

EXTERMINATION OF THE BUFFALO. ATTITUDE OF INDIAN COMMISSIONER.

perish; and there is something that savors of providential mercy in the rapidity with which their fate advances upon them, leaving them scarcely the chance to resist before they shall be surrounded and disarmed. It is not feebly and futilely to attempt to stay this tide, whose depth and strength can hardly be measured, but to snatch the remnants of the Indian race from destruction from before it, that the friends of humanity should exert themselves in this juncture, and lose no time. And it is because the present system allows the freest extension of settlement and industry possible under the circumstances, while affording space and time for humane endeavors to rescue the Indian tribes from a position altogether barbarous and incompatible with civilization and social progress, that this system must be approved by all enlightened citizens. (10) --- Had the settlements of the United States not been extended beyond the frontier of 1867, all the Indians of the continent would to the end of time have found upon the plains an inexhaustible supply of food and clothing. Were the westward course of population to be stayed at the barriers of to-day, notwithstanding the tremendous inroads made upon their hunting grounds since 1867, the Indians would still have hope of life. But another such five years will see the Indians of Dakota and Montana as poor as the Indians of Nevada and Southern California; that is, reduced to an habitual condition of suffering from want of food. The freedom of expansion which is working these results is to us of incalculable value. To the Indian it is of incalculable loss. Every years advance of our frontier takes in a territory as large as some of the Kingdoms of Europe. We are richer by hundreds of millions; the Indian is poorer by a large part of the little that he has. This growth is bringing imperial greatness to the nation; to the Indian it brings wretchedness, destitution, beggary. Surely there is obligation found in considerations like these, requiring us in some way, and in the best way, to make good to these original owners of the soil the loss by which we so greatly gain. Can any principle of national morality be clearer than that, when the expansion and development of a civilized race involve the rapid destruction of the only means of subsistence possessed by the members of a less fortunate race, the higher is bound as of simple right to provide for the lower some substitute for the means of subsistence which it has destroyed. That substitute is, of course, best realized, not by systematic gratuities of food and clothing continued beyond the present emergency, but by diverting these people to new pursuits which shall be consistent with the progress of civilization upon the continent; helping them over the first rough places on "the white man's road," and, meanwhile, supplying such subsistence as is absolutely necessary during the period of initiation and experiment.

Report of the Commissioner of Indian Affairs for 1874.

Report of Commissioner Edwin P. Smith to the Secretary of the Interior, November 1, 1874.

(10) The question of the future of these wild Indians has been seriously considered. Their deep and avowed aversion to any settled life cannot be overcome so long as they are on the borders of the vast unoccupied plains and almost within sight of herds of buffalo. And while they continue in this unsettled life by the chase it will be well nigh impossible to render settlers in Northern Texas and in New Mexico secure from pilfering and murderous attacks by small parties of individuals of these tribes. The interests, therefore, both of citizens and Indians requires the adoption of radical measures. Their hostilities during the past summer are a

EXTERMINATION OF THE BUFFALO. ATTITUDE OF INDIAN COMMISSIONER.

practical abrogation on their part of treaty rights. The Government, having subjugated them by arms, will be at liberty in dealing with them to have reference hereafter only to what is right and best for them, and in my judgment the following course is practicable, expedient, and humane: Procure from the Cherokees, Chocktaws, and Chickasaws a sufficient quantity of land, in four different tracts, suited to herding and agriculture, and disarm and dismount these wild Indians and remove them to these localities, furnishing them cattle in return for their ponies, and rations and clothing in return for their labor in building houses and opening farms for themselves.

INDIAN POLICY OF PRESIDENT U.S. GRANT. (1869-1877).

Political History of the United States by the Presidents. President U.S. Grant. First Annual Message. December 6, 1869. Indian Affairs.

(464) From the foundation of the Government to the present the management of the original inhabitants of this country - the Indians - has been a subject of embarrassment and expense, and has been at-

(465) tended with continuous robberies, murders, and wars. From my own experience upon the frontiers and in Indian countries, I do not hold either legislation or the conduct of the whites who come in contact with Indian blameless for these hostilities. The past, however, cannot be undone, and the question must be met as we now find it. I have attempted a new policy toward these wards of the nation, they can not be regarded in any other light than as wards, with fair results so far as tried, and which I hope will be attended ultimately with great success. The Society of Friends is well known as having succeeded in living in peace with the Indians in the early settlements of Pennsylvania, while their white neighbors of other sects in other sections were constantly embroiled. They are also known for their opposition to all strife, violence, and war, and are generally noted for their strict integrity and fair dealings. These considerations induced me to give the management of a few reservations of Indians to them and to throw the burden of the selection of agents upon the society itself. The result has proven most satisfactory. It will be found more fully set forth in the report of the Commissioner of Indian Affairs. For superintendents and Indian agents not on the reservations, officers of the Army were selected. The reasons for this are numerous. Where Indian agents are sent, there, or near there, troops must be sent also. The agent and the commander of the troops are independent of each other, and are subject to orders from different Departments of the Government. The army officer holds a position for life; the agent, one at the will of the President. The former is personally interested in living in harmony with the Indian and in establishing a permanent peace, to the end that some portion of his life may be spent within the limits of civilized society; the latter has no such personal interest. Another reason is an economic one; and still another, the hold which the Government has upon a life officer to secure a faithful discharge of duties in carrying on a given policy.

