and the increased use of machinery in others account for the increase in the production of coal and the decrease in the number

of men required in its handling. Periodical inspection of the various mines of the Territory discloses the fact that every effort has been made by the mine owners, not only to comply with the existing law, but also to adopt all necessary measures for the safety of the workmen, and all suggestions looking to the betterment of the conditions and surroundings of the latter have been cheerfully adopted. Among others, mention is made of the plan of prohibiting the miner from entering any working place where the least trace of fire damp has been found.

The long-wall system of mining has been introduced by one of the large coal mining operators with signal success, and its extension to other mines is desirable, inasmuch as it affords added safety to the miner. The output of coal for the fiscal year was 1,302,378 tons, an increase of 67,045 tons over the preceding year, while the number of men employed was 3,470, or a decrease of 225 from the year 1896. The output of coke for the fiscal year was 25,440 tons. The number of accidents was 46 against 58 of the preceding year, of which 22 were fatal.

The principal coal fields of the Territory now being worked are within the lands of the Choctaw and Chickasaw nations. They are operated generally under leases from individuals holding claims as citizens of one of the Five Civilized Tribes; royalties thereunder are payable to the nation in which the mines are located. Attention is directed to an extract from the agreement recently reached between the Dawes Commission and the commissioners appointed by the Choctaw and Chickasaw nations regarding the leasing of coal lands, which agreement, however, has not been ratified by the United States. The objections on the part of the lessees to the ratification of this agreement are specifically set forth, it being claimed by the latter that the royalty now paid realizes to the Indians from \$300 to \$600 per acre for their land, leaving them the surface as valuable as before the coal was extracted; that such royalty is almost an embargo on the business, and that to increase it would be to further depress and hinder the coal business, which is already heavily taxed.

No strikes or labor disturbances have occurred during the year.

NEW MEXICO.

The mine inspector, John W. Fleming, reports general improvement in the condition of the mines throughout the Territory. All mines inspected were found to be provided with the second outlet; the roadways kept sprinkled to avoid dust explosions, and safety lamps provided and used in all places where gas was known to generate. In all instances where it was found that the air was not properly distributed, or not forced to the face of the working places, such defect was at once remedied upon being brought to the attention of the parties in charge of the mines. Experience has shown that it is the aim of the mine owners generally to fully comply with the requirements of the mining

laws. The number of mines in operation is 24; those not in operation, 8; new mines in the course of development and producing, 5. The production of coal during the year was 733,539 tons, being an increase of 66,920 tons over that of the preceding year. The estimated value of the entire output at the mines, \$1,196,915. The total number of persons employed in and about the mines is stated to be: Miners, 1,154; outside men, 171; boys, 40, being a total of 1,365, a decrease of 73 from that of the previous year. The total number of accidents, 21 in all, 7 of which were fatal, was less by 8 than for the year 1896.

The inadequacy of existing mining laws to afford proper protection for the lives of coal miners is adverted to, and necessary amendments thereto are suggested.

This concerns the comfort, health, and lives of a most worthy class of our people, and I can not too strongly urge the importance of such legislation as will secure to these miners the best attainable conditions in their highly useful and somewhat perilous field of labor. Although the number employed in the mines covered by this report is very small compared with the great mass employed in mines elsewhere in our country, it is none the less obligatory upon the Government to provide, by law, adequate safeguards against the dangers which environ their occupation.

NATIONAL PARKS AND RESERVATIONS.

THE YELLOWSTONE NATIONAL PARK.

This is a tract of land near the head waters of the Yellowstone River, in the States of Montana and Wyoming. It is 62 miles in length from north to south, 54 miles in width from east to west, and contains about 3,348 square miles, or 2,142,720 acres. Its area is greater than that of the States of Delaware and Rhode Island combined. The average altitude is about 8,000 feet.

Col. S. B. M. Young, U. S. Army, the acting superintendent, reports that Department letter of June 17, 1897, authorizing him to assume charge of the Yellowstone National Park and giving instructions as to his duties, was received June 22, and that on the 23d of that month he relieved his predecessor, Capt. George S. Anderson, and assumed charge of the reservation. On June 26 the two troops of the Fourth Cavalry that had been ordered to relieve the two troops of the Sixth Cavalry arrived in the park. Copies of the rules, regulations, and orders regarding the park were read to and distributed to the officers and men, and orders given for the proper instruction and posting of detachments to relieve without delay the outpost detachments of the Sixth Cavalry. These orders were carried into effect, and on July 8 Capt. George S. Anderson, with his squadron of the Sixth Cavalry, marched from Fort Yellowstone, in the park, en route to Fort Robinson, Nebr.

On June 1 the main route of travel from the north boundary, commencing at Gardiner, going via Mammoth Hot Springs through Golden Gate to Norris Geyser Basin, thence via the Fountain, Upper Geyser Basin, the Thumb, Lake, and Canyon back to Norris Geyser Basin, was open for tourists; also the road from west boundary. The road from the south boundary up Snake River was not open until the latter part of June for wagon transportation.

Seven new bridges have been built, as follows: Over Trout Creek; over Firehole River, at Riverside Geyser; over ravine near west Thumb of Lake; over Gibbon River, in Virginia Meadows; over Green Creek; foot bridge over Firehole River near Biscuit Basin and over East Gardiner above the Undine Falls, for new road from Mammoth Hot Springs to Cooke City. A new bridge is being built over Middle Gardiner on the same road. Nine bridges have been repaired, 55 new culverts have been built (some to replace old ones), and 10 have been repaired. The estimates for next year will embrace the cost of completing the road down the canyons of Lewis and Snake rivers from Thumb Station to the southern boundary of the forest reserve near Jackson's Lake; the road from Mammoth Hot Springs to Cooke City, including combination bridges over Yellowstone and Lamar rivers; projected road from near Grand Canyon Hotel to Yancey's; Riverside Station to west boundary; for substantial stone or wooden guards on all completed roads at dangerous places (brinks of precipices, etc.); saddle trails to various points of interest, etc.

The aggregate number of tourists visiting the park from the opening of the season (June 1) to August 20 was 8,720. The aggregate number carried through the park over the regular route, by the Yellowstone National Park Transportation Company, was 3,842; those carried by C. J. Bassett, via Beaver Canyon, 59; and by David A. Curry, over the same route, 43; aggregate number carried through by licensed transportation of personally conducted camping parties, 1,255; the aggregate number carried through in private transportation, 3,327; bicycles, foot travelers, etc., 194. The number of persons taking the steamboat trip on Yellowstone Lake who came into the park by the regular transportation company was 1,667; the number of persons taking this trip who went through the park with camping parties was 922.

During the very heavy travel it became necessary to station guards at frequent intervals on the roads to prevent accident and imposition and preserve good order. To prevent undue monopoly of the choicest camping places, parties were not permitted to camp longer than two days in one place. The campers became so numerous between Gardiner and Mammoth Hot Springs that it became necessary to prohibit camping or grazing of stock in that section after August 1, in order to preserve the grass for the antelope and mountain sheep which winter there. Thoughtless or intentional violations of the rules and regulations and instructions to tourists were very few in comparison to the number of visitors. No cases of violation or trespass by passengers

of the regular transportation company have been reported, the result, no doubt, of careful drivers and guides from the hotels. The presence of a United States commissioner in the park for the speedy trial of a trespasser has a wholesome and deterrent effect.

No violation of stipulations in any lease has been reported. During the present season Mr. F. Jay Haynes has erected a log-cabin studio in the Upper Geyser Basin, on ground leased April 18, 1896. This cabin is said to be the most beautiful and most appropriate in the park. A two-story frame building, 20 by 30 feet, has been erected by Mr. H. E. Klammer on a site surveyed and platted in Upper Geyser Basin, under a lease to be issued by the Department.

As a sanitary measure the old structures used by the army post for dairy purposes in the hills above the Mammoth Hotel and in close proximity to the source of water supply for the hotel were torn down and the débris burned.

Leases held in the Yellowstone National Park are as follows:

Yellowstone Park Transportation Company: Mammoth Hot Springs, 2 acres; Norris, 2 acres; Fountain, 1 acre; Upper Geyser Basin, 2 acres; Lake, 2 acres; Canyon, 1 acre; building, etc., for the accommodation of employees and stock.

Yellowstone Park Association: Mammoth Hot Springs, Mammoth Hotel and commissary; Mammoth Hot Springs, Cottage Hotel and Mammoth barn; Fountain (Lower Basin), cottages; Fountain, Fountain Hotel and barn; Lake, Lake Hotel and barn; Canyon, Canyon Hotel, pump house, and barn.

Yellowstone Lake Boat Company: Near Lake Hotel, 2 acres; Frank Island, 2 acres; Stevenson's Island, 2 acres; Dot Island, 1 acre; West Thumb, 1 acre; Ways, 2 acres; Southeast Arm, 2 acres; Dot Island Game Corral, 2 acres; to be located by superintendent, 6 acres.

Jennie H. Ash: Mammoth Hot Springs, dwelling, post-office, and store.

Ole A. Anderson: Mammoth Hot Springs, dwelling and store.

John F. Yancey: Pleasant Valley, hotel.

F. J. Haynes: Mammoth Hot Springs, studio.

F. J. Haynes: Upper Geyser Basin, studio.

A thorough inspection of all the hotels in the park was made in June. The conditions as to cleanliness, neatness, and good order were excellent. The food is of superior quality, well cooked and served, and the table linen unexceptionable.

An inspection of the Yellowstone Transportation Company's coaches, surreys, stables, harness rooms, repair and paint shops was made at the beginning of the season and again in July, and everything was found to be in excellent condition, employees well organized, work systematized, and, to all appearances, discipline well maintained. There were in service two 6-horse and eighty-three 4-horse coaches and spring wagons, fifty-three 2-horse surreys and spring wagons, twenty-two 4-horse and seventy-eight 2-horse vehicles in temporary employ, 282 regular team horses and 412 employed team horses, besides extra teams for baggage, etc.

The Lake Boat Company has transacted its business in a satisfactory manner. The superintendent states that he made several trips on the

boat during the season—one in a severe wind storm—and the boat showed herself to be a staunch craft; every portion appeared neat and clean, the employees respectful, and the master courteous and obliging. The boat carried of all classes 2,589 passengers on the regular trips, besides many excursion parties of which no record was made.

The new troops provided for protecting the park were strangers to the geographical and topographical features of the country. The important duties of registering travelers, sealing guns, making out permits, with statements as to intended camps, taking accurate descriptions of fire-arms, inspecting wagons for durability and safety, giving necessary information to visitors, etc., are entirely different from the ordinary routine duties of camp and garrison and require time to become familiar with.

In addition to all these, as the travel rapidly increased as the season advanced, a constant patrol on the roads was necessary to see that camp fires were extinguished, camping grounds left clean, and objects of interest and great natural wonders uninjured. These latter being so numerous and the crowds of visitors and campers becoming so great, in July it required the entire force to protect them and enforce the regulations on the main traveled roads. It became necessary, therefore, to apply for an additional force of one troop of cavalry or one company of infantry, but the application was not favorably considered and two important outposts had to be abandoned. Under these circumstances it was necessary to employ expert hunters, trailers, and trappers to protect the game and instruct the soldiers in this duty.

On August 14 six of the Yellowstone Park Transportation Company's coaches and one United States Dougherty spring wagon were held up by two masked and well-armed highwaymen and the occupants robbed of over \$500. All possible means, in addition to the assurance of a money reward by the Attorney-General for their capture, were placed in active operation and continued until the robbers were duly arrested and placed in safe confinement on August 29. Preliminary examination before the United States commissioner in the park was subsequently had and they were bound over in the sum of \$1,000 for the next session of the United States district court.

But one fire occurred in the park during the season, and that was extinguished soon after discovery. This fire was on Pelican Creek, near Astringent Creek, and an area of about three-quarters of a mile long and not over a hundred yards wide in its widest part was burned over. It is supposed to have been the result of spontaneous combustion in a decaying log or from friction of two dry trees rubbed together by the wind, inasmuch as there was no trail near the fire and the road where it occurred is one very difficult to traverse.

Game in the park, buffalo excepted, is increasing in numbers. Black bear have become very numerous and very annoying. Complaints received from Norris Lunch Station, Fountain Hotel, Thumb Lunch

Station, Lake Hotel, and from the station of a detachment of soldiers at the canyon, indicate that bears have broken into the storehouses and destroyed meats and other provisions in large quantities. At most of the hotels and lunch stations the bears feed daily from the garbage of kitchens. At least 12 bears might be disposed of to responsible zoological gardens where desired for the expense of capturing and shipping, which would be small. The number of buffalo is estimated at 24. An expert hunter, well acquainted with the park and the habits and habitats of the game therein, is engaged in making thorough observations with a view of estimating closely the number of each species within the park boundaries, including the annexed forest reserve.

Consultation has been had with Dr. Frank Baker, superintendent of the National Zoological Park, at Washington, as to the advisability and practicability of corraling the remaining buffalo in the park with a view to their preservation and increase, and the concurrent conclusion reached that it has been the experience of most persons engaged in the capture and domestication of wild animals that while the young of two classes to which the buffalo belong may be caught and confined with usually successful results, it is otherwise with the adult animals, a large proportion of which fail to adapt themselves to even slight restraint, and die in consequence. As to the practicability, the buffalo remaining in the park are now scattered in very small herds at a number of points far remote from each other. They are mostly in rough, rugged regions, where they could not safely be captured alive, and their ranges are separated by mountains, streams, and canyons of such impassable character that their transportation could not be accomplished without great injury and loss. Even were the advisability of the project free from doubt, the difficulties in the way of its successful accomplishment appear to be insuperable.

The coyotes are numerous and bold, and much game has been destroyed by them. The opinion has been advanced that if the coyote is exterminated the gopher would in time eradicate the grass from the winter valley ranges. The superintendent does not, however, concur in this opinion, and requests authority to reduce the number so that they will not hunt in packs.

The regulations prohibiting firearms in the park, except under written permission of the superintendent, have been strictly observed, the enforcement thereof being essential to the best interests of the park. The old system of sealing firearms to be carried through the park with tape and sealing wax was found to be unsatisfactory, and discontinued. A new system of sealing has been adopted, similar to that used by express companies.

For satisfactory reasons, until further orders, fishing has been prohibited in the Gardiner River from its mouth up to the junction of the east and middle forks, also in Glen, Indian, Willow, and Obsidian creeks, and in Beaver Lake.

Appended to the report is a copy of the latest map of the park, including the annexed timber reserve, showing roads completed, roads projected, roads under construction, roads available but not yet used by the Park Transportation Company, saddle trails, and old wagon trails that may be used as saddle trails, etc.

The claims of Mr. Baronett on account of a bridge built by him over the Yellowstone River, and those of Messrs. McCartney and McGuirk, respectively, for improvements made within the park prior to the act of dedication, are equitable and just, and payment of them should not be longer delayed. Recommendations have been made in the annual reports of my predecessors that Congress make proper appropriation for the adjustment of their claims; these recommendations are renewed, as in my judgment all proprietary rights within the park should be removed.

YOSEMITE NATIONAL PARK.

This park is situated in Tuolumne, Mariposa, and Mono counties, Cal., and covers an area of about 1,512 square miles, being 36 miles wide and about 42 miles long.

Capt. Alexander Rodgers, Fourth Cavalry, U. S. Army, acting superintendent, reports that he left the Presidio of San Francisco on the 10th of May with Troop K, Fourth Cavalry, which had been designated to guard the park during the season. The troop reached camp near Wawona, Cal., May 22, 1897. The work of patrolling the park began on the 26th of May, and thereafter was steadily kept up. The guard at Crocker's, established last year, was renewed. It looks after firearms brought into the park, instructs campers as to park regulations, escorts cattle brought in on permits and belonging to holders of patented lands within the park, etc. All the firearms are taken from their owners at Wawona and Crocker's, the two principal entrances to the park, and patrols take all the firearms found in possession of tourists and campers who have entered the park by unguarded routes. The regular patrols have found that there is less trespassing in the park than in past years.

Very few signs of sheep have been found inside the park lines, and they were mainly in the eastern and southeastern parts of the park, which are accessible to persons crossing from the eastern side earlier than they are to the patrols. Sheep rarely penetrate more than half a mile inside the park lines, so careful has been the patrolling system. The northern part of the park, which was formerly overrun with sheep, is now clear. Cattle, which used to range over the whole western half of the park, are now restricted to the lands belonging to persons holding patented lands within the park, and owners of cattle are held to strict compliance with the rules and regulations promulgated by the Secretary of the Interior.

The game in the park has increased in numbers and the deer and other animals show less fear of human beings than they have in past

years; the result, no doubt, of the rigid enforcement of the rules against carrying firearms in the park. There is little or no hunting in the park during the time the troops are there, but many people come into the western part after the departure of the troops, and it is believed they kill considerable game, particularly deer. Indians from Nevada come into the reservation very late in the fall and kill deer in large quantities. They are among the worst offenders, and it is urged that steps be taken to prevent a recurrence of this conduct on their part.

Through the courtesy of the United States Fish Commission and of the California fish commission, many of the streams and lakes in the park have been stocked with trout, and the number of waters so stocked increases from year to year. During the past two years most of the work of the stocking has been performed by Lieut. Harry C. Benson, Fourth Cavalry, to whose judgment and energy the success of the work is largely due.

Forest fires have been unusually numerous this year. Owing to the prompt action and hard work of the noncommissioned officer in charge of the guard at Crocker's, a fire that threatened the Merced Big Tree Grove was put out before it could do any harm to these trees. The largest fire occurred near Hazel Green, and burned over a tract covering several square miles. Some large timber, much of fair size, and all the young growth were destroyed. A detachment of twenty men did much to prevent its spreading more. Many fires were reported soon enough to enable detachments to extinguish them before they had spread very far. These fires are generally due to the ignorance or willful carelessness of campers. There is good reason to suspect that some of the fires have been deliberately started by persons just outside the park line and brought in by the strong easterly winds that have been blowing for some time.

The need of a good map of the park has been greatly felt, but was largely overcome by the work of Lieutenant McClure, Fifth Cavalry, on duty in this park with Troops C and K, Fourth Cavalry, in 1894 and 1895. Lieutenant Benson took up this work in 1896, and the result of his two years' service in the park and of careful study of all authorities bearing upon it is shown in the excellent map that he has prepared. From the maps in the surveyor-general's office tracings have been made showing all patented lands inside the park. These tracings have been of great value this year, and will make comparatively easy the work of a new officer coming here. There is urgent necessity of a survey of the lines of the park, which ought to be carefully marked, so that there may be no possible mistake as to the boundaries.

There are in the park four principal roads; these are the road of the Yosemite Stage and Turnpike Company, from Wawona to the Yosemite Valley; the Big Oak Flat road, which enters the park about 3 miles west of Crocker's and runs into the Yosemite Valley at the foot of El Capitan; the Coulterville road, which crosses the park line about 3

miles south of the Big Oak Flat road and runs to the lower end of the Yosemite Valley; the Tioga road, built by the Great Sierra Wagon Road Company, running from Crocker's to the eastern part of the park, about 50 miles. All these roads are toll roads, and all are kept up by the companies running them, except the Tioga road, which has been allowed, through disuse, to become entirely out of repair. The three first named are the routes by which nearly all tourists and campers enter the park, the number coming in on horseback by trail constituting only a very small percentage of the total number. The roughness of the country and many difficulties of construction to be overcome made the first cost of these roads very great; the severe winter, with a very heavy snowfall, makes necessary the expenditure of considerable sums annually to put them in repair in the spring; as a consequence the companies, to get a fair return on their investments, have to charge high rates of toll. Now that the Government has established a national park, it seems only right that it should buy and maintain all these roads.

Besides the tourists who go to the Yosemite Valley by the different stage lines, from 3,000 to 4,000 persons enter the park in wagons owned or hired by them. Some of them are people of sufficient means to buy what hay and grain they need and to pay their toll without feeling the expense; but the majority are not. Many farmers in the hot and unhealthy San Joaquin Valley harvest their crops and then take advantage of the season of comparative rest to put their families and a few weeks' provisions in their wagons and take them to the mountains. Most of them have to carefully consider every item of expense. Free roads, well kept, and plenty of good grazing would enable many of them to seek health and pleasure in the Yosemite National Park who are now unable to do so. The cool climate and the excellent and abundant water would attract many campers, who would take an interest in the park and would derive much benefit from it.

The superintendent earnestly recommends that the Government purchase all these roads and that ample provision be made for their maintenance and repair. The cost of putting the Tioga road into good condition would probably be not less than \$10,000. Ownership of this road by the Government would make the guarding of the park much easier, and would add greatly to the practical efficiency of the troops assigned to that work. The superintendent states a trail running all around the park, a short distance inside the boundary line, is essential to the work of patrolling the park. Many of the streams along the route of this proposed trail are impassable until late in July, and the passage of some of them is dangerous at all seasons. All such streams should be bridged, the bridges being strong and adapted to the safe passage of saddle and pack animals. A telephone line with at least six principal stations ought to follow the route of the trail. When the main trail around the park is completed other trails running from it

toward the center of the park should be constructed to render more easy the patrolling of the entire park.

The necessity for more stringent regulations and for a penalty for violation thereof has been dwelt on by all superintendents, and it is essential to the welfare of the park that penalties be imposed for trespass.

Much of the land in the park is owned by individuals, the title thereto having been acquired before or soon after the establishment of the park. The Government should, it is stated, own all the land inside the park, and none should be given over to private use, except for the purpose named in the act reserving the land now included in the Yosemite National Park. The prompt purchase by the Government of all patented lands within the park will be to the benefit of the United States and to that of most of the owners of such lands.

This park has now been in existence for nearly seven years; during this time the officers and enlisted men on duty there have done much hard work to carry out the purpose of the act of Congress creating the same. No money has been appropriated for its maintenance; no penalty has been imposed for violation of the law and of the regulations prescribed under the law. In order to carry out the intent of the act, money must be expended and violators of the law must be punished. This park should be put upon the same footing as the Yellowstone National Park.

I concur in the recommendations of the acting superintendent of the park, that appropriations sufficient to provide for the needs of the troops stationed therein and for the repair of roads and bridges should be made by Congress.

If, as stated in the annual report of my predecessor, it is the policy of the Government to purchase the various toll roads in the park and make travel over the same free, as the State of California has done of similar roads in the Yosemite Valley grant, it will be necessary to provide a sufficient annual appropriation to keep said roads in repair.

SEQUOIA AND GENERAL GRANT NATIONAL PARKS.

Sequoia Park is located in Tulare County, Cal. Its area is about 250 square miles. General Grant Park is situated in Mariposa County, Cal., and contains about 4 square miles. In these reservations are found the finest known specimens of the *Sequoia gigantea*, the famous "big trees" of California.

Capt. George H. G. Gale, Fourth Cavalry, U. S. Army, acting superintendent, reports that the park guard, consisting of Troop C, Fourth Cavalry, arrived at Three Rivers, Cal., on June 10, establishing a temporary camp at Red Hill, which it occupied until July 1, when the headquarters were removed to the camp at Weishar's Mill. Camps of outlying detachments were established as follows: At General Grant National Park, one noncommissioned officer and two privates, on June

23; at Halstead Meadows, one noncommissioned officer and seven privates, on July 2, and at Hockett Meadow, one noncommissioned officer and four privates, on July 16. In addition, a small detachment was kept at Red Hill for purposes of transmitting the mail and guarding stores. These detachments were visited by various patrols from the main camp, and kept up a daily patrol of both parks, two small patrols leaving each camp daily.

From the date of rendering the report last year until the guard was removed, about November 1, no trespass occurred within the limits of the parks. The guards were withdrawn from the higher altitudes about October 25, the season being peculiarly favorable for such a long stay. A heavy fall of snow two or three days after prevented the further grazing of sheep within the park limits, and the fact that sheep had been withdrawn from the immediate vicinity of the park boundaries had been already ascertained before the withdrawal of the outlying detachments.

One forest fire of considerable magnitude occurred between the East and Middle forks of the Kaweah about the middle of September. The fire originated in the forest reserve and was carried by a westerly wind within the park limits. It was gotten under control by a detachment sent out for the purpose after several days' hard labor, but required about a week's watching to prevent further spreading. This fire, occurring at a season when there are few thunderstorms, was probably caused by the carelessness of sheep men or hunters; several hundred acres were burnt over, but, in the judgment of the superintendent, no serious damage was done.

The direction boards placed last year at intersections of trails, etc., being somewhat temporary in character, are in process of being replaced by others neatly painted and uniform in size and lettering, intended to be more permanent. About fifty have already been placed in the southern portion of the Sequoia Park, giving full information as to the trails at each fork. Others are being prepared, and it is hoped that the northern portion and the General Grant Park will be fully supplied before the troop is withdrawn. Large and neatly made name plates for the General Grant and the General Sherman, the most important trees in the two groves, have been prepared to replace those now on the trees, which are hardly in keeping with the dignity of the trees and of the names they bear.

Attention is directed to the fact that the boundaries of Sequoia Park should be thoroughly and properly marked, as it is difficult to find the present blazes or monuments, owing to the precipitous nature of the country, the snow brush and fallen timber; further, that a fence be constructed about the General Grant Park, a tract of land only two miles square, which, however, by reason of its unprotected condition, is constantly overrun by small bands of stray stock.

No systematic work for the improvement of old trails or building of

new ones has been done this year. This labor can not be performed under the present system unless the guard is increased in strength, as a single troop of cavalry is fully occupied by its patrol duties. A wagon road, it is stated, should be constructed from the Mineral King road to Hockett Meadow, as it can be done at a trifling expense, thereby opening up all the beautiful southern portion of the Sequoia Park to summer visitors.

The Colony Mill road, the title of which is in private parties, should be acquired by the Government and the road repaired and extended to the Giant Forest. This, the superintendent states, would be an expensive matter, but not too much so when the beauty of the country and the magnificence of the Giant Forest are taken into consideration. This grove, generally conceded to be the finest in the world and the exclusive property of the Government, is practically inaccessible to visitors. It is the most valuable portion of the park, and by judicious selection might perhaps be partially cleared, to its own betterment, at sufficient profit to pay for this expenditure. At all events there should be sufficient pride in its ownership to warrant the expense of its exhibition.

There were but few cases of trespass or depredations committed in the reservation during the year.

The game within Sequoia Park is reported as being more abundant than last year, and the trout streams are excellent and well stocked in the southern portion.

The superintendent calls attention to the fact that the land used for camping purposes by the command in the park is private property; that the owner thereof permits the occupancy of the same by the Government as a matter of courtesy, and which may be discontinued at any time. He urges that appropriations therefor be made of sufficient amount to provide a satisfactory camp, including comfortable and roomy cabins, a kitchen provided with proper range facilities, and mess room, as well as satisfactory stable accommodations. I concur in the recommendations in question and recommend that Congress make the necessary appropriation therefor.

HOT SPRINGS RESERVATION.

The permanent reservation at Hot Springs consists of four mountain reservations—Hot Springs Mountain, North Mountain, Sugar Loaf Mountain, West Mountain—having an aggregate area of 911.63 acres.

The hot water issues from the base and side of the Hot Springs Mountain, and the actual quantity thereof is not known. That which is under control and being used to supply the bath houses amounts to about 507,000 gallons a day, and the amount collected and passed through the impounding reservoir, about 350,000, making a total quantity of hot water under control of about 857,000 gallons a day.

William J. Little, superintendent of the Hot Springs Reservation,

reports that improvements carried on under his supervision during the past year have been more varied and extensive than heretofore, requiring much study and investigation in the bringing together of suitable material and labor for the various kinds of work to be performed, the principal feature of the improvements being that of the Whittington Avenue Lake Reserve.

A new lease was granted the Lamar Bath House, certain improvements thereto having been made in accordance with plans and specifications, approved by the Department, placing it in line with the best equipped bath houses receiving hot water.

The Waverly Bath House, which was seriously damaged by fire at the time of the destruction of the Waverly Hotel, has been repaired, and is in a most excellent condition. It was reopened to the public in June and has since been in full operation. The hotel, which is run in connection with the bath house, is undergoing reconstruction.

Other bath houses on the reservation have been refurnished, repainted, repaired, etc., and all are in a good and cleanly condition, and the lessees have universally rendered a cordial compliance with the rules and regulations governing the management of the same. All bath houses have been properly supplied with the requisite quantity of hot water and have enjoyed a reasonably good business. No complaints by visitors as to prices charged at the bath houses have been made, and the scale of prices is sufficiently varied to accommodate almost all classes of persons. The total number of tubs now in use is 575, with a daily bathing capacity of 7,725 people.

The following list shows the bath houses and bath-house sites on and off the reservation for which leases have been granted up to June 30, 1897:

Name of bath house.	Lessee.	Tubs.	Date of lease.	Expires.
<i>On the permanent reservation.</i>				
Arlington Hotel.....	S. H. Stitt & Co. (Samuel H. Stitt, Samuel W. Fordyce, Albert B. Gaines).	.....	Mar. 3, 1892	Mar. 2, 1912
New Rector.....	Henry M. Rector and Mary E. Fellows; assigned to Arlington Hotel Co., June 11, 1892.	40	.....do.....	Do.
Hale.....	Logan H. Roots and George H. Eastman.	26	Jan. 1, 1893	Dec. 31, 1907
Imperial.....	James L. Barnes and Charles N. Rix; Barnes assigns one-half of his half interest to Charles N. Rix, June 30, 1892; Charles N. Rix assigns his undivided three-fourths interest to Fred. N. Rix, Oct. 20, 1896.	25	Jan. 1, 1892	Dec. 31, 1906
Lamar.....	Morris C. Tombler.....	40	Jan. 1, 1897	Dec. 31, 1916
Magnesia.....	Charles B. Platt.....	30	Jan. 1, 1895	Dec. 31, 1909
HorseShoe.....	Albert B. Gaines assigned to D. Fellows Platt, July 30, 1896.	30	.....do.....	Do.
Palace.....	Samuel W. Fordyce.....	23	Jan. 12, 1893	Dec. 31, 1906

Name of bath house.	Lessee.	Tubs.	Date of lease.	Expires.
<i>On the permanent reservation—Cont'd.</i>				
Maurice	Charles E. Maurice, Charles G. Convers, and William G. Maurice.	21	Jan. 1, 1897	Dec. 31, 1916
Ozark	George G. Latta and Lewis H. Carhart; Lewis H. Carhart assigns his interest to Isaac W. Carhart, May 23, 1895.	22	Jan. 1, 1892	Dec. 31, 1902
Superior	Robert Proctor and Samuel S. Willson...	16	Sept. 15, 1896	Sept. 14, 1906
Rammelsberg	George H. Buckstaff	18	Jan. 1, 1892	Dec. 31, 1898
Pool bath house	John B. Varnadoore <i>a</i>	30	Aug. 9, 1895	Aug. 9, 1910
<i>Off the permanent reservation.</i>				
Rockafellow's	Charles N. Rockafellow	20	July 1, 1895	June 30, 1898
Eastman	New York Hotel Co.	40	May 12, 1892	May 12, 1912
Alhambra	Edward H., Anna M., and Carroll D. Bancroft, doing business under the firm name of the Alhambra Bath House Co.	40	Feb. 28, 1894	Feb. 28, 1914
Avenue	Avenue Hotel Co.	20	Jan. 1, 1892	Dec. 31, 1897
St. Joseph's Infirmary.	Sister Mary Aloysius, local superior of St. Joseph's Infirmary.	4	Dec. 31, 1896	Dec. 31, 1901
Hot Springs	Mark J. and C. H. V. Smith; assigned to Mark J. Smith, Feb. 2, 1893.	16	Jan. 1, 1893	Dec. 31, 1902
Park	Park Hotel Co.	40	May 12, 1892	May 12, 1912
Rector	Henry M. Rector	12	Apr. 16, 1894	Apr. 16, 1904
Waverly	Waverly Hotel Co.	20	Mar. 24, 1893	Mar. 24, 1913
Cheshire	Cheshire Improvement Co., limited....	8	Aug. 7, 1895	Aug. 7, 1905
Sumpter	John J. Sumpter <i>a</i>	8	Mar. 7, 1894	Mar. 7, 1904
Do	Hot Springs Medical Co. (500 gallons daily).	.....	July 24, 1894	July 24, 1904
Great Northern Hotel..	Cornel S. Williamson <i>a</i>	19	May 15, 1897	May 15, 1912

a Bath house not erected.

The free bath house is kept in a cleanly condition, and is conducted in strict accordance with the regulations of the Department and the law which restricts the parties bathing therein to persons who are indigent. The free bath house was constructed and opened to the public in February, 1891. Since that time it has been in continuous use and has accomplished great good. Thousands of helpless indigent persons have been benefited, the cures effected were equal, if not greater, in number than reported in 1896, fully 80 per cent having been cured or benefited; a flattering testimonial to the efficacy of the waters.

The capacity of the bath house has been sufficient to supply baths to all indigent persons making application therefor. The whole number of baths given during the year was estimated at 140,160, the average number given daily was 384, an increase of 37 over the previous year.

Extensive improvements of a decorative and scenic nature have been made on the reservation. The chief feature of this work has been the conversion of the Whittington avenue reservation, of 11 acres, into an

attractive park and pleasure ground. Hitherto this valley, in the city of Hot Springs, has been practically waste land, traversed by the West Fork of the Hot Springs Creek, which, during numerous overflows, had so often changed its channel as to give the whole tract a ragged and unsightly appearance. It was at first intended to erect dams which would confine the waters of the creek in four lakes, but after inspection of the plans the Department deemed it more expedient to provide for but two lakes and to improve the balance of the reservation as a park. Accordingly plans and specifications for the improvement were prepared and approved July 14, 1896, \$30,000 being allotted for the work, which has since been in progress.

The superintendent details the difficulties encountered in the carrying out of these plans, and states up to the present time the following has been accomplished: The two lakes have been practically completed, are now filled with water and have stood the test of unusually dry weather, demonstrating that the supply of water will be sufficient at all times to keep them full, without danger from stagnant water or malaria. The grounds have been partially graded and drained, the channel of the creek has been straightened and widened, five substantial bridges have been built, tennis grounds, 80 by 160 feet, have been completed, music and other park pavilions have been erected, and a suitable cottage has been provided for the park gardener. The entire reservation has been inclosed by a tasteful iron fence, with gateways at convenient intervals, and a main carriage entrance of attractive appearance. The approximate estimate of the cost of this improvement up to June 30 is \$23,660, and it is believed that the park can be finally and permanently completed, including shrubbery, flowers, etc., within the allotment of \$30,000.

The improvement of the Whittington Avenue Lake Reserve was authorized by the sundry civil act of August 5, 1892, and \$30,000 was set aside for that purpose from the Hot Springs Reservation fund. The park in question is not located on the reservation with the Government bath houses, but a considerable distance therefrom in the city of Hot Springs. The improvements in progress on this reservation will be practically completed in the spring of 1898. Thereafter the maintenance of this park, the providing of light, water for irrigation purposes, shrubbery, and pay of keeper will cost approximately \$2,200 per annum. This annual expense should not be a charge upon the Hot Springs Reservation fund, which, under section 7 of the act of June 16, 1880 (21 Stat. 290), is to "be held as a special fund for improvement and care of the permanent reservation at Hot Springs and of the Hot Springs Creek, adjacent to and between the permanent reservations, and for the maintenance of free baths for the invalid poor of the United States." I have, therefore, to recommend that Congress make appropriation for the care and maintenance of this park, or that it be ceded to the city of Hot Springs upon the condition that it will properly care for the same.

The roads and drives heretofore completed on the Hot Springs Moun-

tain have been kept in good repair and are in constant use by visitors. Three and one-half miles of horseback road have been opened on North Mountain and some 1,500 feet of carriage road graded. The superintendent dwells at length on the importance of extending the system of mountain driveways and paths, of completing the important branch of the main system of roads, leading from the head of Fountain street to the junction of the Hot Springs and North Mountains, a distance of over 3,000 feet, so as to provide a means of ascending or descending the mountain without passing twice over the same road, and recommends that suitable amounts be allotted for such purpose.

The mountain park on the Hot Springs Mountain has been enlarged by the cultivation and planting of additional ground with shrubbery and flowers, and, especially in the vicinity of the grand central entrance, is now a most beautiful and attractive place. The bath-house park, in which most of the bath houses and all of the hot-water drinking fountains are located, has been further adorned by the planting of some sixty trees and several large beds of cannas, coleus, geraniums, and caladiums, which have added greatly to its beauty.

The "Hoke Smith" fountain, at the north end of the promenade, was completed April 21, 1897, and, like the "John W. Noble" fountain, at the south end, is in constant use, thousands of persons using the water daily at both places. The Fountain street cold spring and pavilion have also become popular and are highly appreciated by the visitors.

The seventy-three hot springs, excepting four, are now all arched over and used to supply the reservoirs and bath houses. Of the open springs, the Hale and Stevens have been handsomely improved and are much used for drinking purposes. The improvements of the Alum and Dripping springs are well under way. It is proposed to preserve these four springs as open springs, where the hot waters may be seen issuing from the ground.

The report gives the total receipts from bath-house leases and hot-water rents for the fiscal year ended June 30, 1897, \$18,150; the disbursements for salaries, superintendence, repairs, fuel, lights, water, etc., \$12,297.63. Of the sums of money set aside from the reservation fund in the Treasury for the prosecution of the work on the Whittington Avenue Lake Reserve, there was expended during the same period \$23,660.

CASA GRANDE RUIN.

The Casa Grande Ruin, located near Florence, in the Territory of Arizona, is one of the most noteworthy relics of a prehistoric age and people remaining within the limits of the United States. The land on which it is located is part of 480 acres reserved from settlement by Executive order dated June 22, 1892. It was discovered already in a ruinous condition by one Padre Kino in 1694, and since that time has been a subject of record by explorers and historians. This structure,

like others erected by the most advanced among the native races in the Southwest, is of perishable material, being built of cajon—that is, of puddled clay, molded into walls dried in the sun.

In the last annual report of my predecessor attention was called to the necessity of providing a sufficient appropriation to properly protect this ruin from the elements, but no action was taken thereon by Congress. The custodian of the ruin, the Rev. Isaac T. Whittemore, in a recent report, states that cracks have appeared in the walls of the building which should be at once repaired; that attrition from storms, especially rain, is slow but sure, and requires the roofing in of the edifice at as early a day as possible in order to prevent further inroads. He directs attention to plans and specifications for the restoration of the ruin prepared under the supervision of the Director of the Geological Survey in 1890, and adds that if the improvements therein contemplated can be made, the building will stand for many centuries.

ELEEMOSYNARY INSTITUTIONS.

THE GOVERNMENT HOSPITAL FOR THE INSANE.

This hospital was established by act of March 3, 1855 (10 Stat. 682). It is managed by a board of visitors—nine citizens of the District of Columbia, appointed by the President—and it is supported in part by Congressional appropriations and in part by receipts from pay patients, the expenditure of which is under the general supervision of the Secretary of the Interior (sec. 4858, Rev. Stat.). The institution has an area of 350 acres of land, known as St. Elizabeth, from title of the original grant; also outlying agricultural lands of an extent upward of 450 acres. The 14 hospital buildings can comfortably accommodate about 1,400 patients.

The title to the entire property is in the United States, and its estimated cost is something over \$1,000,000.

It is the only hospital for the insane in the United States which is exclusively under Federal control. It provides for the admission thereto of the insane of the Army (including civilians becoming so diseased while in the employ of the Quartermaster's and Subsistence Departments) on the order of the Secretary of War; the Navy and Marine Corps on the order of the Secretary of the Navy; the Revenue-Cutter Service, and Marine-Hospital Service on the order of the Secretary of the Treasury; inmates of the National Homes for Disabled Volunteer Soldiers on the order of the president of the Board of Managers of the Homes; inmates of the Soldiers' Home of Washington, D. C., on the order of the president of the Board of Commissioners of the Home; insane United States convicts; persons charged with crime before the courts of the District of Columbia, and those charged with offenses against the United States and in the actual custody of its officers when found to be insane, on the order of the Secretary of the Interior; and

the indigent insane of the District of Columbia on the order of the Commissioners of the District of Columbia. The words "insane persons" and "lunatic" are defined in the Revised Statutes of the United States as including every idiot, non compos, lunatic, and insane person; hence, imbecile and weak-minded persons are frequently sent to the hospital from the District of Columbia.

The annual report of the board of visitors shows that during the year 2,112 persons have been under treatment; 345 have died or been discharged; 1,767 remained in the hospital on the 30th of June, 1897. The number of admissions, 377, is a slight advance on that of the two previous years, while the average number, 1,709+, and the number remaining under treatment at the end of the fiscal year, 1,767, is greater than that at the close of any previous year. The mortality of the year, 162 deaths, was but $7\frac{2}{3}$ per cent of the whole number under treatment, a rate lower than has prevailed for a number of years, and its continuance can hardly be expected in view of the increase in the number of old and feeble ex-soldiers received from the various National Homes for Disabled Volunteers, in connection with the fact that the condition of the Eastern Branch of the Potomac River, a great source of malarial disease, remains unchanged. As in previous reports, attention is called to the disease-breeding condition of the flats along the Eastern Branch of the Potomac River abutting the hospital grounds. The malarial germs arising from this source cause more sickness among the inmates and employees of the institution than all other sources put together. An adequate appropriation by Congress is urged for the reclamation of the flats in question and the improvement of the Eastern Branch.

Separate provision has been made for the epileptic insane, and such plan has been in operation long enough to demonstrate its superiority over former methods of caring for this class of afflicted persons. Buildings have been constructed for the white male and female epileptics and the colored female epileptics, and an appropriation should be made for the construction of a building to provide for the colored male epileptics. Congress, at its last session, made appropriation of \$75,000 for the erection of pavilion buildings for the insane soldiers from the various National Homes. Plans and specifications for such structures have been approved which contemplate the furnishing of sufficient room to accommodate 150 such veterans, and the buildings are now under construction. There were 332 colored inmates remaining under treatment at the close of the year, of whom 193 were males, an increase of 14 per cent over the number at the close of the previous year, while the increase in the male population has been less than 3 per cent. The present accommodations do not provide for them properly, and it is urged that appropriation be made by Congress for the construction of a building for their use.

The estimate for current expenses of \$379,500 is based on an annual

cost of \$220 per capita for an estimated average number of 1,725 persons of the various classes received at the institution.

Appropriations are solicited of \$15,000 for general repairs and improvement; \$15,000 for the construction of a cement and brick sewer of sufficient capacity to carry sewerage from the building to a point below the tide level of the river, a distance of about one-half mile; \$3,500 for the purchase of a steam boiler and improved machinery for the new laundry; \$1,250 for the refitting of the old laundry as a shop and dormitory; \$2,000 for the purchase of a 200-horsepower tubular boiler for use in connection with the electric lighting of the new building and for the further extension of fan ventilation, which has proved a relief in the very crowded wards; \$6,250 for the erection of a building to accommodate colored male insane; \$750 for the digging of an artesian well to supply water to the insane accommodated at the farm known as Godding Croft.

In the last annual report attention was directed to the fact that the superintendent of the Government Hospital for the Insane had from time to time deposited with him as custodian moneys and private effects of patients to be expended or used in their behalf as the occasion might require; that such personal property of the inmates, whether clothing, watches, jewelry, money, etc., were matters of trust imposed upon the superintendent of the hospital by virtue of his office, and his legal responsibility therefor was that of reasonable care only. Such fund on the 30th of June, 1896, aggregated over \$50,000, and for the proper application thereof, as well as for the expenditures of such money, the superintendent was not responsible under his bond as a United States disbursing officer of public funds.

The fact that an embezzlement of over \$14,000 from this fund by one of the employees of the hospital had occurred was also adverted to and the opinion expressed that as moneys of this character received by the superintendent to be held in trust for the various patients were not strictly under the control of this Department and the Government could not be legally responsible for loss thereof, it was advisable that legislation be had looking to the proper care and custody of such deposits. It was then recommended that Congress enact a law requiring the superintendent of the Government Hospital for the Insane to deposit in the United States Treasury the balance of this so-called patients' fund and any further sums paid him for a like purpose; that such sums be disbursed and accounted for in all respects as are the public funds, and that the superintendent be required to give an additional bond for the faithful care and disbursement of such trust funds. No action having been taken by Congress on such recommendation, I deem it proper to reiterate the same and to state that the necessity for the legislation desired is as great to-day as it was at the time of the submission of the report of my predecessor.

HOWARD UNIVERSITY.