The building of railroads, and the access thereby given to all the agricultural and mineral regions of the country, is rapidly bringing civilized settlements into contact with all the tribes of Indians. No matter what ought to be the relation between such settlements and the aborigenes, the fact is they do not harmonize well, and one or the other has to give way in the end. A system which looks to the extinction of a race is too horrible for a nation to adopt without entailing upon itself the wrath of all Christendom and engendering in the citizen a

(466) disregard for human life and the rights of others, dangerous to society. I see no substitute for such a system, except in placing all the Indians on large reservations, as rapidly as it can be done, and giving them absolute protection there. As soon as they are fitted for it they should be induced to take their lands in severalty and to set up territorial governments for their own protection. For full details on this subject I call your special attention to the Reports of the Secretary of the Interior and the Commissioner of Indian Affairs.

12 Stat. L., 935, et seq.; II Kappler, 3d. Ed., 722 and 725.

(Kappler, 722.) Articles of agreement and convention made and concluded at the treaty ground at Hell Gate, in the Bitter Root Valley, this sixteenth day of July, in the year one thousand eight hundred and fifty-five, by and between Isaac I. Stevens, governor and superintendent of Indian Affairs for the Territory of Washington, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the confederated tribes of the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, on behalf of and acting for said confederated tribes, and being duly authorized thereto by them. It being understood and agreed that the said confederated tribes do hereby constitute a nation, under the name of the Flathead Nation, with Victor, the head chief of the Flathead tribe, as the head chief of the said nation, and that the several chiefs, headmen, and delegates, whose names are signed to this treaty, do hereby, in behalf of their respective tribes, recognize Victor as said head chief. -----

(Kappler, 725.) ARTICLE 11. It is, moreover, provided, that the Bitter Root Valley, above the Loo-lo Fork, shall be carefully surveyed and examined, and if it shall prove, in the judgment of the President, to be better adapted to the wants of the Flathead tribe than the general reservation provided for in this treaty, then such portions of it as may be necessary shall be set apart as a separate reservation for the said tribe. No portion of the Bitter Root Valley, above the Loo-lo Fork, shall be opened to settlement until such examination is had and the decision of the President made known.

I Kappler, 3d. Ed., pp. 854 and 855.

(Kappler, 854.)

MONTANA.

Bitter Root Valley Reserve.

EXECUTIVE MANSION, November 14, 1871.

The Bitter Root Valley, above the Loo-lo Fork, in the Territory of Montana, having been carefully surveyed and examined in accordance with the eleventh article of the treaty of July 16, 1855, concluded at Hell Gate, in the Bitter Root Valley between the United States and the Flathead, Kootenay, and Upper Pend d'Oreilles Indians, which was ratified by the Senate, March 8, 1859, has proved, in the judgment of the President, not to be better adapted to the wants of the Flathead tribe than the general reservation provided for in said treaty; it is therefore deemed unnecessary to set apart any portion of said Bitter Root Valley as a separate reservation for Indians referred to in said (Kappler, 855.) treaty. It is therefore ordered and directed that all Indians residing in said Bitter Root Valley be removed as soon as practicable to the reservation provided for in the second article of said treaty, and that a just and impartial appraisement be made of any substantial improvements made by said Indians upon any lands of the Bitter Root Valley, such as fields inclosed and cultivated, and houses erected; that such appraisement shall distinguish between improvements made before the date of said treaty and such as have been subsequently made.

It is further ordered that, after the removal herein directed shall have been made, the Bitter Root Valley aforesaid shall be open to settlement.

It is further ordered that if any of said Indians residing in the Bitter Root Valley desire to become citizens and reside upon the lands which they now occupy, not exceeding in quantity what is allowed under the homestead and pre-emption laws to all citizens, such persons shall be permitted to remain in said valley, upon making known to the superintendent of Indian affairs for Montana Territory, by the 1st day of January, 1873, their intention to comply with these conditions.

U. S. GRANT.

I Kappler, 3d. Ed., 135 and 136. Act of June 5, 1872, 17 Stat. L. 226 et seq.

(Kappler, 135.)