Howard University was established by the act of March 2, 1867 (14 Stat., 438), "for the education of youth in the liberal arts and sciences." It is managed by a board of trustees, on which Congress is represented by one Senator and two Representatives. It is supported in part by funds from benevolent societies and in part from appropriations by Congress.

The president, J. E. Rankin, D. D., reports that the year has been one of entire harmony and progress in the institution under his care, and that the requirements of the act approved June 4, 1897, regarding the expenditure of appropriations therefor, have been in all respects complied with. In all the departments the students aggregate 598, a decrease of 31 from the number cared for last year. Though most of the schools throughout the country felt the effect of the business depression generally prevalent in the United States, it was not so marked at this institution, for the reason that, though the students are usually very poor, the greater part of the cost of maintenance is provided by the Government.

The students accommodated in the university are of both sexes and come from 34 different States and Territories, the District of Columbia, and various countries of the world, embracing Canada, Korea, Japan, Honduras, Africa, and the West Indies.

The act of incorporation contemplated an agricultural department, and during the past year one has been tentatively organized and instruction given therein in the principles of agriculture. Inasmuch as the District of Columbia has never participated in the benefits of the act of Congress approved August 30, 1890, for the further endowment of agricultural and mechanical colleges in the United States, the trustees suggest that such act be extended to the District of Columbia and that Howard University be designated as the recipient of the appropriation thereunder. It is believed that if land can be secured for a practice farm in connection with this branch of the university it will be possible to gather up from the District many boys who might otherwise fall into habits of indolence and crime.

The trustees direct attention to the fact that in addition to the sum of \$1,000 appropriated by Congress for repairs of the building they expended \$2,300 to repair damages consequent on a severe storm which occurred during the year, and request that, as such sum was drawn from their permanent endowment, an appropriation of an equal amount be made in the act providing for the next fiscal year, for repairs. They also urge an appropriation of \$500 for fitting up, with necessary seats and other furniture, a practice room in the normal department. Appended to the report is a detailed statement showing the apportionment of the appropriation for the institution made by Congress, and the various purposes for which it was expended.

All the institutions connected with this Department are required by law to submit an annual report as to operations, with the exception of Howard University. In the latter case the report has been called for as a matter of custom by the Department and submitted as an act of courtesy by the president of the institution. This, in my judgment, should be remedied by making it obligatory on the part of the president and directors of the University to so report, and I therefore recommend that they be specifically required by law to report to the Secretary of the Interior the condition of the institution on the 1st of July of each year, embracing in the report the number of pupils received and discharged during the preceding year and the number remaining; also the branches of knowledge and industry taught and the progress made therein, together with a statement showing the receipts of the institution and from what sources, and its disbursements and for what objects. Furthermore, that all appropriations by Congress for the Howard University shall be drawn from the Treasury on requisitions of the Secretary of the Interior, and be disbursed and accounted for in all respects according to the laws regulating ordinary disbursements of public money.

THE FREEDMEN'S HOSPITAL AND ASYLUM.

The Freedmen's Hospital was appropriated for and placed under control of the Secretary of War by act of March 5, 1871 (16 Stat., 506), and transferred to the Department of the Interior by act of June 23, 1874 (18 Stat., 223). It occupies $3\frac{1}{2}$ acres of leased ground in the District of Columbia, on which there are eight buildings. Six were constructed by the lessors and two, at a cost of \$4,000, under appropriation by Congress therefor. Five buildings used for hospital purposes have a capacity for 250 patients; the remainder, three, are administrative buildings. The title of property is in the trustees of the Howard University, and its estimated value is \$304,000. The supervision and control of expenditure of appropriation was transferred to the Commissioners of the District of Columbia by act of March 3, 1893 (27 Stat., 551). The appointive and general administrative power, however, is still vested in the Secretary of the Interior.

Dr. Daniel H. Williams, surgeon in chief, reports that the number remaining in the hospital June 30, 1896, was 134. During the year 2,608 patients were admitted, of whom 516 were males and 1,092 were females; 207 children were born, making a total of 2,949 in the hospital; 419 operations were performed; 2,576 patients were discharged and 223 died, leaving 150 remaining in the hospital on the 30th day of June, 1897.

The work at the hospital during the year has been productive of satisfactory results. The internes have rendered faithful and efficient service and are a valuable adjunct to the hospital corps. The training

school for nurses has been operated under the system of instruction outlined in previous reports, and during the year a class of young women numbering 29 was graduated.

The hospital, it is stated, is national in character, inasmuch as patients treated therein, as well as students at the training school for nurses, are from all parts of the United States and should be kept under the control of officers who are responsible to the National Government.

The surgeon in chief directs attention to the necessity for new hospital buildings, which should include a pathological laboratory, additional operating facilities, etc.

Appended to the report is a comprehensive statement as to the patients, diseases treated, causes of death, nativity, occupation, etc.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

This institution was established by act of February 16, 1857 (11 Stat., 161). It is managed by a board of directors on which Congress is represented by one Senator and two Representatives, and is supported in part by Congressional appropriations and in part by tuition fees, etc. The expenditure of Congressional appropriations is under the supervision of the Secretary of the Interior, and the admissions of all beneficiaries are subject to his approval. It occupies 100 acres of ground located in the District of Columbia, 2 acres of which were at the organization of the institution donated by the Hon. Amos Kendall and the balance purchased by Congressional appropriations. The title of the entire property is vested in the United States as trustees. There are seven administration buildings and six dwellings used by the corps of instructors. The estimated cost of all is about \$500,000.

The report of the president, Dr. E. M. Gallaudet, sets forth the following statement: The number of pupils and students in the institution since July 1, 1896, was 184. Of these 130 were in the college and 54 in the primary school.

At the close of the academic year nine students of the college were graduated with the bachelor's degree and four from the normal department with the master's degree.

Instruction in speech is provided for all who desire such instruction, and very few decline the opportunity to acquire this useful accomplishment.

The receipts of the institution from all sources for current expenses amounted to \$70,863.11, and the disbursements were \$70,851.78.

In the appendix to the report the president gives an account of a visit he made to Europe for the purpose of inquiring into methods of educating the deaf which prevail there, and to attend a congress of the deaf, held in London, one of the objects of which was to promote the establishment in Great Britain of a college similar to that which

has been successfully carried on here for many years. Much valuable information is to be found in this report on European methods of instructing the deaf.

Estimates are submitted for the fiscal year ending June 30, 1899, of \$67,000 for current expenses and \$3,000 for repairs.

MARYLAND SCHOOL FOR THE BLIND.

Under section 2 of the act of Congress approved May 29, 1858 (11 Stat., 294), the Secretary of the Interior is authorized to place for instruction in an institution for the blind, in the State of Maryland, or some other State, the indigent blind children of teachable age who are children of persons actually engaged in the military and naval service of the United States, and under section 4869 of the Revised Statutes, the indigent blind children of teachable age belonging to the District of Columbia.

In pursuance of this authority there were at the close of the last fiscal year (1896) 21 blind children under instruction in the Maryland School for the Blind, at Baltimore, Md.; 4 were admitted and 3 discharged during the year, leaving 22 beneficiaries at the institution on the 30th of June, 1897.

The United States beneficiaries are reported to be of average intelligence; several have made most excellent progress, and with one or two exceptions are all a promising class of pupils. Their regular course of study, which commences with the kindergarten for the younger children, embraces spelling and reading by touch, geography, history, grammar, arithmetic, algebra, geometry, natural philosophy, political economy, rhetoric and composition, physiology, instrumental and vocal music, harmony and orchestral instruction, sewing, crocheting, and knitting. Instruction is also given in piano tuning, chair caning, broom and mattress making. The capabilities of the pupils are carefully studied, and their development is pursued on the line most likely to be serviceable to each individual. Special attention is paid to physical training. The facilities of this institution for the proper training of the blind children, both in appliances and teaching force, are reported to be equal to any school of similar character in the country. The school is nonsectarian in character.

The cost to the Government for each pupil is \$300 per annum, that being the amount charged by the State of Maryland for similar instruction to others; payment therefor is made from any money in the Treasury not otherwise appropriated.

WASHINGTON HOSPITAL FOR FOUNDLINGS.

This institution is under the care of a corporation created by the act of April 22, 1870, to carry into effect that provision in the last will and testament of Joshua Pierce devising to certain trustees fourteen

parcels of land in the city of Washington, D. C., to be held as a site for a hospital for the reception and care of destitute and friendless children. It is managed by a board of directors, who are required to report annually to the Secretary of the Interior, and is supported in part by contributions from benevolent persons and societies, and in part by appropriations by Congress.

The report of the board of directors shows that 103 children were provided for during the year, of whom 28 were remaining in the hospital June 30, 1896. The adoptions during the year were 17, and the number of deaths 40; of the latter 18 children were in a dying condition when received. The total receipts from all sources during the year, including the balance of \$153.43 on hand June 30, 1896, were \$7,456.86, and the expenditures \$6,699.20, leaving a cash balance on hand June 30, 1897, of \$757.66.

The board of directors urge a continuance during the years 1898 and 1899, of the appropriation of \$6,000 made during the last fiscal year, in order that the large number of children which are annually received at the institution may be properly maintained. I concur in the recommendation.

THE ARCHITECT OF THE CAPITOL.

By act of September 30, 1850 (9 Stat., 538), the appointment by the President of an architect to execute the plan for the extension of the Capitol was authorized. The supervision of the Capitol extension and the erection of the new Dome was by act of April 16, 1862 (12 Stat., 617), transferred from the War Department to the Department of the Interior, and all appropriations therefor required to be expended under the direction and supervision of the Secretary of the Interior. By the act of March 30, 1867 (15 Stat., 13), all repairs and alterations of the Capitol were required to be made under the direction and supervision of the Architect of the Capitol extension. By the act of March 8, 1879 (20 Stat., 391), the disbursement of all moneys appropriated for the United States Capitol and grounds was placed under the supervision of the Secretary of the Interior, and the disbursing clerk of the Department of the Interior was specifically required to disburse such moneys.

The Architect, Mr. Edward Clark, reports the following improvements made on buildings and grounds during the fiscal year: There has been extensive painting in the corridors and committee rooms, principally in the old portion of the building, where a great portion of the public passageways have been renovated and a fresh and cheerful aspect given to them. The frescoes and painted walls of the Senate and House wings have been cleaned and retouched, and the works of art under the control of the Joint Committee on the Library have been repaired and restored where necessary.

The necessary accommodations in the way of shelving, etc., have been supplied to the folding rooms connected with the document offices

of the House and Senate. The steam heating appliances and the plumbing throughout the building have been overhauled and repaired extensively, and the elevator service, with its machinery, tanks, and operating features, kept in successful operation.

The ventilation of the Senate wing has undergone great improvement by a reconstruction of the Senate floor and improvement in the manner of introducing the air through the chamber floor, as well as improved control of its exit through the ceiling. In addition, changes have been effected in the heating and control of air supplied to the committee and other rooms in the Senate wing. New and more efficient fans for the purpose named have been installed. Steam has given way to electricity for the operation of these fans. In this improvement, attention has been given to the restaurant of the Senate and to the Supreme Court. This important work was done under the authority of the Senate Committee on Rules, with the advisory services of Prof. S. H. Woodbridge, heating and ventilating engineer.

Under the resolution of the Senate, passed May 13, 1886, marble busts of the late Vice-Presidents Breckinridge and Colfax have been procured for the niches in the Senate Chamber.

The Architect recommends the improvement of the ventilation of the House of Representatives by a reconstruction of the House floor and galleries, in a manner suited to the adoption of any system of ventilation, together with the substitution of chairs with ventilating seat legs for the galleries; and that electric operation of the ventilating fans be substituted for steam operation. For this purpose recommendation is made for the purchase of a new 1,500 ampere dynamo and engine.

An additional water supply for the Capitol, and a filtering plant sufficient to care for the water used for drinking fountains and for bathing purposes, is recommended.

The Architect calls attention to the unfinished frieze in the Rotunda, and recommends the completion thereof, and an appropriation for complete renovation and painting of the Rotunda and main arch of the Dome.

The electric lighting system of the Capitol has been generally extended to meet the requirements of the various committee rooms and corridors and important extensions have been made to the ceilings over the two halls of Congress, to the great benefit of the ventilation not only of the legislative chambers, but also the passageways and rooms throughout the building. In the Capitol Grounds an extensive conduit system has been laid, carrying the electric service to various points on the roadways and footwalks, and 138 arc lamps, all operated from the electric machinery within the Capitol building, have been installed and put in service. The Architect states that the illumination of the grounds is now excellent and that better protection to pedestrians has been given by this service. New machinery has been added to that already in service to meet the demands of this extension.

The Capitol Grounds, which suffered severely during the heavy storms of the past year, have been improved. Many fine trees were destroyed, and trees have been planted to repair, as far as possible, the damage done. The shrubbery has been thinned out or trimmed and lawns improved and kept in good condition. The walls and artificial stone pavement have been repaired where needed.

The Senate and House stable and engine house have received necessary repairs, and a large addition made to the wagon shed and the entrances paved at the Senate stable.

Supervision of extensive repairs and improvements at the Maltby House has been made at the request of the Senate officials.

At the United States Botanic Garden the plant and propagating houses have been repaired by considerable painting and glazing, the Bartholdi fountain basin pointed up and made water-tight. The plumbing, steam heating, and water services have been overhauled and extended to meet additional requirements. A new wagon shed has been constructed and new roofing supplied to boiler house and coal sheds.

All necessary repairs have been made at the court-house (City Hall), including painting, calcimining, and repairs to the heating and ventilating system. Upper rooms in the east wing, formerly occupied by the surveyor, have been converted into a court room, with judge's room adjoining. A skylight was placed in the roof to light the passage to this room. Three rooms in the first story of the east wing have been fitted up for the use of the surveyor and the necessary furniture supplied.

COLUMBIA RAILWAY COMPANY OF WASHINGTON, D. C.

The president, R. F. Baker, reports, in pursuance of the requirements of section 16 of the act of May 24, 1870 (16 Stat., 132), that the capital stock of the company is \$400,000; that the par value of the shares is \$50, and the number of shares subscribed for up to December 31, 1896, is 8,000.

The receipts from all sources during the year ended December 31, 1896, including \$18,664.37 balance on hand January 1, 1896, were \$168,688.96. The total disbursements during the year were \$162,649.72, leaving a cash balance on hand January 1, 1897, of \$6,039.24. The total amount of the funded debt, \$500,000; amount of the floating debt, \$22,786.54; average rate per annum of interest on funded debt, 6 per cent. The amount of dividends declared was 5½ per cent on the capital stock. The length of road in miles of single track is 5.7, the length of double track 2.8; total number of passengers carried during the year, 4,930,846; total expenses of operating the road during the year, \$88,773.66; the number of persons injured in life and limb, 12.

DEPARTMENT EXHIBIT AT THE TENNESSEE CENTENNIAL EXPOSITION.

The report of Prof. Frank W. Clarke, of the Geological Survey, Department representative on the board of management of the Government exhibit, shows that the total appropriation of \$100,000 provided in the act of Congress approved December 22, 1896 (29 Stat., 477), entitled "An act to aid and encourage the holding of the Tennessee Centennial Exposition at Nashville, Tennessee, in the year 1897, and making appropriation therefor," the sum of \$12,000 was allotted to the Department of the Interior, of which, approximately, \$10,000 has been spent.

The exposition opened on the first of May, 1897, and closed October 30, 1897.

The Department of the Interior was assigned about 4,000 square feet of floor space in the Government building for the accommodation of its exhibit, which was confined to four of its bureaus.

The exhibit of the Office of Education was mainly pictorial in character, and consisted of panels and cabinets of pictures and statistical tables illustrating the work of education in the country, together with wash drawings illustrative of the methods of school punishment, and water-color sketches indicating the evolution of the schoolhouse from its most primitive to the most modern form. The work of the Office in education in Alaska was shown, and various Alaskan objects of aboriginal art, together with water-color paintings of Alaskan flowers, were used effectively for decorative effect.

In the Indian Office exhibit attempt only was made to show its work in the Indian schools; it included three large show cases built by the Indian pupils and containing articles of handicraft, such as carpenter and blacksmith work, tinware, embroidery, dresses, and bead work. A large three-seated wagon and several sets of harness were also displayed.

The Patent Office exhibit was mostly of models of American inventions. They occupied 10 large cases, and were classed in groups, each showing the influence of the Patent Office in the development of some particular industry, as agricultural machinery, metal-working tools, typewriters, textile machines, wood-working machines, guns, measuring instruments, and machines for working clay, for excavating, for paper manufacture, etc. A case of chemicals and dyestuffs derived from coal tar was also exhibited.

The Geological Survey exhibited minerals, fossils in rocks in considerable variety, with a series of 16 leaf maps, and geological models. Considerable wall space was covered with a table of geologic and topographic maps, together with framed illustrations from publications of the office. It also included a collection of 32 photographic transparencies, each measuring 36 by 28 inches, illustrating American scenery.

THE MARITIME CANAL COMPANY OF NICARAGUA.

By act of Congress approved February 20, 1889 (25 Stat., 673), a charter was granted to the Maritime Canal Company of Nicaragua "to facilitate commercial intercourse by water between the Atlantic and Pacific States as well as with foreign nations." Section 6 of the act requires the company to make a report on the first Monday of December in each year to the Secretary of the Interior, to be verified under oath by its president and secretary.

The preliminary statement filed by the canal company shows—

First. That the regular annual meeting of the company was held at No. 54 Broad street, in the city of New York, on the 6th day of May, 1897, pursuant to the provisions of the by-laws, and that at such meeting Messrs. Frederick F. Thompson, Aniceto G. Menocal, Samuel E. Kilner, Alexander T. Mason, and George West were duly elected directors of said company to fill the places made vacant by the class whose term of office expired on the 6th day of May, 1897, and to serve for the period of three years, as provided for in the said act of incorporation.

Second. That the board of directors of said company as now constituted is composed of the following stockholders:

Class of 1898: Charles P. Daly, Daniel Ammen, Horace L. Hotchkiss, Henry E. Howland, and Robert Sturgis.

Class of 1899: Joseph Bryan, James Roosevelt, Hiram Hitchcock, and Thomas B. Atkins.

Class of 1900: Frederick F. Thompson, Aniceto G. Menocal, Samuel E. Kilner, Alexander T. Mason, and George West.

The above-named directors are citizens and residents of the United States.

Third. That at the first meeting of the board of directors held after the said annual election the following officers were duly elected to serve for the ensuing year, to wit: President, Hiram Hitchcock; vice-president, Charles P. Daly; secretary and treasurer, Thomas B. Atkins. That at said meeting the following directors were elected members of the executive committee, as provided for in the by-laws of said company, to wit: James Roosevelt, chairman; Hiram Hitchcock, Henry E. Howland, Frederick F. Thompson, and Alexander T. Mason.

Fourth. That since the organization of the Maritime Canal Company of Nicaragua 10,145 shares of the capital stock of said company have been subscribed for at par, amounting in the aggregate to the sum of \$1,014,500, of which amount \$1,007,840 has been paid into the treasury in cash; that there has been paid into the treasury from other sources \$126,052.92, making the total amount of cash received \$1,133,892.92.

Fifth. That since the organization of the company it has paid for property, work, and labor done, and materials furnished in the execution of the work of construction of canal and in administration expenses

the sum of \$1,133,495.05 in cash, 31,990 shares of the full-paid capital stock of the company of the par value of \$3,199,000, \$150,000 of its first-mortgage bonds, and its obligations for \$6,705,000 of the said first-mortgage bonds. It has also issued 180,000 shares of its capital stock of the par value of \$18,000,000 in payment for concessionary rights, privileges, franchises, and other property. Two hundred and twenty-five thousand dollars of the amount first named was represented by a claim against the Nicaragua Canal Construction Company for cash advances made on account of purchase of equipment, and in liquidation of which claim the Maritime Canal Company has received and now holds in its treasury obligations representing \$518,500 of its first-mortgage bonds, in addition to 2,420 shares of its capital stock, which were transferred and delivered to Thomas B. Atkins, trustee, in liquidation of said account, to be held by him as trustee for the benefit of the company.

Sixth. That the liabilities of the company consist of the amounts still due under the concessions granted to the company, of the \$6,705,000 of bonds before mentioned, the said bonds being due to the assignees of the Nicaragua Canal Construction Company for work and labor done and materials furnished in the execution of the work of constructing the interoceanic canal, and of cash liabilities outstanding unpaid to an amount not exceeding \$100,000.

Seventh. That the assets of the company consist of its unused capital stock, of the \$518,500 first mortgage bonds, and the 2,420 shares of capital stock, received in liquidation as aforesaid, the concessions, rights, privileges, and franchises which it now owns, and of the plant, equipments, materials, lands, buildings, structures, railways, steamboats, telephone and telegraph lines, dredges, locomotives, cars, machinery, stores, machine shops, supplies, and other property in Central America, including the lands situated between the lake and the Pacific, purchased from the Government of Nicaragua for the route of the canal, in accordance with the provisions of the Nicaraguan concession.

Work on the canal is at present suspended, for reasons given in the last annual report, as follows:

In August, 1893, work on the canal was entirely suspended, as has already been stated in previous annual reports, because of the financial embarrassment of the construction company which had contracted with this company for the construction of the canal. The work of reorganization of that company was an arduous one and involved considerable delay. It was, however, successfully accomplished, and the assets of the former company, including the contract with this company, were assigned to and taken over by the Nicaragua Company, a corporation chartered by the State of Vermont. Owing, however, to the disturbed conditions of the financial world during the past year, that company has not yet found itself in a position to resume the work of construction under its contract. The same financial conditions have made it impracticable to resume work in any other way.

By authority of Congress the President of the United States early in the year 1895 appointed a commission of engineers to examine and report upon the route and surveys of the Nicaragua Canal. In furtherance of an earnest desire to aid the commission in every proper way,

the canal company, at its own expense, caused the entire line of the route to be prepared for their inspection, as thoroughly as it was possible to do, and placed its engineers, surveys, maps, etc., unreservedly at its disposal.

The commission reported in November of the same year.

By authority of the present Congress the President of the United States has appointed a commission of engineers to further examine and report upon the route and surveys of the canal. That commission is now engaged in the performance of its duties. This company has placed its surveys, maps, etc., entirely at the disposal of the commission.

Very respectfully,

CORNELIUS N. BLISS,
Secretary.

The PRESIDENT.

APPENDIX.

EXHIBIT A.

RULES AND REGULATIONS GOVERNING FOREST RESERVES ESTABLISHED UNDER SECTION 24 OF THE ACT OF MARCH 3, 1891 (26 STATS., 1095).

[CIRCULAR.]

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 30, 1897.

1. Under the authority vested in the Secretary of the Interior by the act of Congress, approved June 4, 1897, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes," to make such rules and regulations and establish such service as will insure the objects for which forest reservations are created under section 24 of the act of March 3, 1891 (26 Stats., 1095), the following rules and regulations are hereby prescribed and promulgated:

OBJECT OF FOREST RESERVATION.

2. Public forest reservations are established to protect and improve the forests for the purpose of securing a permanent supply of timber for the people and insuring conditions favorable to continuous water flow.

3. It is the intention to exclude from these reservations, as far as possible, lands that are more valuable for the mineral therein, or for agriculture, than for forest purposes; and where such lands are embraced within the boundaries of a reservation, they may be restored to settlement, location, and entry.

PENALTIES FOR VIOLATION OF LAW AND REGULATIONS.

4. The law under which these regulations are made provides that any violation of the provisions thereof, or of any rules and regulations thereunder, shall be punished as is provided for in the act of June 4, 1888 (25 Stats., 166), amending section 5388 of the Revised Statutes, which reads as follows:

That section fifty-three hundred and eighty-eight of the Revised Statutes of the United States be amended so as to read as follows: "Every person who unlawfully cuts, or aids or is employed in unlawfully cutting, or wantonly destroys or procures to be wantonly destroyed, any timber standing upon the land of the United States which, in pursuance of law, may be reserved or purchased for military or other purposes, or upon any Indian reservation, or lands belonging to or occupied by any tribe of Indians under authority of the United States, shall pay a fine of not more than five hundred dollars or be imprisoned not more than twelve months, or both, in the discretion of the court."

This provision is additional to the penalties now existing in respect to punishment for depredations on the public timber. The Government has also all the common-law civil remedies, whether for the prevention or redress of injuries which individuals possess.

5. The act of February 24, 1897 (29 Stats., 594), entitled "An act to prevent forest fires on the public domain," provides:

That any person who shall wilfully or maliciously set on fire, or cause to be set on fire, any timber, underbrush, or grass upon the public domain, or shall carelessly or negligently leave or suffer fire to burn unattended near any timber or other inflammable material, shall be deemed guilty of a misdemeanor, and upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than five thousand dollars or be imprisoned for a term of not more than two years, or both.

SEC. 2. That any person who shall build a camp fire, or other fire, in or near any forest, timber, or other inflammable material upon the public domain, shall, before breaking camp or leaving said fire, totally extinguish the same. Any person failing to do so shall be deemed guilty of a misdemeanor, and upon conviction thereof in any district court of the United States having jurisdiction of the same, shall be fined in a sum not more than one thousand dollars, or be imprisoned for a term of not more than one year, or both.

SEC. 3. That in all cases arising under this act the fines collected shall be paid into the public-school fund of the county in which the lands where the offense was committed are situate.

Large areas of the public forests are annually destroyed by fire, originating in many instances through the carelessness of prospectors, campers, hunters, sheep herders, and others, while in some cases the fires are started with malicious intent. So great is the importance of protecting forests from fire, that this Department will make special effort for the enforcement of the law against all persons guilty of starting or causing the spread of forest fires in the reservations in violation of the above provisions.

6. The law of June 4, 1897, for forest reserve regulations, also provides that—

The jurisdiction, both civil and criminal, over persons within such reservations shall not be affected or changed by reason of the existence of such reservations, except so far as the punishment of offenses against the United States therein is concerned; the intent and meaning of this provision being that the State wherein any such reservation is situated shall not, by reason of the establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

PUBLIC AND PRIVATE USES.

7. It is further provided, that—

Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property under such rules and regulations as may be prescribed by the Secretary of the Interior. Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations.

The settlers residing within the exterior boundaries of such forest reservations, or in the vicinity thereof, may maintain schools and churches within such reservation, and for that purpose may occupy any part of the said forest reservation, not exceeding 2 acres for each schoolhouse and 1 acre for a church.

All waters on such reservations may be used for domestic, mining, milling, or irrigation purposes, under the laws of the State wherein such forest reservations are situated, or under the laws of the United States and the rules and regulations established thereunder.

8. The public, in entering, crossing, and occupying the reserves, for the purposes enumerated in the law, are subject to a strict compliance with the rules and regulations governing the reserves.

9. Private wagon roads and county roads may be constructed over the public lands in the reserves wherever they may be found necessary or useful, but no rights shall be acquired in said roads running over the public lands as against the United States. Before public timber, stone, or other material can be taken for the construction of

such roads, permission must first be obtained from the Secretary of the Interior. The application for such privilege should describe the location and direction of the road, its length and width, the probable quantity of material required, the location of such material, and its estimated value.

10. The permission to occupy public lands in the reserves for schoolhouses and churches, as provided for in the law, is merely a privilege, and is subject to any future disposition that may be made of such tracts by the United States.

11. The right of way in and across forest reservations for irrigating canals, ditches, flumes and pipes, reservoirs, electric-power purposes, and for pipe lines, will be subject to existing laws and regulations.

12. Under the term "to regulate their occupancy and use," the Secretary of the Interior is authorized to grant such licenses and privileges, from time to time, as may seem to him proper and not inconsistent with the objects of the reservations nor incompatible with the public interests.

13. The pasturing of live stock on the public lands in forest reservations will not be interfered with, so long as it appears that injury is not being done to the forest growth, and the rights of others are not thereby jeopardized. The pasturing of sheep is, however, prohibited in all forest reservations, except those in the States of Oregon and Washington, for the reason that sheep-grazing has been found injurious to the forest cover, and, therefore, of serious consequence in regions where the rainfall is limited. The exception in favor of the States of Oregon and Washington is made because the continuous moisture and abundant rainfall of the Cascade and Pacific Coast ranges make rapid renewal of herbage and undergrowth possible. Owners of sheep are required to make application to the Commissioner of the General Land Office for permission to pasture, stating the number of sheep and the location on the reserves where it is desired to graze. Permission will be refused or revoked whenever it shall appear that sheep are pastured on parts of the reserves specially liable to injury, or upon and in the vicinity of the Bull Run Reserve, Crater Lake, Mount Hood, Mount Rainier, or other well-known places of public resort or reservoir supply. Permission will also cease upon proof of neglect as to the care of fires made by herders, or of the violation by them of any of the forest reserve regulations.

RELINQUISHMENT OF CLAIMS.

14. The law provides that where a tract within a forest reservation is covered by an unperfected bona fide claim, or by a patent, the settler or owner may, if he so desires, relinquish the tract to the United States and select in lieu thereof a tract of vacant public land outside of the reservation, open to settlement, not exceeding in area the tract relinquished. No charge is to be made for placing the new entry of record. This is in consideration of previous fees and commissions paid. Where the entry is in lieu of an unperfected one, the necessary fees in the making of final proof and issuance of certificate will be required. Where the entry is based on an unsurveyed claim, as provided for in paragraph 17 hereof, all fees and commissions attending entry must be paid, none having been paid previously.

15. Where an application is made for change of entry under the above provision, it must be filed in the land office for the district in which the lieu selection lies. The application must describe the tract selected and the tract covered by the unperfected entry, and must be accompanied by a formal relinquishment to the United States of all right, title, and interest in and to the tract embraced in said entry. There must also be filed with the application an affidavit, corroborated by at least two witnesses cognizant of the facts, showing the periods and length of claimant's residence on his relinquished claim, as credit for the time spent thereon will be allowed under the new entry in computing the period of residence required by law. Residence and improvements are requisite on the new entry the same as on the old, subject only, in respect to residence, to a deduction of the period covered by the relinquished entry.

16. Where final certificate or patent has issued, it will be necessary for the entryman or owner thereunder to execute a quitclaim deed to the United States, have the same recorded on the county records, and furnish an abstract of title, duly authenticated, showing chain of title from the Government back again to the United States. The abstract of title should accompany the application for change of entry, which must be filed as required by paragraph 15, without the affidavit therein called for.

17. In case a settler on an unsurveyed tract within a forest reservation desires to make a change of settlement to land outside of the reservation and receive credit for previous residence, he should file his application as provided for in paragraph 15, including the affidavit as to residence therein required, and describing his unsurveyed claim with sufficient accuracy to enable the local land officers to approximately determine its location.

18. All applications for change of entry or settlement must be forwarded by the local officers to the Commissioner of the General Land Office for consideration, together with report as to the status of the tract applied for.

LOCATION AND ENTRY OF MINERAL LANDS.

19. The law provides that "any mineral lands in any forest reservation which have been or which may be shown to be such, and subject to entry under the existing mining laws of the United States and the rules and regulations applying thereto, shall continue to be subject to such location and entry," notwithstanding the reservation. This makes mineral lands in the forest reserves subject to location and entry under the general mining laws in the usual manner.

20. Owners of valid mining locations made and held in good faith under the mining laws of the United States and the regulations thereunder are authorized and permitted to fell and remove from such mining claims any timber growing thereon for actual mining purposes in connection with the particular claim from which the timber is felled or removed. (For further use of timber by miners see below, under heading "Free use of timber and stone.")

FREE USE OF TIMBER AND STONE.

21. The law provides, that—

The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber and stone found upon such reservations, free of charge, by bona fide settlers, miners, residents, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and other domestic purposes, as may be needed by such persons for such purposes; such timber to be used within the State or Territory, respectively, where such reservations may be located.

This provision is limited to persons resident in forest reservations who have not a sufficient supply of timber or stone on their own claims or lands for the purposes enumerated, or for necessary use in developing the mineral or other natural resources of the lands owned or occupied by them. Such persons, therefore, are permitted to take timber and stone from public lands in the forest reservations under the terms of the law above quoted, strictly for their individual use on their own claims or lands owned or occupied by them, but not for sale or disposal, or use on other lands, or by other persons, provided that where the stumpage value exceeds \$100, application must be made to and permission given by the Department.

SALE OF TIMBER.

22. The following provision is made for the sale of timber within forest reservations in limited quantities:

For the purpose of preserving the living and growing timber and promoting the younger growth on forest reservations, the Secretary of the Interior, under such rules and regulations as he shall prescribe, may cause to be designated and appraised so much of the dead, matured, or large growth of trees found upon such forest

reservations as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value, in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. Before such sale shall take place, notice thereof shall be given by the Commissioner of the General Land Office, for not less than sixty days, by publication in a newspaper of general circulation, published in the county in which the timber is situated, if any is therein published, and, if not, then in a newspaper of general circulation published nearest to the reservation, and also in a newspaper of general circulation published at the capital of the State or Territory where such reservation exists; payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of the Interior may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Commissioner of the General Land Office, in a separate account, and shall be covered into the Treasury. Such timber, before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of the Interior, not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make a report in writing to the Commissioner of the General Land Office and to the receiver in the land office in which such reservation shall be located of his doings in the premises.

The sale of timber is optional, and the Secretary may exercise his discretion at all times as to the necessity or desirability of any sale.

23. While sales of timber may be directed by this Department without previous request from private individuals, petitions from responsible persons for the sale of timber in particular localities will be considered. Such petitions must describe the land upon which the timber stands, by legal subdivisions, if surveyed; if unsurveyed, as definitely as possible by natural landmarks; the character of the country, whether rough, steep or mountainous, agricultural or mineral, or valuable chiefly for its forest growth; and state whether or not the removal of the timber would result injuriously to the objects of forest reservation. If any of the timber is dead, estimate the quantity in feet, board measure, with the value, and state whether killed by fire or other cause. Of the live timber, state the different kinds and estimate the quantity of each kind in trees per acre. Estimate the average diameter of each kind of timber, and estimate the number of trees of each kind per acre above the average diameter. State the number of trees of each kind above the average diameter it is desired to have offered for sale, with an estimate of the number of feet, board measure, therein, and an estimate of the value of the timber as it stands. These petitions must be filed in the proper local land office for transmission to the Commissioner of the General Land Office.

24. Before any sale is authorized the timber will be examined and appraised, and other questions involved duly investigated, by an official designated for the purpose; and upon his report action will be based.

25. When a sale is ordered, notice thereof will be given by publication by the Commissioner of the General Land Office, in accordance with the law above quoted; and if the timber to be sold stands in more than one county, published notice will be given in each of the counties, in addition to the required general publication.

26. The time and place of filing bids, and other information for a correct understanding of the terms of each sale, will be given in the published notices. Timber is not to be sold for less than the appraised value, and when a bid is accepted, a certificate of acceptance will be issued by the Commissioner of the General Land Office to the successful bidder, who, at the time of making payment, must present the same to the receiver of public moneys for the land district in which the timber stands. The Commissioner of the General Land Office must approve all sales, and he may, in sales in excess of \$500 in value, make allotments of quantity to several bidders at a fixed price, if he deems proper, so as to avoid monopoly. The right is also reserved to reject any or all bids. A reasonable cash deposit with the proper receiver of public moneys, to accompany each bid, will be required.

27. Within thirty days after notice to a bidder of an award of timber to him, pay-

ment must be made in full to the receiver for the timber so awarded. The purchaser must have in hand the receipt of the receiver for such payment before he will be allowed to cut, remove, or otherwise dispose of the timber in any manner. The timber must all be cut and removed within one year from the date of the notice by the receiver of the award; failing to so do, the purchaser will forfeit his right to the timber left standing or unremoved and to his purchase money.

28. Sixty days' notice must be given by the purchaser, through the local land office, to the Commissioner of the General Land Office, of the proposed date of cutting and removal of the timber, so that an official may be designated to supervise such cutting and removal, as required by the law. Upon application of purchasers, permits to erect temporary sawmills for the purpose of cutting or manufacturing timber purchased under this act may be granted by the Commissioner of the General Land Office, if not incompatible with the public interests. Instructions as to disposition of tops, brush, and refuse, to be given through the supervisors in each case, must be strictly complied with as a condition of said cutting and manufacture.

29. The act provides that the timber sold shall be used in the State or Territory in which the reservation is situated, and is not to be exported therefrom. Where a reservation lies in more than one State or Territory, this requires that the timber shall be used in the State or Territory where cut.

30. Receivers of public moneys will issue receipts in duplicate for moneys received in payment for timber, one of which will be given the purchaser and the other will be transmitted to the Commissioner of the General Land Office in a special letter, reference being made to the letter from the Commissioner authorizing the sale, by date and initial and with title of case as therein named. Receivers will deposit to the credit of the United States all such moneys received, specifying that the same are on account of sales of public timber on forest reservations under the act of June 4, 1897. A separate monthly account current (form 4—105) and quarterly condensed account (form 4—104) will be made to the Commissioner of the General Land Office, with a statement in relation to the receipts under the act as above specified.

31. Special instructions will be issued for the guidance of officials designated to examine and appraise timber, to supervise its cutting and removal, and for carrying out other requirements connected therewith.

BINGER HERMANN,
Commissioner.

Approved June 30, 1897.
C. N. BLISS, *Secretary.*

The text of the law under which the above rules and regulations are prescribed is as follows:

[PUBLIC—No. 2.]

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, namely:

* * * * *

For the survey of the public lands that have been or may hereafter be designated as forest reserves by Executive proclamation, under section twenty-four of the Act of Congress approved March third, eighteen hundred and ninety-one, entitled "An Act to repeal timber-culture laws, and for other purposes," and including public lands adjacent thereto, which may be designated for survey by the Secretary of the Interior, one hundred and fifty thousand dollars, to be immediately available: *Provided,* That to remove any doubt which may exist pertaining to the authority of the President thereunto, the President of the United States is hereby authorized and

empowered to revoke, modify, or suspend any and all such Executive orders and proclamations, or any part thereof, from time to time, as he shall deem best for the public interests: *Provided*, That the Executive orders and proclamations dated February twenty-second, eighteen hundred and ninety-seven, setting apart and reserving certain lands in the States of Wyoming, Utah, Montana, Washington, Idaho, and South Dakota as forest reservations, be, and they are hereby, suspended, and the lands embraced therein restored to the public domain the same as though said orders and proclamations had not been issued: *Provided further*, That lands embraced in such reservations not otherwise disposed of before March first, eighteen hundred and ninety-eight, shall again become subject to the operations of said orders and proclamations as now existing or hereafter modified by the President.

The surveys herein provided for shall be made, under the supervision of the Director of the Geological Survey, by such person or persons as may be employed by or under him for that purpose, and shall be executed under instructions issued by the Secretary of the Interior; and if subdivision surveys shall be found to be necessary, they shall be executed under the rectangular system, as now provided by law. The plats and field notes prepared shall be approved and certified to by the Director of the Geological Survey, and two copies of the field notes shall be returned, one for the files in the United States surveyor-general's office of the State in which the reserve is situated, and the other in the General Land Office; and twenty photolithographic copies of the plats shall be returned, one copy for the files in the United States surveyor-general's office of the State in which the reserve is situated; the original plat and the other copies shall be filed in the General Land Office, and shall have the facsimile signature of the Director of the Survey attached.

Such surveys, field notes, and plats thus returned shall have the same legal force and effect as heretofore given the surveys, field notes, and plats returned through the surveyors-general; and such surveys, which include subdivision surveys under the rectangular system, shall be approved by the Commissioner of the General Land Office as in other cases, and properly certified copies thereof shall be filed in the respective land offices of the district in which such lands are situated, as in other cases. All laws inconsistent with the provisions hereof are hereby declared inoperative as respects such survey: *Provided, however*, That a copy of every topographic map and other maps showing the distribution of the forests, together with such field notes as may be taken relating thereto, shall be certified thereto by the Director of the Survey and filed in the General Land Office.

All public lands heretofore designated and reserved by the President of the United States under the provisions of the Act approved March third, eighteen hundred and ninety-one, the orders for which shall be and remain in full force and effect, unsuspended and unrevoked, and all public lands that may hereafter be set aside and reserved as public forest reserves under said act, shall be as far as practicable controlled and administered in accordance with the following provisions:

No public forest reservation shall be established, except to improve and protect the forest within the reservation, or for the purpose of securing favorable conditions of water flows, and to furnish a continuous supply of timber for the use and necessities of citizens of the United States; but it is not the purpose or intent of these provisions, or of the Act providing for such reservations, to authorize the inclusion therein of lands more valuable for the mineral therein, or for agricultural purposes, than for forest purposes.

The Secretary of the Interior shall make provisions for the protection against destruction by fire and depredations upon the public forests and forest reservations which may have been set aside or which may be hereafter set aside under the said Act of March third, eighteen hundred and ninety-one, and which may be continued; and he may make such rules and regulations and establish such service as will insure the objects of such reservations, namely, to regulate their occupancy and use and to preserve the forests thereon from destruction; and any violation of the provisions of this Act or such rules and regulations, shall be punished as is provided for in the

Act of June fourth, eighteen hundred and eighty-eight, amending section fifty-three hundred and eighty-eight of the Revised Statutes of the United States.

For the purpose of preserving the living and growing timber and promoting the younger growth on forest reservations, the Secretary of the Interior, under such rules and regulations as he shall prescribe, may cause to be designated and appraised so much of the dead, matured, or large growth of trees found upon such forest reservations as may be compatible with the utilization of the forests thereon, and may sell the same for not less than the appraised value in such quantities to each purchaser as he shall prescribe, to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom. Before such sale shall take place, notice thereof shall be given by the Commissioner of the General Land Office, for not less than sixty days, by publication in a newspaper of general circulation published in the county in which the timber is situated, if any is therein published, and if not, then in a newspaper of general circulation published nearest to the reservation, and also in a newspaper of general circulation published at the capital of the State or Territory where such reservation exists; payments for such timber to be made to the receiver of the local land office of the district wherein said timber may be sold, under such rules and regulations as the Secretary of the Interior may prescribe; and the moneys arising therefrom shall be accounted for by the receiver of such land office to the Commissioner of the General Land Office, in a separate account, and shall be covered into the Treasury. Such timber, before being sold, shall be marked and designated, and shall be cut and removed under the supervision of some person appointed for that purpose by the Secretary of the Interior, not interested in the purchase or removal of such timber nor in the employment of the purchaser thereof. Such supervisor shall make report in writing to the Commissioner of the General Land Office and to the receiver in the land office in which such reservation shall be located of his doings in the premises.

The Secretary of the Interior may permit, under regulations to be prescribed by him, the use of timber and stone found upon such reservations, free of charge, by bona fide settlers, miners, residents, and prospectors for minerals, for firewood, fencing, buildings, mining, prospecting, and other domestic purposes, as may be needed by such persons for such purposes; such timber to be used within the State or Territory, respectively, where such reservations may be located.

Nothing herein shall be construed as prohibiting the egress or ingress of actual settlers residing within the boundaries of such reservations, or from crossing the same to and from their property or homes; and such wagon roads and other improvements may be constructed thereon as may be necessary to reach their homes and to utilize their property, under such rules and regulations as may be prescribed by the Secretary of the Interior. Nor shall anything herein prohibit any person from entering upon such forest reservations for all proper and lawful purposes, including that of prospecting, locating, and developing the mineral resources thereof: *Provided*, That such persons comply with the rules and regulations covering such forest reservations.

That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of a public forest reservation, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of vacant land open to settlement not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing the patent to cover the tract selected: *Provided further*, That in cases of unperfected claims, the requirements of the laws respecting settlement, residence, improvements, and so forth, are complied with on the new claims, credit being allowed for the time spent on the relinquished claims.

The settlers residing within the exterior boundaries of such forest reservations, or in the vicinity thereof, may maintain schools and churches within such reservation, and for that purpose may occupy any part of said forest reservation, not exceeding two acres for each schoolhouse and one acre for a church.

The jurisdiction, both civil and criminal, over persons within such reservations shall not be affected or changed by reason of the existence of such reservations, except so far as the punishment of offenses against the United States therein is concerned; the intent and meaning of this provision being that the State wherein any such reservation is situated shall not, by reason of the establishment thereof, lose its jurisdiction, nor the inhabitants thereof their rights and privileges as citizens, or be absolved from their duties as citizens of the State.

All waters on such reservations may be used for domestic, mining, milling, or irrigation purposes, under the laws of the State wherein such forest reservations are situated, or under the laws of the United States and the rules and regulations established thereunder.