CHAP. 308. - An act to provide for the removal of the Flathead and other Indians from the Bitter-Root Valley, in the Territory of Montana. (Report Commissioner Garfield, November 15, 1873. - See Annual Report for 1873, p. 109. - The above act is amended as to the payment of the annual installments and the purchase of land provided in section 2 by the act of June 23, 1874, 18 Stat. 173, and as to the lands allotted to individual Indians by the acts of March 2, 1889, post, p. 336, and July 1, 1898, post, p. 667, providing for the sale of such lands with the consent of the allottees and the removal of the Indians to the Jocko Reservation. By the act of March 3, 1891, post, p. 437, right of way was given the Missoula and Northern Railway through the Jocko Reservation. A commission to negotiate with the Crow, Flathead, and other tribes was provided by the act of June 10, 1896, 29 Stat., 341, which was continued, by June 6, 1900, 31 Stat., 303, to June 30, 1901. - See Annual Report, 1900, p. 52. -)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the President, as soon as practicable, to remove the Flathead Indians, (whether of full or mixed bloods,) and all other Indians connected with said tribe, and recognized as members thereof, from Bitter-Root Valley, in the Territory of Montana, to the general reservation in said Territory, (commonly known as the Jocko reservation,) which by a treaty concluded at Hell Gate, in the Bitter-Root Valley, July sixteenth, eighteen hundred and fifty-five, and ratified by the Senate March eighth, eighteen hundred and fifty-nine, between the United States and the confederated tribes of Flathead, Kootenai, and Pend d'Oreille Indians, was set apart and reserved for the use and occupation of said confederated tribes. (See 53 Fed. Rep. p. 223.)

SEC. 2. That as soon as practicable after the passage of this act, the surveyor-general of Montana Territory shall cause to be surveyed, as other public lands of the United States are surveyed, the lands in the Bitter-Root Valley lying above the Lo-Lo Fork of the Bitter-Root River; and said lands shall be open to settlement, and shall be sold in legal subdivisions to actual settlers only, the same being citizens of the United States, or having duly declared their intention to become such citizens, said settlers being heads of families, or over twenty-one years of age, in quantities not exceeding one hundred and sixty acres to each settler, at the price of one dollar and twenty-five cents per acre, payment to be made in cash within twenty-one months from the date of settlement, or of the passage of this act. The sixteenth and thirty-sixth sections of said lands shall be reserved for school purposes in the manner provided by law. Town-sites in said valley may be reserved and entered as provided by law: Provided, That no more than fifteen townships of the lands so surveyed shall be deemed to be (Kappler, 136.) subject to the provisions of this act: And provided further, That none of the lands in said valley above the Lo-Lo Fork shall be open to settlement under the homestead and pre-emption laws of the United States. An account shall be kept by the Secretary of the Interior of the proceeds of said lands, and out of the first money arising therefrom there shall be reserved and set apart for the use of said Indians the sum of fifty thousand dollars, to be by the President expended, in annual instalments, in such amount as in his judgment shall be for the best good of said Indians, but no more than five thousand dollars shall be expended in any one year.

SEC. 3. That any of said Indians, being the head of a family, or twenty-one years of age, who shall, at the passage of this act, be actually residing upon and cultivating any portion of said lands, shall be permitted to remain in said valley and pre-empt without cost the land so occupied and cultivated, not exceeding in amount one hundred and sixty acres for each of

said Indians, for which he shall receive a patent without power of alienation: Provided, That such Indian shall, prior to August first, eighteen hundred and seventy-two, notify the superintendent of Indian Affairs for Montana Territory that he abandons his tribal relations with said tribe, and intends to remain in said valley: And provided further, That said superintendent shall have given such Indian at least one month's notice prior to the date last above mentioned of the provisions of this act and of his right so to remain as provided in this section of this act.

SEC. 4. That in case John Owen, an actual settler in said valley, above the Lo-Lo Fork, shall come within the provisions of the act of Congress of September twenty-seventh, eighteen hundred and fifty, entitled "An act to create the office of surveyor general of the public lands in Oregon, and to provide for the survey, and to make donations to settlers of the said public lands," and the acts amendatory thereof, he shall be permitted to establish such fact in the land-office in the said Territory of Montana, and, upon proof of his compliance with the provisions of said act or acts, shall be permitted to obtain title, in the manner provided therein, to such quantity of land as he may be entitled to under the same. All disputes as to title to any lands mentioned in this act shall be decided according to the rules governing the decision of disputes in ordinary cases under the pre-emption laws of the United States.

Approved, June 5, 1872.

Report of the Commissioner of Indian Affairs, 1872, p. 85.

THE INDIAN LEGISLATION OF THE LAST SESSION AND THE ACTION OF THIS OFFICE THEREON.

Flatheads.

The attention of this Office having been called by the officials of Montana Territory to the importance of the removal of the Flatheads and other Indians remaining at sufferance in the Bitter Root Valley, in Montana, to the reservation in the same Territory known as the "Jocko," established for the confederated Flatheads, Kootenays, and Pend d'Oreilles by the provisions of the treaty of 1855, it was recommended to the Department that Congress be asked to make the necessary appropriation to pay for the improvements of these Indians in the Bitter Root Valley, and to provide for their removal to the "Jocko" reservation. Congress, agreeably to this recommendation, provided by act approved June 5, 1872, for the removal of the Indians, and for the survey and sale of the lands in Bitter Root Valley: the sum of \$50,000 to be set apart out of the proceeds of the sale, to be by the President expended in annual installments in such manner as he may deem for the good of the Indians thus removed. The privilege is extended by said act to any one of said Indians, being the head of a family or twenty-one years of age, to receive a patent for the land occupied or cultivated by him, to the extent of 160 acres, provided he shall thereupon abandon his tribal relations. Under date of June 15, 1872, a special commissioner was appointed by the Department to carry out the provisions of this act. The report of the commissioner contains the text of an agreement entered into by him with the chiefs for the self-removal of the Flatheads to the "Jocko," and their comfortable establishment thereon out of the appropriation provided by act of June 5. For further particulars reference is made to the report of the special commissioner. An Office note attached states the progress made in the execution of the work, at the latest advices from the superintendent of Indian affairs for Montana.

(p. 105) Francis A. Walker, Commissioner. Hon. C. Delano, Secretary of the Interior.

I Kappler, 3d. Ed., 1058; 1064, Lone Wolf v. Hitchcock, 187 U.S., 553 et seq.

---Plenary authority over the tribal relations of the Indian has been exercised by Congress from the beginning, and the power has always been deemed a political one, not subject to be controlled by the judicial department of the Government. Until the year 1871 the policy was pursued of dealing with the Indian tribes by means of treaties, and of course a moral obligation rested upon Congress to act in good faith in performing the stipulations entered into on its behalf. But, as with treaties made with foreign nations (Chinese Exclusion Cases, 130 U.S., 581, 600), the legislative power might pass laws in conflict with treaties made with the Indians. (Thomas v. Gay, 169 U.S., 264, 270; Ward v. Race Horse, 163 U.S., 504, 511; Spalding v. Chandler, 160 U.S., 394, 405; Missouri, Kansas and Texas Ry. Co. v. Roberts, 152 U.S., 114, 117; The Cherokee Tobacco, 11 Wall., 616.)

The power exists to abrogate the provisions of an Indian treaty, though presumably such power will be exercised only when circumstances arise which will not only justify the Government in disregarding the stipulations of the treaty, but may demand, in the interest of the country and the Indians themselves that it should do so. When, therefore, treaties were entered into between the United States and a tribe of Indians it was never doubted that the power to abrogate existed in Congress, and that in a contingency such power might be availed of from considerations of governmental policy, particularly if consistent with perfect good faith toward the Indians.---

In view of the legislative power possessed by Congress over treaties with the Indians and Indian tribal property we may not specially consider the contentions pressed upon our notice that the signing by the Indians of the agreement of October 6, 1892, was obtained by fraudulent misrepresentation and concealment; that the requisite three-fourths of adult male Indians had not signed, as required by the twelfth article of the treaty of 1867, and that the treaty as signed had been amended by Congress without submitting such amendments to the action of the Indians, since all these matters, in any event, were solely within the domain of the legislative authority, and its action is conclusive upon the courts.

Report of the Commissioner of Indian Affairs, 1872, pp. 109-118.

(109)

Papers Accompanying the Report of the Commissioner of Indian Affairs, 1872.
A.

Report of Hon. James A. Garfield, commissioner for the removal of the Flathead tribe of Indians from the Bitter Root Valley, in Montana Territory, to the Jocko reservation, in said Territory, with accompanying papers.

WASHINGTON, D.C., November 15, 1872.

DEAR SIR: At the request of the Secretary of the Interior, made to me early in June last, I agreed to visit the Bitter Root Valley, in Montana, for the purpose of making arrangements to remove the Flathead Indians to the Jocko reservation.

I started late in July, and at Fort Leavenworth General Pope, at my request, detailed Major D.G. Swaim, of the Judge Advocate's Corps, to accompany me.

On reaching Virginia City, Montana, August 16, I found that a committee of citizens of the Bitter Root Valley had visited the governor of the territory a few days previous, and had represented to him that the white settlers in the valley were apprehensive of hostilities from the Flatheads and from the Nez Perces, a thousand of whom were then encamped near Hell Gate.

It was further represented that meetings of citizens had been called for the public defense, at Missoula, Aetna, and Corvallis, and that a military company, of about one hundred strong, had been enrolled at each of these places.