Upon the recommendation of the Secretary of the Interior, with the approval of the President, after sixty days' notice thereof, published in two papers of general circulation in the State or Territory wherein any forest reservation is situated, and near the said reservation, any public lands embraced within the limits of any forest reservation which, after due examination by personal inspection of a competent person appointed for that purpose by the Secretary of the Interior, shall be found better adapted for mining or for agricultural purposes than for forest usage, may be restored to the public domain. And any mineral lands in any forest reservation which have been or which may be shown to be such, and subject to entry under the existing mining laws of the United States and the rules and regulations applying thereto, shall continue to be subject to such location and entry, notwithstanding any provisions herein contained.

The President is hereby authorized at any time to modify any Executive order that has been or may hereafter be made establishing any forest reserve, and by such modification may reduce the area or change the boundary lines of such reserve, or may vacate altogether any order creating such reserve.

* * * * *

Approved, June 4, 1897.

EXHIBIT B.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
October 11, 1897.

SIR: The Commission to the Five Civilized Tribes submit the following report of the progress made in the work under their charge since the report made by them in November of last year. At that time the Commission were engaged in conference with commissioners appointed by both the Choctaws and Chickasaws, and were well advanced in the terms of an agreement which promised a fair allotment of their tribal property, and changes in their respective tribal governments, sufficient for present exigencies, in which the representatives of each were cheerfully acquiescing. It was discovered, however, in the progress of the negotiation, that the commissioners on the part of the Chickasaws were not clothed with sufficient authority to enter upon terms of a final agreement with this Commission. They, therefore, left the conference after expressing their personal approval of the work, and their regret at the lack of authority to proceed with the Choctaw commission to its completion, expressing at the same time the hope that they might soon return with sufficient authority to conclude it.

In that this Commission were disappointed, for the Chickasaws, under some influence not known to them, failed to confer that authority upon their commission, and they did not thereafter appear in the conference. It proceeded, however, with the Choctaws alone, and, after several weeks of patient work and friendly negotiation, succeeded in arriving at an agreement with them which was signed by all the members of both commissions December 18, 1896, and by the Secretary of the Interior

submitted to Congress. A copy of this agreement accompanies this report. But as the lands affected by it were owned in common by the two tribes, it was found impossible to carry out the allotment to the Choctaws, which it provided for, without the cooperation of the Chickasaws, and it has never been ratified either by the tribe or Congress. While it was pending in Congress, the Chickasaws were induced to appoint a new commission, who met this Commission in Washington, and several weeks were spent in conference with this new commission in a fruitless endeavor to induce them to either adopt the agreement already entered into with the Choctaws, or enter into a new one with them providing for an allotment of their common lands. The ostensible objection put in front in all this conference was a fear that any allotment would result in a surrender to the Missouri, Kansas and Texas Railroad of a land grant of alternate sections on each side of their railroad through the entire Territory. There will be occasion hereafter to recur more fully to the nature of this claim.

Other influences working against an agreement, as well as this, subsequently developed themselves. These conferences of the Commission in the endeavor to bring the Chickasaws into cooperation with the Choctaws in respect to their common tribal lands, together with attendance on committees of Congress at their request and by the direction of the Secretary, in consultations and explanations of proposed measures of legislation, occupied the attention of the Commission till the close of the session in March last. Legislation which would have caused radical changes in the entire government of each of the Five Tribes was inserted in the Indian appropriation bill of that session, and passed both Houses of Congress without opposition, but at so late an hour that the bill failed to become a law. The effect of this unanimous action of both Houses of Congress was most marked upon both Choctaws and Chickasaws; and, early in April, commissioners appointed by their respective councils met this Commission at Atoka, in their Territory, and after much deliberation, covering a period of nearly a month, signed, in behalf of their respective nations, an agreement on the 23d of April, which has been heretofore transmitted to the Department for its consideration, and a copy of which is also appended to this report.

There was much that was exceedingly valuable in this agreement, but it not only failed to make provisions for Chickasaw freedmen, but excluded them from any possible recognition hereafter. So anxious, however, was this Commission to secure other valuable features of the agreement, that they felt compelled to yield this point. The chairman of the Commission has heretofore presented to the honorable Secretary arguments, which he does not deem it necessary to repeat, why this omission should be supplied before ratification. Neither of the tribes nor Congress has acted on this agreement; but if it is never ratified, the conference which brought it about accomplished much good in bringing the two tribes together and into serious consideration of their common interests and of pending changes in their tribal holdings and governments sure to be brought about in the near future.

The patience of Congress over the procrastinations and delays encountered by the Commission having become exhausted, it enacted at the late extra session in the Indian appropriation bill which had failed at the previous session, a most radical change in the entire government of each of the Five Tribes, to take effect January 1, 1898, unless modified by an agreement entered into with this Commission and ratified previous to that date. This enactment is in these words:

That on and after January first, eighteen hundred and ninety-eight, the United States courts in said Territory shall have original and exclusive jurisdiction and authority to try and determine all civil causes in law and equity hereafter instituted and all criminal causes for the punishment of any offense committed after January first, eighteen hundred and ninety-eight, by any person in said Territory, and the United States Commissioners in said Territory shall have and exercise the powers and jurisdiction already conferred upon them by existing laws of the United States as respects all persons and property in said Territory; and the laws of the United States and the State of Arkansas in force in the Territory shall apply to all persons therein, irrespective of race, said courts exercising jurisdiction thereof as now con-

ferred upon them in the trial of like causes. * * * That on and after January first, eighteen hundred and ninety-eight, all acts, ordinances, and resolutions of the council of either of said Five Tribes passed shall be certified immediately upon their passage to the President of the United States, and shall not take effect if disapproved by him, or until thirty days after their passage.

If this act goes into effect on the 1st of January next without modification, it will place the political situation in each of the Five Tribes in all essentials so nearly like the governments in the other Territories that the Commission has deemed it best not to seek further changes in their governments at the present time, but to turn its attention, after completing the work upon the citizenship rolls with which they are charged, to the more important work of allotment of the tribal lands. Individual ownership is, in their opinion, absolutely essential to any permanent improvement in present conditions, and the lack of it is the root of nearly all the evils which so grievously afflict these peoples. Allotment by agreement is the only possible method, unless the United States courts are clothed with authority, as is the case in most if not all the States, to partition the land among the citizen Indians for whose use it was originally granted.

The Commission has encountered opposition to their attempts to secure allotment by agreement from two sources, thus far sufficiently formidable to prevent the securing of any such agreement beyond those already spoken of. The first source of opposition arises from the fact that power in the Indian legislative councils and courts has passed into the hands of a few of the more intelligent, able, and grasping of their people, who use that power, by legislation upheld by their courts, to appropriate to their own exclusive use nearly all their tribal property of any value. The methods resorted to to effect this spoliation of the less intelligent and feeble main body of their people have been so fully set forth in former reports that it is not deemed necessary to repeat them here. Allotment would, of course, prove the downfall of this system, and hence it encounters at every step an opposition that has thus far been able to fasten upon those people a system of robbery of individual rights which has elsewhere no parallel. The other source of opposition is from the outside, but it is none the less strenuous, and thus far effective.

Many years ago Congress granted the Missouri, Kansas and Texas Railway the right to construct a railroad through the entire length of this Territory north and south, from Kansas to Texas, a distance of nearly 300 miles. There was attached to this grant of a right of way a further provision that if these tribes should ever cease to exist, or from any other cause should cease to occupy their Territory, *and it should become a part of the public domain*, in that event this road should be entitled to alternate sections 10 miles wide on each side of its track the entire length of the Territory. The claim of this railroad corporation is that the *chance* existing in this provision that these tribes may cease to exist, or from any other cause cease to occupy these lands and they afterwards become again a part of the public domain, by repurchase or otherwise, is a vested right, and that it would be bad faith toward that corporation, and a fraud on the part of the United States, to do anything to impair or lessen that chance; and that since allotment would tend to strengthen the life of this people, and, by building them homes, make more firm their hold and title to their lands, it would lessen that chance; and so it is claimed that the United States, in authorizing it, is guilty of bad faith and is committing a fraud on this railroad corporation.

This claim requires that the United States should fold its hands and do nothing to prevent these people from going to perdition, if they will, under whatever malign influence may befall them, and then, either by this permitted extinction or by repurchase, make this land a part of the public domain for the benefit of this railroad; otherwise this vested chance must fail. The Commission fails to see why the claim does not likewise require the United States to abstain from all legislation tending to hinder extinction, like laws excluding intoxicating liquors from the Territory or punishing the murder of Indians; and hence this corporation resists it to the utmost

of its power. This corporation presented this claim, through the counsel, with great earnestness, first to this Commission, and next to the Secretary of the Interior, and then to the President, but without success in arresting the efforts now being made to ameliorate the condition of these people and to provide for them better means and greater encouragement to learn and adopt the ways of civilized life, and thereby prolong their existence as a people. Thereupon, emissaries in their interests spread alarm among the less intelligent and more distrustful of these people, lest allotment would have the very opposite effect and result in turning this large area of the finest portion of their Territory over to a railroad corporation. So widespread in the Cherokee Tribe has become this alarm, thus stimulated, that a commission, appointed before the passage of the act providing for these changes and at the time favorable to allotment, meeting by appointment this Commission, after its passage, was turned by this alarm into hostility, and declined to act.

A recent election in that tribe has, under its influence, taken the powers in their government out of the hands of those favorable to allotment, and has turned it over to the opposition. Allotment has, under these influences, been thus far successfully resisted in the Cherokee Nation. These influences have had less effect among the Creeks, and the Commission has been able to arrive at an agreement with a commission authorized by them, signed on the 27th of September last, which provides for allotment on fair and just terms. This agreement has been already forwarded to the honorable Secretary for his consideration; a copy of it is also appended to this report. This Commission is confident that this agreement, if ratified by the Creek council and congress, will, together with the changes in their government which go with it, work most beneficial results in the condition of that people. There is, also, good ground for believing that this precedent will have great influence to leading the other tribes to the adoption of agreements of like character.

In addition to these duties, the Commission was required by the act approved June 10, 1896, to "hear and determine the application of all persons who may apply to them for citizenship in any of said nations, and after such hearing they shall determine the right of such applicant to be so admitted and enrolled." They were to be governed in such hearing by certain rules prescribed in the statute, and an appeal to the United States Court from their decision in each case was provided. A large portion of the time of the Commission since the passage of the act has been devoted to the execution of this provision. There have been presented to them in accordance with its provisions some 7,500 separate claims, representing nearly, if not quite, 75,000 individuals, each claim requiring a separate adjudication upon the evidence upon which it rested. The adjudication in each one has been accomplished within the time fixed in the law, and the docket is now closed. Nearly all of these cases were rejected on the evidence, and only a small percentage were admitted to the rolls. About one thousand appeals have been taken from the decisions of the Commission. None of the judges, except Judge Clayton, of the central district, have, as yet, passed upon the appeals. In Judge Clayton's court about two hundred appeals have been passed upon, and the Commission sustained in a large proportion.

The Commission was also required by the same act, "after the expiration of six months to cause a complete roll of citizenship of each of said nations to be made up from their records, and add thereto the names of citizens whose right may be conferred under this act."

On June 20, 1897, the Commission addressed a letter to each of the Five Nations, requesting to be furnished with the last authenticated rolls of citizenship in their nation made prior to June 10, 1896, and all other rolls made subsequent thereto, and copies of all acts of their national councils passed, and of all judgments of duly authorized courts rendered since the date of such authenticated roll admitting persons to citizenship in said nation, and such other records and documents as would be of assistance to the Commission in making the rolls under said act. In compliance the Choctaw Nation forwarded one roll, and will in a short time forward the other data. The Cherokees are in process of compliance, and hope to forward them in a few days. The others have made no reply.

The Commission has had for some time a force of eight clerks employed on this work at Tahlequah, in the Cherokee Nation, and are nearly through the work at that place, so far as it can be completed before the result of the appeals can be obtained. The Creek Nation has no roll of citizenship, and has never furnished any list of its citizens to the Commission. That of the Cherokees is very imperfect, and of so little aid that the Commission finds itself unable to make a roll of any value of Cherokee citizenship, as well as that of the Creeks, as required by the statute, without a new census of these tribes. They are, therefore, at this time making preparations to take such census. From such an examination as the Commission has been able to make, they think the same will be necessary in the Choctaw and Chickasaw nations. If this work becomes necessary, and no allotment can be made without a reliable citizenship roll, it will add much to the work of the Commission in the future. The same law required the Commission "to make a roll of freedmen entitled to citizenship in said tribes, and to include their names in the list of members to be filed with the Commissioner of Indian Affairs." This work has been commenced in the Cherokee Nation, but delay in its completion has been caused by mandamus proceedings in the United States Court instituted to compel the enrollment of certain applicants who, in the opinion of the Commission, were not entitled to enrollment. The Court dismissed the proceedings, and the work will now proceed to its completion.

The citizenship of the Chickasaw freedmen is in dispute. There are many thousands of them. As there never has been any enrollment of them, the Commission has no means of knowing how many; but, without doubt, they are more than in all the other tribes put together. They claim to have been made citizens by the Chickasaws, which is denied by them. If they are citizens they are entitled, under treaty, to an allotment of 40 acres each. There can be, therefore, no allotment of the Chickasaw lands until this question is settled. Nor can the enrollment required be proceeded with while this question remains unsettled. It is of great importance that provision be made for its early settlement. The Choctaws and Chickasaws owning their land in common, all allotment of their lands must await this decision. If they are not Chickasaw citizens, then the United States is under treaty obligations to remove them from the Territory.

The act approved June 4, 1897, required the Commission "to examine and report to Congress whether the Mississippi Choctaws under their treaties are not entitled to all the rights of Choctaw citizenship except an interest in the Choctaw annuities." A correspondence commenced with those representing those Indians has been interrupted by the yellow-fever quarantine, but will be renewed as soon as mail facilities shall again become available.

The condition to which these Five Tribes have been brought by their wide departure in the administration of the governments which the United States committed to their own hands, and in the uses to which they have put the vast tribal wealth with which they were entrusted for the common enjoyment of all their people, has been fully set forth in former reports of this Commission as well as in the reports of Congressional committees commissioned to make inquiry on the ground. It would be but repetition to attempt again a recital. Longer service among them and greater familiarity with their condition have left nothing to modify either of fact or conclusion in former reports, but on the contrary have strengthened convictions that there can be no cure of the evils engendered by the perversion of these great trusts but their resumption by the Government which created them. The work has been slow thus far, and many obstacles have been thrown in its way by those loath to loosen their holds upon the great gains they are gathering off an impoverished and ill-governed people, too feeble to resist or regain that of which they are unlawfully despoiled.

But such progress among all these difficulties has been made as to give much encouragement of ultimate success. What has been attained is of such a character that it can not be given up, and it is now impossible for these people to relapse into the condition in which they were found when this Commission undertook its work. It must now go forward to completion. Greater familiarity with that condition,

and a clearer comprehension of the disastrous consequences it has engendered, have only intensified the convictions heretofore expressed, and made more imperative the duty of resuming a governmental control which has been perverted to such deplorable ends by those to whom it was entrusted.

Respectfully submitted.

For the Commission to the Five Civilized Tribes:

HENRY L. DAWES, *Chairman.*

Hon. C. N. BLISS,

Secretary of the Interior.

EXHIBIT C.

AGREEMENT BETWEEN THE UNITED STATES COMMISSIONERS TO NEGOTIATE WITH THE FIVE CIVILIZED TRIBES AND THE COMMISSIONERS ON THE PART OF THE CHOCTAW AND CHICKASAW INDIANS.

This agreement, by and between the Government of the United States, of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, and Alexander B. Montgomery, duly appointed and authorized thereunto, and the governments of the Choctaw and Chickasaw tribes or nations of Indians in the Indian Territory, respectively, of the second part, entered into in behalf of such Choctaw and Chickasaw governments, duly appointed and authorized thereunto, viz, Green McCurtain, J. S. Standley, N. B. Ainsworth, Ben Hampton, Wesley Anderson, Amos Henry, D. C. Garland, and A. S. Williams, in behalf of the Choctaw tribe or nation, and R. M. Harris, I. O. Lewis, Holmes Colbert, P. S. Mosely, M. V. Cheadle, R. L. Murray, William Perry, A. H. Colbert, and R. L. Boyd, in behalf of the Chickasaw tribe or nation,

Witneseth, that in consideration of the mutual undertakings herein contained, it is agreed as follows:

That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribes so as to give to each member of these tribes (except the Choctaw freedmen), so far as possible, a fair and equal share thereof, considering the character and fertility of the soil and the location and value of the lands.

That all the lands set apart for town sites, and the strip of land lying between the city of Fort Smith, Arkansas, and the Arkansas and Poteau rivers, extending up said river to the mouth of Mill Creek; and six hundred and forty acres each to include the buildings now occupied for the Jones Academy, Tushkahoma Female Seminary, Wheelock Orphan Seminary, and Armstrong Orphan Academy; and ten acres for the capitol building in the Choctaw Nation; one hundred and sixty acres each immediately contiguous to and including the buildings known as Bloomfield Academy, Lebanon Orphan Home, Harley Institute, Rock Academy, and Collins Institute; and five acres for the capitol building in the Chickasaw Nation; and the use of one acre of land for each church house now erected outside of the towns; and eighty acres of land each for J. S. Murrow, H. R. Schermerhorn, and the widow of R. S. Bell, who have been laboring as missionaries in the Choctaw and Chickasaw nations since the year 1866, with the same conditions and limitations as apply to lands allotted to the members of the Choctaw and Chickasaw nations, and to be located on lands not occupied by a Choctaw or a Chickasaw; and a reasonable amount of land, to be determined by the townsite commission, to include all court-houses and jails, and other public buildings not hereinbefore provided for, shall be exempted from division. And all coal and asphalt in or under the lands allotted and reserved from allotment, shall be reserved for the sole use of the members of the Choctaw and Chickasaw tribes, exclusive of freedmen: *Provided*, That where any coal or asphalt is hereafter opened on land allotted, sold, or reserved, the value of

the use of the necessary surface for prospecting or mining, and the damage done to the other land and improvements, shall be ascertained under the direction of the Secretary of the Interior and paid to the allottee, or owner of the land, by the lessee, or party operating the same, before operations begin.

That in order to such equal division, the lands of the Choctaws and Chickasaws shall be graded and appraised so as to give to each member, so far as possible, an equal value of the land: *Provided*, That the lands allotted to the Choctaw freedmen are to be deducted from the portion to be allotted under this agreement to the members of the Choctaw tribe, so as to reduce the allotments to the Choctaws by the value of the same and not affect the value of the allotments to the Chickasaws.

That the said Choctaw freedmen who may be entitled to allotments of forty acres each shall be entitled each to land equal in value to forty acres of the average land of the two nations.

That in the appraisement of the lands to be allotted, the Choctaw and Chickasaw tribes shall each have a representative, to be appointed by their respective executives, to cooperate with the Commission to the Five Civilized Tribes, or any one making appraisements under the direction of the Secretary of the Interior, in grading and appraising the lands preparatory to allotment. And the land shall be valued in the appraisement as if in its original condition, excluding the improvements thereon.

That the appraisement and allotment shall be made under the direction of the Secretary of the Interior, and shall begin as soon as the progress of the surveys now being made by the United States Government will admit.

That each member of the Choctaw and Chickasaw tribes, including Choctaw freedmen, shall, where it is possible, have the right to take his allotment on land the improvements on which belong to him, and such improvements shall not be estimated in the value of his allotment. In the case of minor children, allotments shall be selected for them by their father, mother, guardian, or the administrator having charge of their estate, preference being given in the order named, and shall not be sold during his minority. Allotments shall be selected for prisoners, convicts, and incompetents by some suitable person akin to them, and due care taken that all persons entitled thereto have allotments made to them.

All the lands allotted shall be nontaxable while the title remains in the original allottee, but not to exceed twenty-one years from date of patent; and each allottee shall select from his allotment a homestead of one hundred and sixty acres, for which he shall have a separate patent, and which shall be inalienable for twenty-one years from date of patent. This provision shall also apply to the Choctaw freedmen to the extent of his allotment. Selections for homesteads for minors to be made as provided herein in case of allotments, and the remainder of the lands allotted to said members shall be alienable for a price to be actually paid, and to include no former indebtedness or obligation—one-fourth of said remainder in one year, one-fourth in three years, and the balance of said alienable lands in five years from the date of the patent.

That all contracts looking to the sale or incumbrance in any way of the land of an allottee, except the sales hereinbefore provided, shall be null and void. No allottee shall lease his allotment, or any portion thereof, for a longer period than five years, and then without the privilege of renewal. Every lease which is not evidenced by a writing, setting out specifically the terms thereof, or which is not recorded in the clerk's office of the United States court for the district in which the land is located, within three months after the date of its execution, shall be void, and the purchaser or lessee shall acquire no rights whatever by an entry or holding thereunder. And no such lease nor any sale shall be valid as against the allottee unless providing to him a reasonable compensation for the lands sold or leased.

That all controversies arising between the members of said tribes as to their right to have certain lands allotted to them shall be settled by the commission making the allotments.

That the United States shall put each allottee in possession of his allotment, and remove all persons therefrom objectionable to the allottee.

That the United States shall survey and definitely mark and locate the ninety-eighth (98th) meridian of west longitude between Red and Canadian rivers before allotment of the lands herein provided for shall begin.

That as soon as practicable after the completion of said allotments, the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation shall jointly execute, under their hands and the seals of their respective nations, and deliver to each of said allottees, patents conveying to him all the right, title, and interest of the Choctaws and Chickasaws in and to the land which shall have been allotted to him in conformity with the requirements of this agreement, excepting all coal and asphalt in or under said land. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee, and no other land. The Secretary of the Interior of the United States shall annex to such patent his official certificate that it is drawn in accordance with the provisions of this agreement; that it embraces the land allotted to such patentee, and no other land, and that he approves said patent; and said certificate shall be operative as a relinquishment of all right, title and interest of the United States in and to the land conveyed by said patents, and as a guaranty of the United States of title to and possession of the land so conveyed, and the acceptance of his patents by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the lands of the Choctaws and Chickasaws in accordance with the provisions of this agreement, and as a relinquishment of all his right, title and interest in and to any and all parts thereof, except the land embraced in said patents, except, also, his interest in the proceeds of all lands, coal and asphalt herein excepted from allotment.

That the United States shall provide by law for proper records of land titles in the territory occupied by the Choctaw and Chickasaw tribes.