Resolutions had been adopted requesting the governor to issue arms and ammunition, and to urge the President to establish a cavalry post, of two or three companies, somewhere in the valley, for the better protection of the inhabitants. It was further represented that the Flatheads were resolved not to leave the valley, and that the Nez Perces had agreed to aid them in resisting the proposed removal.

The governor had every reason to suppose that these representations were in accordance with the facts, and had ordered three hundred muskets and thirty thousand rounds of ammunition sent to Missoula.

An editorial article, in a newspaper published at Virginia City, called upon the governor and the citizens to answer these alleged threats of the Indians by force, and to drive them out of the valley.

I wrote to the Secretary of the Interior on the 17th of August, detailing the facts of the situation as they appeared at that time, but added that I was inclined to believe that much of the apprehension was groundless, and that, perhaps, the representations were partly the result of a desire to secure a military post in the valley.

Fearing lest the distribution of arms among the citizens might seriously interfere with my efforts for the peaceable removal of the Flatheads, I requested Governor Potts to accompany me to the Bitter Root Valley, in order that he might use his discretion and authority in reference to arming the citizens.

Leaving Virginia City on the evening of the 17th, we reached Helena the next evening; and on the morning of August 19, accompanied by Superintendent Viall, started for the Bitter Root Valley, by the way of Deer Lodge, where we were joined by Mr. Claggett, the Territorial delegate to Congress, and reached Missoula, at the mouth of the Bitter Root River, on the evening of the 30th.

From the conversation of citizens who visited me at Missoula it soon became apparent that the chief anxiety of the settlers of the valley was to secure the establishment of a military post, and that the market which would thus be afforded for their home products was really a matter of greater consideration than protection against hostile Indians.

On the morning of the 31st we proceeded to the Flatheads' encampment, near Fort Owen, and about thirty-five miles south from Missoula. Arrangements were made for an interview with the chiefs of the tribe, and on the following day a conference of several hours was held in their camp, conducted on their part by Charlot, first chief; Arlee, second chief; and Adolf, third chief, together with a large number of the principal men of the tribe.

(110) I reminded them of the provisions of the treaty of 1855, and particularly of the ninth article, which left it in the power of the President to determine whether the Bitter Root Valley should be set apart as a special reservation for the Flatheads, or whether they should remove to the Jocko reservation. (sic)

I also carefully explained the President's order of November 14, 1871, in which it is declared that all Indians residing in the Bitter Root Valley should remove as soon as practicable to the Jocko reservation.

I also carefully explained the provisions of the act of Congress, approved June 5, 1872, relating to their removal, and explained that the President and Congress believed that these arrangements would serve the best interests of the tribe, and would give them a permanent home, where they would not be disturbed by the constant increase of white settlers among them. Responses were made by the three chiefs, and by several head-men of the tribe, and all of the same tenor. The substance of their views may be thus briefly stated:

It seemed to be their understanding that they had never given up the Bitter Root Valley, and they were very strongly opposed to leaving it. They insisted, and in this I believe they are partly borne out by the facts, that when the treaty of 1855 was nearly completed, Victor, the Flathead chief, refused to sign it unless he and his people could be permitted to remain in the Bitter Root Valley.

It will be remembered that by that treaty a very large territory was ceded

to the United States - a tract extending from near the forty-second parallel to the British line, and with an average breadth of nearly two degrees of longitude; that this territory had long been held in undisputed possession of the Flathead nation, and that, on yielding it, Victor insisted upon holding the Bitter Root, above the Lo-Lo Fork, as a special reservation for the Flatheads proper.

The chiefs admitted that, under the provisions of the eleventh article, it was left in the power of the President to determine whether the Bitter Root Valley, above the Lo-Lo Fork, should be reserved as the permanent home of the Flatheads. But they insisted that by that article the President was required to have the Bitter Root Valley carefully surveyed and examined, and, if it should be better adapted to the wants of the Flatheads, then it should be made a permanent reservation.

They insisted that such a survey and examination should have been made immediately after the ratification of the treaty, but that it had never been done at all. That for seventeen years no steps had been taken in regard to it, and they considered the silence of the Government on this subject an admission that the valley was to be their permanent home.

They further called attention to the fact that they had learned something of civilization, and had done a good deal in the way of cultivating the land and making the valley a more desirable home. They complained that the schoolmasters, blacksmiths, carpenters, and farmers promised them in the treaty of 1855 had never been sent into the Bitter Root Valley; and all the speakers concluded by the declaration that they claimed the Bitter Root Valley as their home and were wholly unwilling to leave it. They, however, affirmed their steady friendship for the whites and disclaimed any hostile intentions; declaring themselves willing to suffer, peaceably, whatever the Government should put upon them, but that they would not go to the reservation.

It is clear to my mind that the long delay of the Government in determining whether the Bitter Root Valley should be their reservation or not has been detrimental to the prosperity of the Flatheads. I should add that they complain of the fact that the white settlers have crowded into the valley without their consent, and now largely outnumber them. This is in part due to the friendly disposition of Victor, the late chief of the tribe, who permitted many whitesmen to settle in the valley, and in several instances invited them there. But within the past five years the settlements have been largely increased, without the invitation or consent of the tribe.

Referring to the Commissioner's letter of instructions, bearing date of July 10, I found that it was understood at the Department that though the Flatheads had formerly been decidedly opposed to removing from the Bitter Root Valley, yet, recently, they had expressed their willingness to leave it, and it was supposed their removal could be accomplished without opposition.

In view of this fact, I did not feel authorized to intimate to them that the Government would force them away, though I was careful not to say it would not. I closed the interview by requesting a direct answer to the question, whether they had decided to disobey the order of the President and the act of Congress, and requested them to take time for consultation and give me their answer next morning. I also requested the chiefs to accompany me to the Jocko reservation, that we might together discuss its fitness as their place of settlement.

During the evening they held a consultation among themselves, and with the superior of Saint Mary's mission, situated near their quarters.

On the following morning they requested another interview, in which they wished me to assure the President of their good-will, and said they were ready to go with me and visit the Jocko reservation, on condition that their going should not imply any

(111) promise to leave the Bitter Root Valley. In this connection, I call attention to the fact that, when the notice required by the third section of the act of June 5, 1872, was served upon the tribe, requiring them to take the option of their removal to the reservation or to take up land in the

Bitter Root Valley, a large number of the heads of families and young men notified the superintendent that they had chosen to take up lands in the valley under the third section. But it was evident that they did this in the hope that they might all remain in the valley, and keep their tribe together, as heretofore, believing that each could take up one hundred and sixty acres.

It was manifest that a large number, who thus signified their intention, did not come under the provisions of the law, being neither heads of families nor having cultivated land as required by that section.

Leaving Fort Owen on the 23d of August, we reached the Flathead agency on the Jocko reservation the next day. Soon after we reached the agency, the chiefs and a few of the head-men arrived, according to promise. We remained there two days, examining the agency buildings and mill and the crops and fields in the Jocko valley.

Another long conference was held with the chiefs, and the whole subject was again carefully gone over. At this interview the chiefs raised further objection that the \$50,000 provided for by the act of June 5, 1872, was an insufficient compensation for their loss of the Bitter Root Valley and the improvements they had already made.

They said that if a portion of their people should take up farms in the valley it would divide the tribe and leave them but a small remnant: that they ought to remain together; and that the sum provided by Congress would not be sufficient to establish them in their new home.

It became evident in the course of this interview that the chiefs had at last become divided in opinion among themselves on the matter of the removal. They all appeared to entertain a deep-seated distrust of the promises of the Government, fearing that they should lose the Bitter Root Valley and fail to receive even the compensation promised by the Government.

To bring the subject to a final conclusion, I drew up the contract, bearing date of August 27, which has already been forwarded, and had it carefully translated to them, paragraph by paragraph, and I fully explained all its provisions.

According to the terms of the contract, their removal is not to be intrusted to any third party, but they are to undertake the work themselves so soon as the preparations promised in the contract are completed by the Government.

I thought it best to build them comfortable cabins; inclose and break up small parcels of land; furnish them with a sufficient amount of grain for the first year, in order to make it possible for them to begin life on the reservation, and thus give them palpable evidences of the good faith of the Government before they were required to leave their old home.

The provisions of the contract were determined after full consultation with the superintendent and the territorial Delegate, and finally the chiefs were requested to answer by signing or refusing to sign it. Arlee and Adolf, the second and third chiefs, signed the contract, and said they would do all they could to enforce it; but Charlot refused to sign, and said if the President commanded it he would leave the Bitter Root Valley, but at present would not promise to go to the reservation. The other chiefs expressed the opinion that if the houses were built, and preparations made according to the contract, Charlot would finally consent to the arrangement and go with the tribe.

I told the chiefs that, according to the contract just made, they were free to make their choice of any lands on the reservation not already occupied, and requested them to consider the matter carefully before making their selections. They replied that they knew all about the reservation, and that they preferred the neighborhood of the Jocko River, where they could be near the mill and the agency buildings.

A considerable portion of Monday, the 26th, was spent by them in riding over the valley and selecting sites for their cabins and crops.

Believing that the most effective way of securing their removal was to

carry out at once our part of the contract, I directed the superintendent of Indian affairs of the Territory to make immediate preparations for erecting twenty cabins on the sites selected by the chiefs, in accordance with a detailed plan and specifications already examined and approved.