The rights of way for railroads through the Choctaw and Chickasaw nations to be surveyed and set apart and platted to conform to the respective acts of Congress granting the same in cases where said rights of way are defined by such acts of Congress, but in cases where the acts of Congress do not define the same, then Congress is memorialized to definitely fix the widths of said rights of way for station grounds and between stations, so that railroads now constructed through said nations shall have, as near as possible, uniform rights of way; and Congress is also requested to fix uniform rates of fare and freight for all railroads through the Choctaw and Chickasaw nations, branch railroads now constructed, and not built according to acts of Congress, to pay the same rates for rights of way and station grounds as main lines.

It is further agreed that there shall be appointed a commission for each of the two nations. Each commission shall consist of one member, to be appointed by the executive of the tribe for which said commission is to act, who shall not be interested in town property other than his home, and one member of the Commission to the Five Civilized Tribes, to be designated by the chairman thereof. Each of said commissions shall lay out town sites, to be restricted as far as possible to their present limits, where towns are now located in the nation for which said commission is appointed. Said commission shall have prepared correct and proper plats of each town, and file one in the clerk's office of the United States district court for the district in which the town is located, and one with the principal chief or governor of the nation in which the town is located, and one with the Secretary of the Interior, to be approved by him before the same shall take effect. When said towns are so laid out, each lot, on which permanent, substantial and valuable improvements, other than fences, tillage, and temporary houses, have been made, shall be valued by the commission provided for the nation in which the town is located, at the price a fee simple title to the same would bring in the market at the time the valuation is made, but not to include in such value the improvements thereon. The owner of

the improvements on each lot shall have the right to buy the same at sixty-two and one-half per cent. of the said market value, within sixty days from date of notice served on him that such lot is for sale, and if he purchases the same, he shall, within ten days from his purchase, pay into the Treasury of the United States one-fourth of the purchase price, and the balance in three equal annual instalments, and when the entire sum is paid shall be entitled to a patent for the same. - In case the two members of the commission fail to agree as to the market value of any lot, they shall select a third person, who is not interested in town lots, who shall act with them to determine said value.

If such owner of the improvements on any lot fails within sixty days to purchase and make the first payment on same, such lot, with the improvements thereon, shall be sold at public auction to the highest bidder, under the direction of the aforesaid commission, and the purchaser at such sale shall pay to the owner of the improvements the price for which said lot shall be sold less sixty-two and one-half per cent. of the said appraised value of the lot, and shall pay the sixty-two and one-half per cent. of said appraised value into the United States Treasury, under regulations to be established by the Secretary of the Interior, in four instalments as hereinbefore provided. The commission shall have the right to reject any bid on such lot which they consider below its value.

All lots not so appraised shall be sold, from time to time, at public auction (after proper advertisement) by the commission for the nation in which the town is located, as may seem for the best interest of the nations and the proper development of each town, the purchase price to be paid in four instalments as hereinbefore provided for improved lots. The commission shall have the right to reject any bid for such lot which they consider below its value.

All the payments herein provided for shall be made under the direction of the Secretary of the Interior into the United States Treasury. A failure of sixty days to make any one payment to be a forfeiture of all payments made and all rights under the contract: *Provided*, That the purchaser of any lot shall have the option of paying the entire price of the lot before the same is due.

No tax shall be assessed by any town government against any town lot unsold by the commission, and no tax levied against a lot sold, as herein provided, shall constitute a lien on same till the purchase price thereof has been fully paid to the nation.

The money paid into the United States Treasury for the sale of all town lots, shall be for the benefit of the members of the Choctaw and Chickasaw tribes (freedmen excepted); and at the end of one year from the ratification of this agreement, and at the end of each year thereafter, the funds so accumulated shall be divided and paid out to the Choctaws and Chickasaws (freedmen excepted), each member of the two tribes to receive an equal portion thereof.

That no law or ordinance shall be passed by any town which interferes with the enforcement of or is in conflict with the Choctaw or Chickasaw constitutions or laws, or those of the United States, and all persons in such towns shall be subject to said laws; and the United States agrees to maintain strict laws in the territory of the Choctaw and Chickasaw tribes against the introduction, sale, barter, or giving away, of liquors and intoxicants of any kind or quality.

Thatsaid commission shall be authorized to locate, within a suitable distance from each town site, not to exceed five acres to be used as a cemetery; and when any town has paid into the United States Treasury, to be part of the fund arising from the sale of town lots, ten dollars per acre therefor, such town shall be entitled to a patent for the same as herein provided for titles to allottees, and shall dispose of same at reasonable prices in suitable lots for burial purposes; the proceeds derived from such sales to be applied by the town government to the proper improvement and care of said cemetery.

That no charge or claim shall be made against the Choctaw or Chickasaw tribes by the United States for the expenses of surveying and platting the lands and town

sites, or for grading, appraising, and allotting the lands, or for appraising and disposing of the town lots as herein provided.

That the land adjacent to Fort Smith, and lands for court-houses, jails, and other public purposes, excepted from allotment, shall be disposed of in the same manner and for the same purposes as provided for town lots herein, but not till the Choctaw and Chickasaw councils shall direct such disposition to be made thereof; and said land adjacent thereto shall be placed under the jurisdiction of the city of Fort Smith, Arkansas, for police purposes.

There shall be set apart and exempted from appraisement and sale, in the towns, lots upon which churches and parsonages are now built and occupied, not to exceed fifty feet front and one hundred feet deep for each church or parsonage: *Provided*, That such lots shall only be used for churches and parsonages, and when they cease to be so used shall revert to the members of the tribes, to be disposed of as other town lots: *Provided further*, That these lots may be sold by the churches for which they are set apart if the purchase money therefor is invested in other lot or lots in the same town, to be used for the same purpose and with the same conditions and limitations.

It is agreed that all the coal and asphalt within the limits of the Choctaw and Chickasaw nations shall remain and be the common property of the members of the Choctaw and Chickasaw tribes (freedmen excepted), so that each and every member shall have an equal and undivided interest in the whole; and no patent provided for in this agreement shall convey any title thereto. The revenues from coal and asphalt, or so much as shall be necessary, shall be used for the education of the children of Indian blood of the members of said tribes. Such coal and asphalt mines as are now in operation, and all others which may hereafter be leased and operated, shall be under the supervision and control of two trustees, who shall be appointed by the President of the United States, one on the recommendation of the principal chief of the Choctaw Nation, who shall be a Choctaw by blood, whose term shall be for four years, and one on the recommendation of the governor of the Chickasaw Nation, who shall be a Chickasaw by blood, whose term shall be for two years; after which the term of appointees shall be four years. They shall each give bond for the faithful performance of their duties, under such rules as may be prescribed by the Secretary of the Interior. Their salaries shall be fixed and paid by their respective nations.

All coal and asphalt mines in the two nations, whether now developed or to be hereafter developed, shall be operated, and the royalties therefrom paid into the Treasury of the United States, and shall be drawn therefrom under such rules and regulations as shall be prescribed by the Secretary of the Interior.

All contracts made by the national agents of the Choctaw and Chickasaw nations for operating coal and asphalt, with any person or corporation, are hereby ratified and confirmed, and the lessee shall have the right to renew the same when they expire.

All agreements heretofore made by any person or corporation with any member or members of the Choctaw or Chickasaw Nation, the object of which was to obtain such member or members' permission to operate coal or asphalt, are hereby declared void, but such persons or corporations shall have prior right to lease the coal or asphalt claims described therein by application to the trustees within six months after the ratification of this agreement.

All leases under this agreement shall include nine hundred and sixty acres, which shall be in a square as nearly as possible, and shall be for thirty years. The royalty on coal shall be fifteen cents per ton of two thousand pounds on all coal mined, payable on the 25th day of the month next succeeding that in which it is mined. Royalty on asphalt shall be sixty cents per ton on . . . asphalt, payable same as coal: *Provided*, That the legislatures of the Choctaw and Chickasaw nations may reduce such royalties when they deem it for their best interests to do so. No royalties shall be paid except into the United States Treasury, as herein provided.

Lessees shall pay on each coal or asphalt claim at the rate of one hundred dollars per annum, in advance, for the first and second years; two hundred dollars per annum, in advance, for the third and fourth years; and five hundred dollars for each succeeding year thereafter. All such payments shall be treated as advanced royalty on the mine or claim on which they are made, and shall be a credit as royalty when each said mine is developed and operated and its production is in excess of such guaranteed annual advanced payments; and all persons having coal leases must pay said annual advanced payments on each claim whether developed or undeveloped: *Provided, however,* That should any lessee neglect or refuse to pay such advanced annual royalty for the period of sixty days after the same becomes due and payable on any lease, the lease on which default is made shall become null and void, and the royalties paid in advance thereon shall then become and be the money and property of the Choctaw and Chickasaw nations.

In surface, the use of which is reserved to present coal operators, shall be included such lots in towns as are occupied by lessees' houses—either occupied by said lessees' employees or as offices or warehouses: *Provided, however,* That in those town sites designated and laid out under the provision of this agreement, where coal leases are now being operated and coal is being mined, there shall be reserved from appraisement and sale all lots occupied by houses of miners actually engaged in mining, and only while they are so engaged, and, in addition thereto, a sufficient amount of land, to be determined by the town-site board of appraisers, to furnish homes for the men actually engaged in working for the lessees operating said mines, and a sufficient amount for all buildings and machinery for mining purposes: *And provided further,* That when the lessees shall cease to operate said mines, then and in that event the lots of land so reserved shall be disposed of by the coal taxes for the benefit of the Choctaw and Chickasaw tribes.

That whenever the members of the Choctaw and Chickasaw tribes shall be required to pay taxes for the support of schools, then the funds arising from such royalties shall be disposed of for the equal benefit of their members (freedmen excepted) in such manner as the tribes may direct.

It is further agreed that the United States courts now existing, or that may hereafter be created, in the Indian Territory, shall have exclusive jurisdiction of all controversies growing out of the title, ownership, occupation, possession, or use of real estate, coal, and asphalt in the territory occupied by the Choctaw and Chickasaw tribes; and of all persons charged with homicide, embezzlement, bribery, and embracery, hereafter committed in the territory of said tribes, without reference to race or citizenship of the person or persons charged with such crime; and any citizen or officer of the Choctaw or Chickasaw nations charged with such crime shall be tried, and, if convicted, punished as though he were a citizen or officer of the United States.

And sections sixteen hundred and thirty-six to sixteen hundred and forty-four, inclusive, entitled, "Embezzlement," and sections seventeen hundred and eleven to seventeen hundred and eighteen, inclusive, entitled "Bribery and embracery," of Mansfield's Digest of the Laws of Arkansas, are hereby extended over and put in force in the Choctaw and Chickasaw nations; and the word "officer," where the same appears in said laws, shall include all officers of the Choctaw and Chickasaw governments; and the fifteenth section of the act of Congress, entitled "An act to establish United States courts in the Indian Territory, and for other purposes," approved March 1, 1889, limiting jurors to citizens of the United States, shall be held not to apply to United States courts in the Indian Territory held within the limits of the Choctaw and Chickasaw nations; and all members of the Choctaw and Chickasaw tribes, otherwise qualified, shall be competent jurors in said courts: *Provided,* That whenever a member of the Choctaw or Chickasaw nation is indicted for homicide, he may, within thirty days after such indictment and his arrest thereon, and before the same is reached for trial, file with the clerk of the court in which he is indicted his affidavit that he can not get a fair trial in said court,

and it thereupon shall be the duty of the judge of said court to order a change of venue in such case to the United States district court for the western district of Arkansas, at Fort Smith, Arkansas, or to the United States district court for the eastern district of Texas, at Paris, Texas, always selecting the court that, in his judgment, is nearest or most convenient to the place where the crime charged in the indictment is supposed to have been committed, which courts shall have jurisdiction to try the case; and in all said civil suits said courts shall have full equity powers; and whenever it shall appear to said court, at any stage in the hearing of any case, that the tribe is in any way interested in the subject-matter in the controversy, it shall have power to summon in said tribe and make the same a party to the suit, and proceed therein in all respects as if such tribe were an original party thereto; but in no case shall suit be instituted against the tribal government without its consent.

It is further agreed that no act, ordinance, or resolution of the council of either the Choctaw or Chickasaw tribes, in any manner affecting the land of the tribe, or of the individuals after allotment, or the moneys or other property of the tribe or citizens thereof (except appropriations for the regular and necessary expenses of the government of the respective tribes), or the rights of any person to employ any kind of labor, or the rights of any persons who have taken or may take the oath of allegiance to the United States, shall be of any validity until approved by the President of the United States. When such acts, ordinances, or resolutions passed by the council of either of said tribes shall be approved by the governor thereof, then it shall be the duty of the national secretary of said tribe to forward them to the President of the United States, duly certified and sealed, who shall, within thirty days after their reception, approve or disapprove the same. Said acts, ordinances, or resolutions, when so approved, shall be published in at least two newspapers having a bona fide circulation in the tribe to be affected thereby; and, when disapproved, shall be returned to the tribe enacting the same.

It is further agreed, in view of the modifications of legislative authority and judicial jurisdiction herein provided, and the necessity of the continuance of the tribal government so modified, in order to carry out the requirements of this agreement, that the same shall continue for a period of eight years from the fourth day of March, eighteen hundred and ninety-eight. This stipulation is made in the belief that the tribal governments, so modified, will prove so satisfactory that there will be no need or desire for further change till the lands now occupied by the five civilized tribes shall, in the opinion of Congress, be prepared for admission as a State to the Union. But this provision shall not be construed to be in any respect an abdication by Congress of power at any time to make needful rules and regulations respecting said tribes.

That all per capita payments hereafter made to the members of the Choctaw or Chickasaw nations shall be paid directly to each individual member by a bonded officer of the United States, under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to said Secretary.

It is further agreed that all claims of any kind which either the United States may have upon the Choctaw Nation or the Chickasaw Nation, or the Choctaw Nation or the Chickasaw Nation may have upon the United States, shall be submitted to the Senate of the United States as a board of arbitrators for final determination, and without any unnecessary delay to make the award and provision for the settlement of whatever sum shall be by them awarded, and the other provisions of this agreement shall not be operative or effective, but shall remain in abeyance until said claims have been finally determined and settled.

It is further agreed that all of the funds invested, in lieu of investment, treaty funds, or otherwise, now held by the United States in trust for the Choctaw and Chickasaw tribes, shall be capitalized within one year after the tribal governments shall cease, so far as the same may legally be done, and be appropriated and paid, by some officer of the United States appointed for the purpose, to the Choctaws and

Chickasaws (freedmen excepted) per capita, to aid and assist them in improving their homes and lands.

It is further agreed that the Choctaws and Chickasaws, when their tribal governments cease, shall become possessed of all the rights and privileges of citizens of the United States.

It is further agreed that the Choctaw orphan lands in the State of Mississippi, yet unsold, shall be taken by the United States at one dollar and twenty-five cents (\$1.25) per acre, and the proceeds placed to the credit of the Choctaw orphan fund in the Treasury of the United States; the number of acres to be determined by the General Land Office.

This agreement shall be binding on the United States when ratified by Congress, and on each tribe or nation, party hereto, when ratified by the constituted authorities of that tribe or nation, according to their respective laws on the subject.

In witness whereof the said commissioners do hereunto affix their names at Atoka, Indian Territory, this the twenty-third day of April, eighteen hundred and ninety-seven.

GREEN MCCURTAIN,
Principal Chief.

J. S. STANDLEY,
W. B. AINSWORTH,
BEN HAMPTON,
WESLEY ANDERSON,
AMOS HENRY,
D. C. GARLAND,
Choctaw Commission.

R. M. HARRIS,
Governor.

ISAAC O. LEWIS,
HOLMES COLBERT,
ROBT. L. MURRAY,
WILLIAM PERRY,
R. L. BOYD,
Chickasaw Commission.

FRANK C. ARMSTRONG,
Acting Chairman.

ARCHIBALD S. MCKENNON,
THOMAS B. CABANISS,
ALEXANDER B. MONTGOMERY,
Commission to the Five Civilized Tribes.
H. M. JACOWAY,
Sec'y, Five Tribes Commission.

EXHIBIT D.

AGREEMENT BETWEEN THE UNITED STATES COMMISSIONERS TO NEGOTIATE WITH THE FIVE CIVILIZED TRIBES, AND THE COMMISSIONERS ON THE PART OF THE MUSCOGEE OR CREEK NATION.

This agreement, by and between the Government of the United States, of the first part, entered into in its behalf by the Commission to the Five Civilized Tribes, Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Alexander B. Montgomery, and Tams Bixby, duly appointed and authorized thereunto, and the Government of the Muscogee or Creek Nation in the Indian Territory, of the second part, entered into in behalf of such Muscogee or Creek Government, by its Commission, duly appointed and authorized thereunto, viz.: Pleasant Porter, Joseph Mingo, David

N. Hodge, George A. Alexander, Roland Brown, William A. Sapulpa, and Conchartie Micco,

Witnesseth, That in consideration of the mutual undertakings herein contained, it is agreed as follows:

GENERAL ALLOTMENT OF LAND.

1. There shall be allotted out of the lands owned by the Muscogee or Creek Indians in the Indian Territory, to each citizen of said Nation, one hundred and sixty acres of land. Each citizen shall have the right, so far as possible, to take his one hundred and sixty acres so as to include the improvements which belong to him, but such improvements shall not be estimated in the value fixed on his allotment, provided any citizen may take any land not already selected by another; but if such land, under actual cultivation, has on it any lawful improvements, he shall pay the owner of said improvements for same, the value to be fixed by the commission appraising the land. In the case of a minor child, allotment shall be selected for him by his father, mother, guardian, or the administrator having charge of his estate, preference being given in the order named, and shall not be sold during his minority. Allotments shall be selected for prisoners, convicts and incompetents by some suitable person akin to them, and due care shall be taken that all persons entitled thereto shall have allotments made to them.

2. Each allotment shall be appraised at what would be its present value, if unimproved, considering the fertility of the soil and its location, but excluding the improvements, and each allottee shall be charged with the value of his allotment in the future distribution of any funds of the Nation arising from any source whatever, so that each member of the Nation shall be made equal in the distribution of the lands and moneys belonging to the Nation, provided that the minimum valuation to be placed upon any land in the said Nation shall be one dollar and twenty-five cents (\$1.25) per acre.

3. In the appraisement of the said allotment, said Nation may have a representative to co-operate with a commission, or a United States officer, designated by the President of the United States to make the appraisement. Appraisements and allotments shall be made under the direction of the Secretary of the Interior, and begin as soon as an authenticated roll of the citizens of the said Nation has been made.

4. All controversies arising between the members of said Nation as to their rights to have certain lands allotted to them shall be settled by the commission making allotments.

5. The United States shall put each allottee in unrestricted possession of his allotment and remove therefrom all persons objectionable to the allottee.

6. The excess of lands after allotment is completed, all funds derived from town sites, and all other funds accruing under the provisions of this agreement, shall be used for the purpose of equalizing allotments, valued as herein provided, and if the same be found insufficient for such purpose, the deficiency shall be supplied from other funds of the Nation upon dissolution of its tribal relations with the United States, in accordance with the purposes and intent of this agreement.

7. The residue of the lands not taken in allotments (town sites, railroad rights of way, school and other exemptions and donations excepted) shall be appraised, and citizens having lawful improvements on lands in excess of their allotments shall have the right to purchase said land at the appraised price of the land so covered by their improvements. If any person fails to take such improved land, the improvements shall be appraised and the land and improvements sold, and the appraised value of the improvements shall be paid to the owner thereof, and the remainder into the United States Treasury for the benefit of said Nation.

8. All the residue of the land not taken in allotment and not herein otherwise provided for, and not taken by citizens to equalize the value of their allotments, shall be sold to the highest bidder at public auction for not less than one dollar and twenty-five cents (\$1.25) per acre, and the proceeds paid into the Treasury of the United States, to be devoted to the fund for equalizing the value of allotments.

9. Patents to all lands sold shall be issued in the same manner as to allottees.

SPECIAL ALLOTMENTS.

10. There shall be allotted and patented one hundred and sixty acres each to Mrs. A. E. W. Robertson and Mrs. H. F. Buckner (née Grayson) as special recognition of their services as missionaries among the people of the Creek Nation.

11. Harrell Institute, Henry Kendall College, and Nazareth Institute, in Muscogee, and Baptist University, near Muscogee, shall have, free of charge, to be allotted and patented to said institutions or to the churches to which they belong, the grounds they now occupy, to be used for school purposes only and not to exceed ten acres each.

RESERVATIONS.

12. The following lands shall be reserved from the general allotment hereinbefore provided:

All lands hereinafter set apart for town sites; all lands which shall be selected for town cemeteries by the town site commission as hereinafter provided; all lands that may be occupied at the time allotment begins by railroad companies duly authorized by Congress as railroad rights of way; one hundred and sixty acres at Okmulgee, to be laid off as a town, one acre of which, now occupied by the capitol building, being especially reserved for said public building; one acre for each church now located and used for purposes of worship outside of the towns, and sufficient land for burial purposes, where neighborhood burial grounds are now located; one hundred and sixty acres each, to include the building sites now occupied for the following educational institutions: Eufaula High school, Wealaka Mission, New Yaka Mission, Wetumpka Mission, Euchee Institute, Coweta Mission, Creek Orphan Home, Tallahassee Mission (Colored), Pecan Creek Mission (Colored), and Colored Orphan Home. Also four acres each for the six court-houses now established.

TITLES.

13. As soon as practicable after the completion of said allotments the Principal Chief of the Muscogee or Creek Nation shall execute under his hand and the seal of said Nation, and deliver to each of said allottees, a patent, conveying to him all the right, title and interest of the said Nation in and to the land which shall have been allotted to him, in conformity with the requirements of this agreement. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee and no other land. The Secretary of the Interior of the United States shall annex to said patent his official certificate that it is drawn in accordance with the provisions of this agreement; that it embraces the land allotted to such patentee and no other land, and that he approves said patent, and said certificate shall be operative as a relinquishment of all rights, title and interest of the United States in and to the land conveyed by said patent and as a guaranty of the United States of title to and possession of the land so conveyed, and the acceptance of his patent by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the land of the said Nation in accordance with the provisions of this agreement, and as a relinquishment of all his rights, title and interest in and to any and all parts thereof, except the land embraced in said patent; except, also, his interest in the proceeds of all lands herein excepted from allotment.

14. The United States shall provide by law for proper record of land titles in the territory occupied by the said Nation.

TOWNSITES.