We returned to Missoula in the evening, and, by my direction, the superintendent distributed to the chiefs about two hundred dollars' worth of blankets and other useful articles. The left us apparently satisfied with the arrangements.

It was evident that Charlot had pledged some of his people not to make any final decision of the question until he should again consult them, and should see some tangible evidence that the Government intended to perform their promises in good faith. But I was satisfied, as were the gentlemen accompanying me, that Charlot would ultimately come into the agreement, and aid in carrying out its terms. The contract was signed in duplicate; one was delivered to the chiefs, and the other forwarded to (112) the Commissioner. I also addressed a copy to Superintendent Viall, accompanied by a letter giving detailed instructions in regard to carrying out its provisions.

The plan adopted for the cabins of the tribe required an outlay in money of but \$20 to each building, it being arranged that the lumber and other materials, except nails and glass, could be obtained on the reservation.

In this connection I deem it my duty to call the attention of the Commissioner to the condition of the Flathead agency, which was established on the reservation about twelve years ago, and for the support of which the Government has annually appropriated a large sum of money.

The treaty of 1855 provided that a portion of these appropriations should be used to furnish a blacksmith's shop, a carpenter's shop, a wagon and plow maker's shop, and to keep the same repaired and furnished with tools; that there should be employed two millers, two farmers, one blacksmith, one tinner, one gunsmith, one carpenter, one wagon and plow maker; that a saw-mill and flouring-mill should be built, and that the said buildings and shops should be maintained and kept in repair, and the employes kept in service, for the period of twenty years.

For the large sums of money annually appropriated to the agency since its establishment there is but little to show. Three-fourths of an acre in garden, one acre in potatoes, less than five acres in oats, and about eighteen acres in wheat; only about twenty-five acres in crops are the total results of agriculture at the agency. One energetic farmer could alone have accomplished much more in the same length of time.

The saw-mill and flouring-mill were burned in 1869, and were not restored until a few months since. The saw-mill had just gone in operation when I arrived there, and the flouring-mill was not quite completed.

Neither the blacksmith-shop nor the carpenter-shop has a sufficient set of tools, and some of the employes provided for by the treaty, and appropriated for by Congress, were mere boys, whose chief functions seemed to be to sign the pay-roll and draw their pay.

In the fields under cultivation very good crops were growing, and the soil seems capable of the most bountiful yield. The superintendent found that the teams belonging to the agency were insufficient to do the work required by the contract with the chiefs; nor was the agency farm producing a sufficient amount of provisions to feed the hands that the superintendent employed.

It would be unjust to say that the agent, Mr. Jones, is wholly responsible for this state of things. From what I could learn, it appeared that once or twice during the last ten years the agency has been robbed of most of its lumber, tools, and other property by former agents.

It is a disgrace to the Government that in so beautiful and fertile a valley there should not long ago have been several hundred acres of crops, and such evidences of thrift and industry as to have attracted the Flatheads, rather than repelled them.

In order to erect the buildings, and carry out the other provisions of the contract with the chiefs, the superintendent found it necessary to purchase two teams of oxen, and to replace a considerable part of the official force, at the agency, by active, efficient men.

I call the attention of the Commissioner to the third section of act of June 5, 1872. The Indians were in doubt as to what amount of land each person who remained in the Bitter Root Valley, under the provisions of that section, were entitled to take up. I recommend that in the plot of survey now being made of the lands in the Bitter Root Valley there be noted all the improvements that have been made, in order that the Department may establish rules for determining the amount of land that such Indians may receive. I made this suggestion to the surveyor-general of the Territory, and it has probably been done by this time.

A few of the Flatheads have made considerable progress in agriculture, and are cultivators of the soil and owners of stock. A small number of them will, doubtless, desire to abandon their tribal relations, and settle in the Bitter Root Valley; but they ought at once to know what their rights are, and how they may be secured in enjoying them.

Before closing this report I call the attention of the Commissioner to the necessity of prompt action in carrying out the provisions of the contract made with the tribe. The mercenary spirit among some of the white settlers of the Bitter Root Valley, which came so near embroiling the Government in hostilities, is again at work endeavoring to dissuade the Flatheads from removing to the reservation.

Before I left Missoula a letter was shown me, which had just been received by a citizen of the valley from Mr. William Welsh, late a member of the peace commission. As it was subsequently published in the Missoula Pioneer, of September 7, I copy it here for the information of the Commissioner:

"PHILADELPHIA, August 13, 1872.

"DEAR SIR: Your letter is just at hand. I mailed a copy of my late report. Mr. V. Collyer spoke often to me of the injuries to the Indians, in forcing them to leave the

(113) Bitter Root Valley. If the Indians cannot get their rights any other way, they are justified in combining for defense against coercion.