15. There shall be appointed a commission which shall consist of one member appointed by the Executive of the Muscogee or Creek Nation, who shall not be interested in town property other than his home, and one member who shall be an officer of the United States, to be designated by the President of the United States. Said commission shall lay out townsites, to be restricted as far as possible to their present

limits, where towns are now located. No town laid out and platted by said commission shall cover more than four square miles of territory.

16. When said towns are laid out, each lot on which substantial and valuable improvements have been made, shall be valued by the commission at the price a fee simple title to the same would bring in the market at the time the valuation is made, but not to include in such value the improvements thereon.

17. In appraising the value of town lots, the number of inhabitants, the location and surrounding advantages of the town shall be considered.

18. The owner of the improvements on any lot shall have the right to buy the same at fifty per centum of the value, within sixty days from the date of notice served on him that such lot is for sale, and if he purchase the same, he shall, within ten days from his purchase, pay into the Treasury of the United States one-fourth of the purchase price, and the balance in three equal annual payments; and when the entire sum is paid, he shall be entitled to a patent for the same, to be made as herein provided for patents to allottees.

19. In any case where the two members of the commission fail to agree as to the value of any lot, they shall select a third person, who shall be a citizen of said Nation, and who is not interested in town lots, who shall act with them to determine said value.

20. If the owner of the improvements on any lot fail within sixty days to purchase and make the first payment on the same, such lot, with the improvements thereon (said lot and the improvements thereon having been theretofore properly appraised), shall be sold at public auction to the highest bidder, under the direction of said commission, at a price not less than the value of the lot and improvements, and the purchaser at such sale shall pay to the owner of the improvements the price for which said lot and the improvements thereon shall be sold, less fifty per centum of the said appraised value of the lot, and shall pay fifty per centum of said appraised value of the lot into the United States Treasury, under regulations to be established by the Secretary of the Interior, in four installments, as hereinbefore provided. Said commission shall have the right to reject a bid on any lot and the improvements thereon which it may consider below the real value.

21. All lots not having improvements thereon and not so appraised shall be sold by the commission from time to time at public auction, after proper advertisement, as may seem for the best interest of the said Nation and the proper development of each town, the purchase price to be paid in four installments as hereinbefore provided for improved lots.

22. All citizens or persons who have purchased the right of occupancy from parties in legal possession prior to the date of signing this agreement, holding lots or tracts of ground in towns, shall have the first right to purchase said lots or tracts, upon the same terms and conditions as is provided for improved lots, provided said lots or tracts shall have been theretofore properly appraised as hereinbefore provided for improved lots.

23. Said commission shall have the right to reject any bid for such lots or tracts which is considered by said commission below the fair value of the same.

24. Failure to make any one of the payments as heretofore provided for a period of sixty days, shall work a forfeiture of all payments made and all rights under the contract; provided that the purchaser of any lot may pay full price before the same is due.

25. No tax shall be assessed by any town government against any town lot unsold by the commission, and no tax levied against a lot sold as herein provided shall constitute a lien on the same until the purchase price thereof has been fully paid.

26. No law or ordinance shall be passed by any town which interferes with the enforcement of or is in conflict with the constitution or laws of said Nation or of the United States, or in conflict with this agreement, and all persons in such towns shall be subject to such laws.

27. Said commission shall be authorized to locate a cemetery within a suitable distance from each town site not to exceed twenty acres; and when any town shall

have paid into the United States Treasury for the benefit of the said Nation ten dollars per acre therefor, such town shall be entitled to a patent for the same, as herein provided for titles to allottees, and shall dispose of same at reasonable prices in suitable lots for burial purposes; the proceeds derived therefrom to be applied by the town government to the proper improvement and care of said cemetery.

28. No charge or claim shall be made against the Muscogee or Creek Nation by the United States for the expenses of surveying and platting the lands and town site, or for grading, appraising, and allotting the land, or for appraising and disposing of the town lots as herein provided.

29. There shall be set apart and exempted from appraisement and sale, in the towns, lots upon which churches and parsonages are now built and occupied, not to exceed fifty feet front and one hundred and fifty feet deep for each church and parsonage. Such lots shall be used only for churches and parsonages, and when they cease to be so used, shall revert to the members of the Nation, to be disposed of as other town lots.

30. Said commission shall have prepared correct and proper plats of each town, and file one in the clerk's office of the United States District Court, for the district in which the town is located, one with the Executive of the Nation, and one with the Secretary of the Interior, to be approved by him before the same shall take effect.

31. A settlement numbering at least three hundred inhabitants, living within a radius of one-half mile at the time of the signing of this agreement, shall constitute a town, within the meaning of this agreement. Congress may by law provide for the government of the said towns.

CLAIMS.

32. All claims, of whatever nature, including the "Loyal Creek Claim" made under Article 4 of the Treaty of 1866 and the "Self Emigration Claim" under Article 12 of the Treaty of 1832, which the Muscogee or Creek Nation, or individuals thereof, may have against the United States, or any claim which the United States may have against the said Nation, shall be submitted to the Senate of the United States as a board of arbitration; and all such claims against the United States shall be presented within one year from the date hereof, and within two years from the date hereof the Senate of the United States shall make final determination of said claim, and in the event that any moneys are awarded to the Muscogee or Creek Nation, or individuals thereof, by the United States, provision shall be made for the immediate payment of the same by the United States.

JURISDICTION OF COURTS.

33. The United States Courts now existing, or that may hereafter be created in the Indian Territory, shall have exclusive jurisdiction of all controversies growing out of the title, ownership, occupation or use of real estate in the territory occupied by the Muscogee or Creek Nation; and to try all persons charged with homicide, embezzlement, bribery and embracery hereafter committed in the territory of said Nation, without reference to race or citizenship of the person or persons charged with any such crime; and any citizen or officer of said Nation charged with any such crime shall be tried, and, if convicted, punished as though he were a citizen or officer of the United States; and the courts of said Nation shall retain all the jurisdiction which they now have, except as herein transferred to the courts of the United States.

ENACTMENTS OF NATIONAL COUNCIL.

34. No act, ordinance or resolution of the Council of the Muscogee or Creek Nation in any manner affecting the land of the Nation, or of individuals, after allotment, or the moneys or other property of the Nation, or citizens thereof (except appropriations for the regular and necessary expenses of the government of the said Nation), or the rights of any person to employ any kind of labor, or the rights of any persons who have taken or may take the oath of allegiance to the United States, shall be of any validity until approved by the President of the United States.

CXXXIV REPORT OF THE SECRETARY OF THE INTERIOR.

When such act, ordinance or resolution passed by the Council of said Nation shall be approved by the Executive thereof, it shall then be the duty of the national secretary of said Nation to forward same to the President of the United States, duly certified and sealed, who shall, within thirty days after receipt thereof, approve or disapprove the same, and said act, ordinance or resolution, when so approved shall be published in at least two newspapers having a bona fide circulation throughout the territory occupied by said Nation, and when disapproved, shall be returned to the Executive of said Nation.

MISCELLANEOUS.

35. Neither the town lots nor the allotment of land of any citizen of the Muscogee or Creek Nation shall be subjected to any debt contracted by him prior to the date of his patent.

36. All payments herein provided for, shall be made under the direction of the Secretary of the Interior into the United States Treasury, and shall be for the benefit of the citizens of the Muscogee or Creek Nation. All payments hereafter to be made to the members of the said Nation shall be paid directly to each individual member by a bonded officer of the United States, under the direction of the Secretary of the Interior, which officer shall be required to give strict account for such disbursements to the Secretary.

37. The United States agrees to maintain strict laws in the Territory of said Nation against the introduction, sale, barter, or giving away of liquors and intoxicants of any kind or quality.

38. All citizens of said Nation, when the tribal government shall cease, shall become possessed of all the rights and privileges of citizens of the United States.

39. This agreement shall in nowise affect the provisions of existing treaties between the Muscogee or Creek Nation and the United States, except in so far as it is inconsistent therewith.

40. This agreement shall be binding on the United States when ratified by Congress, and on the Muscogee or Creek Nation, party hereto, when ratified by the National Council of said Nation.

In witness whereof, the said Commissioners do hereunto affix their names at Muscogee, Indian Territory, this the twenty-seventh day of September, eighteen hundred and ninety-seven.

HENRY L. DAWES,
Chairman.

TAMS BIXBY,
Acting Chairman.

FRANK C. ARMSTRONG,
ARCHIBALD S. MCKENNON,
A. B. MONTGOMERY,

Commission to the Five Civilized Tribes.

ALLISON L. AYLESWORTH,
Acting Secretary.

PLEASANT PORTER,
Chairman.

JOSEPH MINGO,
DAVID M. HODGE,
GEORGE A. ALEXANDER,

^{his}
ROLAND X BROWN,
^{mark}

WILLIAM A. SAPULPA,

^{his}
CONCHARTY X MICCO,
^{mark}

Muscogee or Creek Commission.

J. H. LYNCH,
Secretary.

EXHIBIT E.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muscogee, Ind. T., October 27, 1897.

SIR: I have the honor to report herewith, for your information, full text of the message of Honorable Isparhecher, Principal Chief, Muscogee (or Creek) Nation, dated October 6, 8, and 22, to the National Council of said nation, relating principally to the dissolution of tribal affairs, together with copies of the report of the commission on the part of the Muscogee (or Creek) Nation, dated October 5, 1897, transmitting agreement between the United States Commission to the Five Civilized Tribes and the Creek Commission; and copy of the resolution of the National Council of the Muscogee (or Creek) Nation, rejecting said agreement, and providing for another commission to prepare and submit to the United States Commission propositions "which shall fully provide for and protect all the needs and interests of said Muscogee Nation."

[Copy.]

EXECUTIVE OFFICE, MUSCOGEE NATION,
Okmulgee, Oct. 6th, 1897.

To the NATIONAL COUNCIL OF THE MUSCOGEE NATION.

GENTLEMEN: It is with pleasure that I welcome you upon your reassembling in annual session of council, because I believe the Great Ruler of the universe has so ordered it. To Him, I desire to express my grateful thanks in behalf of the Muscogee Nation and people for that care and protection He has extended over us all during the past year. We have had no special scourge or pestilence to affect us, and peace has prevailed within our borders. The returns of the labor of our farmers have been fairly good in portions of our nation, which, if fairly husbanded, will, in those portions of the nation, afford adequate subsistence until another harvest. In consequence, however, of excessive rain in the early spring and the extended drouth following later in the season, it is feared that many of our citizens in the western portions of our nation will suffer for want of breadstuff. It is said that the yield of corn has been very scant. I regret to state that there have been vexatious delays in the enforcement of some important enactments of our body; among these I would mention the pasture law, the cattle law, the lease law, and the timber law. The delay has been caused principally by restraining orders from our U. S. Indian agent and the U. S. Court at Muscogee. Not only have injunctions been served upon our officers, but some of them have been arrested and forced to appear before said Court for trial, where the causes are now pending. These proceedings have resulted in perpetuating the existence of unlawful pastures, the protection of unlawful leases, and the unlawful grazing of foreign cattle in our nation.

Complaint was made last April by your delegates, G. W. Grayson and myself, to the Interior Department against the unlawful introduction of foreign cattle and the intruder element, with an earnest appeal for their removal from our nation, and the matter was referred to the U. S. Indian agent for investigation, who subsequently called on this office for certain information. In response the district officers were at once instructed to enumerate the foreign cattle and procure the name of all intruders, and report the same to me, which was done. These reports have long since been placed in the hands of the U. S. Indian agent. Thus has rested the matter until, within the last few days, I received a communication from the Hon. Secretary of the Interior, dated September 31, 1897, calling for another list of the names of intruders, which is hereto attached for your information. It is evident from this letter that the list heretofore furnished did not afford the information he desires. It, therefore, becomes necessary that a new list be made in conformity with his request before any action will be taken by the Department. In view of this fact, I deem it highly important that a competent person be delegated to perform this special serv-

ice, in conformity with the requirements embraced in the Secretary's letter, as the surest and most prompt means for securing favorable action by the United States Government on this vital question. The intruder question is now the principal source of dissatisfaction in our nation. It is one requiring the strong arm of both governments to control, a question that is growing in magnitude and power, threatening by occupation the eventual absorption of our entire country by a noncitizen element. We have an alarming instance of the reckless and unscrupulous persistence of the genuine intruder as exhibited by the notorious Watts organization in the Cherokee Nation, and latterly, in this nation. Let us do our part promptly and submit the rest to the action of the United States Government.

You are, doubtless, anxious to learn the results of the efforts of your commissioners whom you appointed to negotiate a treaty with the United States Government. I have heard that a treaty has been concluded, and I expect it to be officially reported at an early day, but as it has not been so reported to this office I can not express an opinion on its merits, but hope to have an opportunity of doing so before many days.

There are other matters of general importance to which your attention will be called, from time to time during your present session, in special communications.

In the matter of the \$333,000 appropriated by last Congress for the payment of the outstanding indebtedness of the Muscogee Nation, I would state for your information that I have issued consolidated warrants, as provided by your act of November, 1896, in lieu of old ones investigated and retired by your committee on warrants, amounting in the aggregate to \$352,243, and I have so reported to U. S. Indian Agent Wisdom. I am credibly informed that the Secretary of the Interior has detailed two special agents, charged with the duty of investigating and determining whether or not there was any fraud in the incurring of such indebtedness, as provided in the act of appropriation, who are now conducting such investigation at Muscogee. It is hoped that their investigations will be completed and the payment of the funds be made within the next few weeks. In view of the fact that there will be an excess of our indebtedness over and above the \$333,000, I suggest that you instruct the National Treasurer to cancel that excess out of any funds he may have on hand to the credit of the Muscogee Nation.

In conclusion, gentlemen, permit me to remind you that, as a people, we are in the midst of what appears to be one of the most extraordinary crises that have ever confronted our people, and it will require the exercise of your coolest and friendliest efforts in the work of evolving good and providing safety out of it for our waiting people. You may have to canvass grave questions involving the very life or death of our nation. In the faithful discussion of such questions honest differences of opinion must need appear; but I indulge the hope that your deliberations will always be characterized by kindly and respectful consideration of each other's views, however divergent, and that any heat of debate that may arise in your discussions will not be that of personal feelings, but the impulse of true and patriotic devotion to duty. Hoping that your session will be harmonious and marked by wise and beneficent legislation, I have the honor to be,

Very respectfully, your obedient servant,

ISPARHECHER, *Principal Chief, M. N.*

[Copy.]

EXECUTIVE OFFICE, MUSKOGEE NATION,
Okmulgee, I. T., Oct. 8th, 1897.

TO THE NATIONAL COUNCIL OF THE MUSKOGEE NATION.

GENTLEMEN: I herewith transmit the report and treaty recently concluded by your commissioners with the commissioners on the part of the United States, for your consideration. It will be observed by you that it provides for the allotment of

our lands and the extinguishment of our tribal titles. I regard this feature of the treaty as being very dangerous, and, therefore, very objectionable. Allotment of land to Indians has heretofore proven disastrous in every instance, and is sure to result likewise with us when we try it. It is a system of holding lands entirely new to our people. Some of us, however, tried the sad experiment in Georgia and Alabama a little over a half century ago, resulting in our final removal therefrom. My advice is never to try it again. Our system of land tenure has proven successful and satisfactory to us through all the years of our tribal existence. Never have we had a homeless wanderer during all of that time, nor are we likely to have one so long as we continue to hold our lands as we now do. We now hold our lands by the united power of two governments, general and local. By allotment we substitute the power of one individual for the power of our local government. Each one of our citizens will then have to employ the protective power over his realty that has been afforded by the local government. In other words, every citizen will take upon himself the duty of protecting his home that is now being done by the combined wisdom and strength of the Muscogee Nation. Not only so, but he assumes the responsibility of coping single-handed with the avaricious land sharks of the American Continent. Many of the shrewdest and enlightened citizens of the United States are homeless simply because they are not able single-handed to protect their homes from sharpers.

We now have no suits about land titles, for our land title is not disputable, and never will until we allot our lands. Then the courts of the country will be thronged with such suits, just as they are in Oklahoma. We now pay no tax on our land, and never will until we allot. Then the taxgatherers will become as numerous as in Oklahoma. These things will inevitably follow allotment of our lands. I, therefore, advise you to weigh and calmly consider these facts before accepting this treaty.

I think it far better for us to stand firm by the treaties we have, and plead the justice of our cause by all lawful and honorable means, than enter into this agreement. I fail to see any betterment of our condition by this agreement, but, to the contrary, I can see much that will be to our detriment. But you have had my views on this subject heretofore, and I do not deem it necessary to add anything more at this time to evidence to you my reasons for my opposition to the changes provided for by this agreement.

I am aware that the United States Government is urging us to change our relations with her, and has expended considerable money in surveying our country and for maintaining a Commission for the past three years. But all this has been done at the option of the Government, and not at our request. We have not asked for any of these things, but they have been asked for by the yelping, insatiable boomers who are always on the trail of the Indian, and will be until every foot of this land is opened up; and when we make this treaty, these will be the people that will first throng this country to scheme us out of our homes. It is simply a question as to the ownership of our lands. The boomers are hungry for them, and it seems the only means of making them accessible is by allotment. It, therefore, only remains for you to decide whether or not you will make yourselves a party to this scheme of the boomers. No, we have not asked for a new treaty nor for the allotment of our lands, but we have frequently requested the Government to remove from our country the intruder, which request has never been heeded, although solemnly guaranteed to be done by existing treaties. If intruders can not be removed from our country at this time, the question arises, will they be removed by the promises of a new treaty agreeing to do so.

It seems that the Cherokees have tried both and have found the new treaties to be no better than old ones on this subject, and I believe we would have the same experience whenever we shall try it. For this reason I withheld my approval of the act of your called session last August authorizing your commission to treat. At that session of Council I presented to you my views as to what seemed to me to

be the most advisable course for us to pursue at this time. I am still of the opinion that we should test our constitutional right before the Supreme Court of the United States, and provision should be made at once for procuring the ablest counsel to represent us.

In conclusion, gentlemen, allow me to say that I have endeavored honestly to present my views on the subject before you, and feel that in this I have discharged my duty, and indulge the hope that you will consider the question in the same spirit of earnestness that has actuated me, and discharge the duty you owe your constituency intelligently, honestly, and faithfully.

I have the honor to be, very respectfully, your obedient servant,

ISPARHECHER, *Prin. Chief, M. N.*

[Copy.]

EXECUTIVE OFFICE, M. N.,
Okmulgee, I. T., Oct. 22.

TO THE NATIONAL COUNCIL OF THE MUSCOGEE NATION:

GENTLEMEN: in view of the fact that much important matters are before your body not yet disposed of by you, and the shortness of time remaining of your session, I would suggest that you repeal the act of your last session reducing this term of your council to 15 days, in order that you may continue your session thirty days, if that time should be needful to dispose of the needful legislation before you. Special committees, to whom has been referred matters relating to the situation of our national affairs, has very recently been appointed and should be given ample time for mature thought and investigation before intelligent action can be taken by you. No preparation has yet been made to meet the new order of our public affairs that will begin on January 1st next, and is a matter that should enlist your best thought at this time. Our efforts to treat with the United States Government has proven unsuccessful, and we can now have no hope of continuing our government much longer as we now do, by the terms of any new treaty.

The time has now come, in my opinion, when the citizens of the Five Nations should get together and agree upon the establishment of a general government by which we might perpetuate the right of self-government. Should we be attached to Oklahoma as a Territory or State, this right of self-government will be taken from us by the superior number of its voting population. None of us want such a connection with Oklahoma, yet there are strong efforts being made by her politicians for single statehood, including the Five Nations.

But this can be averted by timely and united efforts of the Five Nations. They are yet the sovereigns of their soil, and politically freeborn, with the right to shape for themselves a government that will best suit them for the protection of their lives and property. I would, therefore, suggest that you constitute a delegation, consisting of a suitable number of your most competent citizens, for the purpose of visiting the other nations with a view of agreeing upon a time and place for the assembling of a constitutional convention, to be composed of duly authorized delegates representing the several nations: that is to say, a convention having for its purpose the framing of a general constitutional government that will afford protection to the Indian owners of the country. This is the first step looking to the formation of a government of the Indians and for the Indians of the Five Nations, and the only course that gives any hope of perpetuating our rights of self-government. I regard this as a step that should be taken at this time, for united we stand, divided we fall. I now submit this question for your calm and deliberate consideration and for such action as your better judgment shall direct.

I am, very respectfully, your ob't serv't,

ISPARHECHER, *Prin. Chief, M. N.*

REPORT OF THE SECRETARY OF THE INTERIOR. CXXXIX

[Copy.]

REPORT OF THE COMMISSION TO COUNCIL.

OKMULGEE, I. T., *October 5, 1897.*

TO THE NATIONAL COUNCIL OF THE MUSCOGEE NATION:

We have the honor to submit to your honorable body the herewith accompanying agreement, entered into by and between the United States Commission to the Five Civilized Tribes, in behalf of the United States of the first part, and the Creek commission in behalf of the Muscogee or Creek Nation, of the second part. In view of all the circumstances and perplexing conditions, not necessary to enumerate, the agreement, we think, is as satisfactory as could be hoped for. It provides for the allotment of our lands and disposition of town sites, a method of settlement of all claims, titles to allotment and town sites; it defines the jurisdiction of the United States courts, the limitation of the power of the National Council, and miscellaneous provisions.

The intention and purpose of the agreement is to provide a method of distribution of all lands belonging to our nation in a manner that will give each citizen an equal share in the value of said lands.

The concessions of the powers of government and jurisdiction of the United States Government, provided for, seemed necessary to meet the new conditions brought about by this agreement.

We feel gratified to state that the commissioners of the United States showed, throughout our conference, a spirit of fairness and conciliatory appreciation of the whole range of matter and conditions which we were called upon to arrange.

Herewith we submit, for your information, all the correspondence in their order, also arguments of the Missouri, Kansas and Texas Railroad, Creek Oil and Gas Company, and Okmulgee Oil Company, which we did not feel authorized to consider; also a proposition, transmitted to us through the United States Commission, made by the principal chief of the Seminole Nation. Not having authority to give this matter consideration, it is respectfully submitted to your honorable body.

Feeling that we have discharged the duties entrusted to us conscientiously in a manner that will protect the interests of our people, and with a spirit of fairness and justice to all, and trusting that you will give it full and fair consideration and approval, we are,

Very respectfully, your obedient servants,

P. PORTER, *Chairman.*

JOSEPH MINGO,

DAVID M. HODGE,

GEO. A. ALEXANDER,

his

ROLAND x BROWN,

mark

W. A. SAPULPA,

his

CONCHARTY x MICCO,

mark

J. H. LYNCH, *Secretary.*

ROBERT W. STEWART, *Interpreter.*

RESOLUTION OF NATIONAL COUNCIL.

[Copy.]

Whereas the commissioners hereto appointed by the Muscogee Nation to prepare a treaty with the United States, through its commissioners appointed for that purpose, and to present the same to the Muscogee Nation through its National Council for ratification or rejection, have presented an agreement duly signed by the said

commissioners on the part of the Muscogee Nation and by the said commissioners on the part of the United States, and dated September 27th, 1897; and,

Whereas the said agreement is unsatisfactory to the Muscogee Nation; therefore, be it

Resolved, By the national council of the Muscogee Nation, That the said agreement or treaty is hereby rejected. Be it further

Resolved, That a special joint committee to be composed of two members from the House of Kings and three members from the House of Warriors, to be selected by a vote of their respective houses, be created, whose duty shall be to prepare an answer to the Commission, setting forth the reasons why the National Council of the Muscogee Nation has rejected the said agreement, and also to prepare and submit to the present session of the National Council, to be submitted to the United States, a proposition in relation to a change of tribal conditions of the Muscogee Nation which shall fully provide for and protect all the needs and interests of the said Muscogee Nation.

Adopted unanimously.

ALEC DAVIS,
Speaker House of Warriors pro tem.
A. P. MCKELLOP, *Clerk.*

Concurred in—23 pro, 8 con.

G. A. ALEXANDER,
President House of Kings.
J. A. ALEXANDER, *Clerk pro tem.*

Approved October 18, 1897.

ISPARHECHER, *Principal Chief, M. N.*
S. B. CALLAHAN, *Private Secretary.*

Respectfully submitted.

TAMS BIXBY, *Acting Chairman.*
A. L. A.

The SECRETARY OF THE INTERIOR.

EXHIBIT F.

DEPARTMENT OF THE INTERIOR,
BUREAU OF EDUCATION,
Washington, D. C., November 6, 1897.

SIR: I have the honor to forward herewith the preliminary report prepared by Dr. Jackson since his return to my office on the 1st instant. He gives the important items of a voyage up the Yukon River and a visit to the gold regions. This tour was made in company with Mr. Kjellmann, the superintendent of the Reindeer Station, with special reference to learning the conditions necessary for the successful employment of reindeer trained to the harness for the purposes of transportation. Dr. Jackson gives much incidental information that may be useful to Congress in providing a scheme of government for this region. He reports that the increase of the herd through the birth of fawns during the past year has been nearly 500 reindeer, making a total of nearly 1,500 reindeer. The regular annual increase has been close to fifty per cent.

Commencing with 1891, when 16 reindeer were purchased from Siberia, the regular annual importations have been as follows: For 1892, 171; 1893, 124; 1894, 120; 1895, 123; making a total of 554. The natural increase has raised this number to 1,466 reindeer. If the Government owned two herds of 5,000 each (a wealthy native in Siberia or Lapland often owns 5,000 reindeer), the annual increase to be depended upon would amount to upward of 4,000 reindeer, a sufficient number to supply the entire Territory and keep pace with its growth. The plan that has commended itself to this office for the distribution of reindeer is the following: To supply herds

of from 100 to 200 each to the several missionary stations which are engaged in giving instruction to the natives in the Christian religion and in productive industry. The most useful industry for the average Eskimo or Indian native of Alaska will be that of herdsmen and teamsters in connection with the use of tame reindeer. The experiment of distribution has proceeded far enough to make it clear that twenty or thirty missionary stations could be centers of distribution of reindeer and schools for the education of skilled herdsmen and teamsters. The nearest missionary station to the Government herd at Teller Station is that of Cape Prince of Wales. One hundred and eighteen reindeer, the original number placed under their charge, have increased in three years to 367, the present number. By payment of salaries in reindeer private parties soon come into possession of herds of their own.

But it is useless to distribute the herds to the several missionary stations unless competent herdsmen attend them as teachers. Our first experiments with native Siberian herdsmen did not prove successful. By personal efforts of Dr. Sheldon Jackson, money was obtained from private sources with which to procure the requisite skilled herdsmen from Lapland, and in 1894 seven families arrived and commenced the work of caring for the Government herd. The superiority of the Laplander for the purpose of training the reindeer has become more clearly manifest every year. The mortality among the fawns in the birth season has decreased very greatly since the Lapland herdsmen have been secured.

Next to obtaining a full supply of reindeer for two large Government herds is the importance of securing a sufficient number of Lapland herdsmen to supply the demand for teachers for each of the points of distribution and for herdsmen on the various lines of transportation. Up to this date there have been something like twenty Eskimo who have acquired skill enough to furnish valuable assistance in managing the herds and in the use of the reindeer for transportation, but not any of them are sufficiently skillful to take charge of either of these matters independently. It is very important that the attention of Congress should be drawn to this point, and that the appropriations for reindeer should be sufficient not only to complete the two herds of 5,000 each, but to pay the salaries of a sufficient number of Laplanders with their families. The number to be sent to Alaska in the spring should not be less than fifty serviceable herdsmen with their families.

I have the honor to be, very respectfully, your obedient servant,

W. T. HARRIS, *Commissioner*.

THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,

BUREAU OF EDUCATION,

ALASKA DIVISION,

Washington, D. C., November 6, 1897.

SIR: In accordance with your request, I would respectfully submit a brief statement of the summer's work in Alaska. A full annual report will be submitted, as usual, later in the season.

Leaving Washington on the 1st of June last, I embarked at Seattle on the steamship *Portland* on the 12th, reaching Unalaska on the 21st and St. Michael on the 26th. Two days en route were spent at Unalaska looking after the interest of the school work at that place. At St. Michael I was joined by Mr. William A. Kjellmann, superintendent of the reindeer station, with whom I wished to make an inspection of the extent of the moss pasturage for reindeer in the valley of the Yukon.

On the morning of July 5, on the river steamer *P. B. Weare*, Mr. Kjellmann and myself started for the Klondike gold regions on the upper waters of the Yukon River. The same morning we entered the north channel of the Yukon Delta, a distance of 72 miles from St. Michael, and were no sooner within the headlands of the river banks than we were grounded on a sand bar, where the steamer remained twenty-four hours until lifted off by the tide.

On July 7 we called at Andreafski, a small native settlement of log houses, 216 miles from the mouth of the river. This village has come into special prominence this fall through the fact that the large transportation companies have made it a depot for provisions which they were unable to take to the mining settlements up the river. In the neighborhood of this village scattered pine trees began to appear along the banks of the great river.

Upon the 8th, the village of Ikogmute (315 miles) was reached. This village for many years has been the seat of a mission of the Greek Catholic Church, and is frequently mentioned as the "Russian Mission."

During the early morning of the 9th of July we reached Koserefski (410 miles), the seat of a flourishing mission of the Roman Catholic Church. Six hours later our steamer was at Anvik (457 miles), the seat of a flourishing mission of the Protestant Episcopal Church.

At midnight, July 10, we made a call at Nulato (648 miles). This is a large Indian village with a mission of the Roman Catholic Church, near the site of what was once a former old Russian trading post. Near by is the mouth of the Koyukuk River, a tributary to the Yukon from the north. This river has been ascended 600 miles by steamer, and with its various tributaries is known to be rich in gold.

On the 12th of July we made a call at St. James Mission, of the Episcopal Church (Fort Adams on the old maps), on the north bank of the river and a little south of the mouth of the Tanana River, one of the largest tributaries of the Yukon. This stream is said to be rich in gold. At St. James Mission we received a few copies of an annual newspaper known as The Yukon Press, the only paper published in the valley of the Yukon at that time. The same evening we stopped at the new trading station Nuklukahyet, opposite the mouth of the Tanana River (897 miles).

Early in the morning of July 14 we reached Munook Creek (1,075 miles). This creek has since become famous as a second "Klondike," and will, probably, when information is received this winter from that distant region, be found to contain the largest American population in Alaska. When I was there in July it consisted of one log store building, two or three small log cabins, and a dozen tents. Twenty-one men were at work in the mines, 6 miles distant. By September there were several hundred men in the new camp. The town had been platted and real estate offices were doing a "booming" business. It is in the vicinity of this new mining camp that Captain Ray, U. S. A., has recommended the establishment of a military post. The place has been named Ramparts, as Munook Creek is about midway between the upper and lower end of a section of the Yukon River known as the Ramparts, where the river breaks through a range of mountains.

At midnight, July 15, we reached Fort Yukon (1,353 miles). This is a historic place, having been a trading station of the celebrated Hudsons Bay Fur Company for half a century. A large cemetery near the ruins of the old post is a touching reminder of the days when this trading post under the Arctic Circle was the center of law and civilization for all that vast region. It was the frontier line where the employees of the all-powerful Hudsons Bay Fur Company met and contended with the employees of the equally powerful Russian-American Fur Company, backed by their respective Governments, in the strife for the possession of a continent.

July 16 we reached Circle City (1,394 miles). Twelve months before, this place had a population of 2,000 or 3,000. When the tidings came of the rich find on the Klondike last spring, the entire population forsook the place and hastened to Klondike, and hundreds of good comfortable log cabins were emptied. The largest aggregation of good log buildings at any one place in Alaska is at Circle City. The log residence occupied by the North American Transportation and Trading Company is said to have cost \$20,000, and that of the Alaska Commercial Company \$15,000. From Fort Hamlin to Circle City, a distance of over 200 miles, the river widens out to a lake 25 miles wide, filled with islands and shallow channels. It was along this stretch of water, known as the "Yukon Flats," that the difficulty was experienced during the summer of carrying provisions to the mining camps at Circle City, Forty-

Mile Creek, and Dawson. During September any vessel, or craft, or barge, drawing over 16 inches of water was unable to cross the flats.

Fort Cudahy, on the north side of Forty-Mile Creek, and "Forty-Mile" village, on the south side (1,596 miles), were reached July 23. These villages are on the Canadian side of the international boundary line, and at the former is a stockade post occupied by the Canadian mounted police.

Early in the morning of July 25 we reached Dawson, 1,650 miles from St. Michael. This is the village and supply station for the celebrated Klondike mines. Four thousand people were in the village, mainly living in canvas tents.

Retracing our steps from Dawson down the river, on the 27th of July our steamer, drawing 36 inches of water, went hard aground on a sand bar, where we remained until August 15, when we were taken off by the steamer *J. J. Healy*. Continuing our journey down the river on the steamer *Healy*, we reached St. Michael August 24, having been nearly two months making the trip from St. Michael to Dawson and return—a journey usually made without mishaps in three or four weeks.

The United States revenue-cutter *Bear* reached St. Michael on the 30th of August, and through the courtesy of Captain Tuttle I was permitted to move my headquarters to that vessel.

September 14 the revenue-cutter *Corwin* arrived with dispatches for the *Bear*. On the 16th the *Bear* sailed with me for a visit to the Teller Reindeer Station, Cape Prince of Wales, and the new purchase station at St. Lawrence Bay, returning to St. Michael on the 23d. Changing my quarters from the cutter *Bear* to the cutter *Corwin*, I was given a passage by Captain Herring to San Francisco, where we arrived October 13.

The summer has been a memorable one because of the excitement created by the rich gold discoveries of last winter on the Klondike. I was at St. Michael the 1st of July, when the returning miners, with their valuable packages of gold dust, reached that port en route to the States, and, later, in the fall, when thousands of miners reached St. Michael from the States en route to the Klondike mines. As in all large movements of population without time for perfecting plans, there was great waste and hardship. Vessels that had been long condemned as unfit for the carrying of passengers were chartered and sent with passengers from the Pacific Coast ports to St. Michael. Several of these vessels were originally built as river steamers, and after being condemned as unfit for further service, even on inland waters, were allowed to proceed into the ocean loaded with passengers.

In one instance a ferryboat that had been condemned as unsound, even for carrying soap across a small inland bay from manufactory to warehouse, was sent to St. Michael. A number of transportation companies suddenly sprang into existence, and ocean vessels were chartered to bring their passengers to St. Michael, at which place they expected to build small steamers or barges for the ascending of the Yukon River. I believe in no single instance did any such expedition during the entire season reach its destination at Dawson. Some of them were stranded at St. Michael, others at the mouth of the river, and others still are now frozen up along the lower Yukon. The only parties reaching the Klondike by the mouth of the river were those that took the steamers of the North American Transportation and Trading Company or of the Alaska Commercial Company, two powerful corporations that had been providing steamers and experimenting for several years before this sudden rush was thrown upon them.

My observation at the various mining camps along the river, and my conversation with miners that had been from one to several years in the country, and a personal inspection of gold dust brought out by various persons, have led me to feel that the public statements of the richness of the mines clustered around the Klondike have not been exaggerated, and that there are much larger areas of mineral lands in Alaska than in the Northwest Territory of Canada. The extent of the gold-bearing belt in Alaska is so great, that rich placer mines will probably continue to be found for many years to come. I further had evidence of the existence of valuable quartz

mines, but as the successful working of these requires heavy machinery, which it is difficult to bring into the country, the quartz mines may not be developed for several years.

I also had an opportunity of visiting all the stores and other depots of supplies in that entire valley, and am impressed with the fact that the food supply now in the country is entirely insufficient for the numbers of men that have gone to the mines; and, consequently, there can not fail to be great distress and much suffering during the present winter. The action of the Secretary of the Interior in giving permission to the War Department to use the domestic reindeer which have been brought over from Siberia for the purpose of taking into the Yukon Valley supplies of provisions, will somewhat relieve the distress. If the appropriations for the introduction of domestic reindeer into Alaska had been more liberal, a correspondingly larger number of reindeer trained to harness would have been now in the country to meet this emergency. However, there are at the present time 200 deer trained to harness that can be utilized by the War Department. For the management of these deer there are three Laps accustomed to freighting, and some 20 or more Eskimo young men that have learned to drive and handle the animals.

The original purpose for which domestic reindeer were brought into Alaska from Siberia was to provide a new food supply and a new means of support for the Eskimo. But the discovery of valuable deposits of gold, and the rapid influx of white settlers, have made the reindeer as much of a necessity to the white man as to the Indian. With increased facilities of transportation by steamer up the rivers, and perhaps increased facilities from one or two trunk lines of railroads into the country, there will still be an urgent necessity for the importation of reindeer in large numbers; there will be thousands of mines distant from the navigable rivers and from railroad communication that can only secure adequate supplies of provision by means of reindeer transportation from depots of supplies, either on the great rivers or at railway stations.

To demonstrate to the American population of Alaska the utility of the reindeer as a beast of burden, a trial trip was made during the five winter months of the winter of 1896-97, during which a sled journey with deer was taken, covering a distance of 2,000 miles. The deer experienced every exigency that would be encountered in actual service as freighters. This 2,000 miles was made through a country without roads and largely without trails, traveling along rivers, over high mountain ranges, down steep declivities, in the midst of bitter cold (one day being 73° below zero); at other times through deep, loose snow, or through slush on the ice of the rivers during a January thaw. This trip, that was an experiment in Alaska, would have been no experiment in Lapland. From the earliest recorded history of the Laps, domestic reindeer have successfully done the freighting and rapid traveling in the north of Sweden and Norway. The few horses that were imported into Dawson last winter were fed on bread and biscuit made from flour, and in the absence of coarser food some starved to death, and all came out of the winter too weak to work. Dog traveling, like that of horses, also requires the carrying of food; but the reindeer can be turned out at night, as in fact was done during this trip of 2,000 miles in midwinter. They find their own living.

Admonished by the exigencies of the present, the Government should commence preparing itself for the winter of 1898-99, when a tenfold larger population will have flocked into that inhospitable country. A large number of reindeer trained to harness should be secured in Siberia, and an adequate number of trained Lap freighters should be secured from Lapland for the handling of the deer in Alaska. The parties in interest have already made application for trained reindeer for the use of the detachments of the United States Army in Alaska to secure rapid transportation. The parties that have taken the new contract for carrying the mail into central Alaska are also making a request for reindeer for that purpose, while various transportation companies are equally urgent for a supply of reindeer. The whole

mining region has suddenly awakened to their importance for the development of the mines.

Every few miles in the Yukon Valley we passed fishing camps of natives, the run of salmon being unusually large.

I found the Klondike to be the focus of the immigration into that region, but, as a matter of fact, all the mines along that stream and its tributaries were staked out and claimed before the news had reached the outside world, so that the great increase of miners necessitated their developing other streams and regions, but fortunately those were near by. Wherever a prospector has experimented on the streams and creeks, not only in the Yukon Valley but also on the streams north of the Arctic Circle running into the Arctic Ocean, as well as a number of the great streams running south into the Pacific Ocean, evidences of gold deposits have been found, making Alaska probably the largest field of gold deposit in the world. The scarcity of provisions native to the country, the rigorous winters and hot summers, with the plague of mosquitoes, the frozen subsoil, winter and summer, containing the golden deposits, make the working of these mines and the securing of the gold a life of great hardship and suffering—a life that threatens the ruin of the health, and, in many cases, will lead to death itself.

That great region, with its rapidly growing population, is practically without law or government. Two or three deputy collectors of customs are expected to watch a valley 1,600 miles long, without any provision being made for their getting 3 miles from home. Two United States Commissioners are expected to dispense law in a region as large as all the United States east of the Mississippi River and north of the Ohio. Murders have been committed during the past season of which no official recognition has been taken, or any official inquiry made concerning them. Crimes and misdemeanors go unpunished because of the great expense of taking criminals and witnesses a year from their families and business to the United States district court at Sitka, some 2,000 to 3,000 miles away. It is very important that the coming Congress shall enact the legislation necessary to throw the protection of the Government and the courts over life and property in that distant region.

I found the four herds of reindeer in a prospering condition. During the last spring 466 fawns were born, making the total number on the 1st of July last 1,466. In connection with the training school 10 Eskimo have been under training in the management, driving, and care of the deer.

The Government schools, as well as schools of several missionary societies, are in a prospering condition.

All of which is respectfully submitted.

SHELDON JACKSON,
General Agent of Education for Alaska.

Hon. W. T. HARRIS,
Commissioner of Education, Washington, D. C.

EXHIBIT G.

REPORT OF THE ASSISTANT ATTORNEY-GENERAL.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE ASSISTANT ATTORNEY-GENERAL,
Washington, November 12, 1897.

SIR: I submit herewith a statement of the work done by this office during the past year—to wit, beginning November 1, 1896, and ending October 31, 1897:

Upon the date of the last annual report of this office (October 26, 1896), Hon. W. A. Little, who had entered upon his duties May 1, 1896, resigned. He was succeeded by Hon. Isaac H. Lionberger, whose resignation, tendered upon the incoming of the

new administration, was accepted March 23, 1897, on which date the appointment of the present incumbent took effect.

The legal force of this office is occupied mainly with matters arising under the land laws of the United States. The preemption and timber-culture laws were repealed by act of March 3, 1891; but a large number of questions arising upon the offer to make final proof under those laws are continually coming before the Department. Much more numerous, however, are the cases arising under the laws relating to homesteads, timber lands, mineral lands, desert lands, school lands, swamp lands, and railroad grants, etc.

In these cases the decisions are originally rendered by the registers and receivers of the several land districts. If the decisions of those officers are not satisfactory an appeal is taken to the General Land Office, and if the party, or in case of contest either or any of the parties is still dissatisfied, a further appeal is taken to the Department. The examination of the records and the preparation of decisions for the signature of the Secretary is a part of the work devolving upon this office. During the year from November 1, 1896, to October 31, 1897, decisions have been prepared in 951 cases of the character above described.

If the party or either of the parties in a case are dissatisfied with the decision of the Department, a motion for a review may be filed and a review be granted in case sufficient reason is shown. Upon the appointment of every Secretary of the Interior, there is a notable increase in the number of motions for review filed by parties who hope that a change in the heads of the Department may result in a change in the decision of their cases. This has proved doubly disadvantageous to the Department during the past year.

Upon the appointment of Hon. David R. Francis, on September 1, 1896, a large number of motions for review of decisions rendered by his predecessor were filed, most of which could not be disposed of by Secretary Francis and therefore came up for consideration and decision by the Department since your appointment. In like manner, upon the retirement of Secretary Francis there were a large number of motions for review of decisions made during his administration, which have been almost entirely disposed of. The total number of motions for review or rehearing decided during the year ending October 31, 1897, was 376.

The nature of the work of this office during the past year has differed somewhat in one important respect from that of previous years. An increasingly large proportion of the cases has been of a character that necessitated the examination of a voluminous mass of testimony. In one case, to which the State of Washington was a party, the mere reading of the testimony occupied a fortnight, and a three days' hearing therein was had before the Assistant Attorney-General and two of the assistant attorneys. This one case has occupied more than a month's time of those immediately engaged in its examination and decision.

A large proportion of the cases appealed from Oklahoma, involving the question of priority of settlement on homestead claims or town lots, are accompanied by several hundred pages of testimony. In three of these cases, decided within the past year, the examination of the testimony has occupied more than a fortnight, and between fifty and sixty might be enumerated which required at least a week's diligent labor.

The decision of cases coming before the Department on appeal or on review, however, by no means includes all the work of this office. There is a large amount of business of a miscellaneous character, such as petitions for certiorari, railroad adjustments, applications for surveys, and interlocutory proceedings in cases pending before the Department, etc. Action of this character has been taken in 699 cases.

The Assistant Attorney-General is also frequently called upon by the Secretary or one of the assistant secretaries for an opinion, to be submitted in writing, upon subjects relating to patents, pensions, Indians, Indian claims, Government parks or

reservations, and the Pacific railroads. The preparation of these opinions involves much labor and research on the part of the Assistant Attorney-General and the members of the law force designated for that duty, inasmuch as such opinions are only called for where difficult and intricate questions of law are involved.

During the year ended June 30, 1897, there have been published two volumes (XXIII and XXIV), of 625 and 619 pages, respectively, containing such of the departmental decisions rendered during that period as involve leading and important principles of law or practice. The advantage that accrues, to the assistant attorneys of this office and to those interested in such questions, by having such decisions in printed form for purposes of reference, is obvious.

Respectfully submitted.

WILLIS VAN DEVANTER,
Assistant Attorney-General.

The SECRETARY OF THE INTERIOR.