"If any religious body has charge of your reservation, summon them to your help. The Sioux and Poncas are as much as I can contend successfully for.

"Yours truly,

"WM. WELSH.

"Major JOHN OWEN."

I hope it is not true, as suggested in this letter, that members of the peace commission not only oppose the removal of the Indians from the Bitter Root Valley, as ordered by the President and by the act of Congress, but also go so far as to advise the Indians to resist by force the execution of the laws. I have no reason to suppose that the present commission are in any way responsible for these opinions of their late associate. In view of the fact that this letter was received by a citizen living in the near neighborhood of the Flatheads, and who opposes their removal, I am not surprised to learn, since my return, that its contents have had some effect in making the Indians again dissatisfied and unwilling to go to their reservation.

I do not know on what ground Mr. Welsh bases his remarkable advice to these Indians. But were the subject left to my discretion, and were the question still open and undetermined, I should unhesitatingly say that the highest good of the Flatheads required their removal from the Bitter Root Valley.

I am confident the President and Congress have acted wisely in deciding to send them to the reservation. But I think that a larger sum should be paid to the tribe than that provided for in the act of Congress of June 5, 1872. The lands to be sold under the provisions of that act will produce a sum largely in excess of \$50,000, and it will require several years and a considerable sum of money to make good the improvements they will leave in the valley.

While I was at Missoula I visited the camp of the Nez Perces, near that place, and had a conference with the chiefs of their party, Looking-Glass, and Eagle-against-the-Light. About one hundred lodges of Nez Perces and Spokanes had been in camp there for a fortnight, and their presence had been made a pretext for exciting the alarm of the inhabitants. I saw no evidence that they had taken any part in the affairs of the Flatheads, except that, being on their way to their annual buffalo hunt, on the headwaters of the Missouri they had invited the Flatheads to join them.

Looking-Glass and his brother chief said that the party under their command were not in treaty relations with the Government, though Lawyer, their head chief, and the rest of the tribe were parties to a treaty, and were receiving annuities. I had no means of knowing the truth of these statements, but submit them to the Commissioner for what they are worth.

Since my return I have received a letter from Father Palladini (sic), of the Saint Ignatius mission, expressing his regret that the neighborhood of the Flathead agency was selected as the place for locating the tribe, and giving his reasons at length why that point should not have been selected. From my conferences with the Father I understood that they favored the removal of the Flatheads, but it now appears that Father Palladini (sic) opposes it. I submit herewith a copy of his letter, together with a copy of my response.

Before leaving the agency I approved of expenditures of Superintendent Viall, in connection with the arrangement for the removal of the Flatheads, for the sums and objects following:

Two yoke of oxen-----	\$260.00
Tools-----	36.50
Provisions for workmen-----	244.75
Presents to the Flathead chiefs-----	180.30
Services of an interpreter-----	24.00
	<hr/>
Total-----	745.45

I cannot close this report without expressing the earnest hope that the Department will cause all the details of the contract made with the Flatheads to be carried out promptly and fully. Few tribes of Indians are so intelligent and well disposed. It is their just boast that none of their tribe has ever killed a white man. Nearly forty years ago, of their own motion, they sent a messenger to Saint Louis to invite missionaries to come among them and teach them the Christian religion.

Much has already been done to prepare them for civilization. Nowhere can the humane policy of the Government be tested under more favorable conditions than among them.

Immediate steps should be taken to place an agent on the Flathead reservation who will heartily co-operate in carrying out all the measures of the Government in reference to this tribe.

(114) Early in August last the superintendent was informed that a new agent had been appointed, but three weeks ago he had not reported for duty.

In conclusion, I desire to express my thanks to Major Swaim, of the Army, and Governor Potts and Messrs. Claggett and Sanders of Montana, for the valuable assistance rendered me in these transactions.

Very respectfully, your obedient servant,

J. A. GARFIELD,

Special Commissioner for the Removal of the Flatheads.

Hon. FRANCIS A. WALKER,

Commissioner of Indian Affairs, Washington, D.C.

FLATHEAD AGENCY, JOCKO RESERVATION,
August 27, 1873.

Articles of agreement made this 27th day of August, 1873, between James A. Garfield, special commissioner, authorized by the Secretary of the Interior to carry into execution the provisions of the act approved June 5, 1872, for the removal of the Flathead and other Indians from the Bitter Root Valley, of the first part, and Charlot, first chief, Arlee, second chief, and Adolf, third chief, of the Flatheads, of the second part, witnesseth:

Whereas it was provided in the eleventh article of the treaty concluded at Hell Gate July 16, 1855, and approved by the Senate March 8, 1859, between the United States and the Flatheads, Kootenay and Pend d'Oreille Indians, that the President shall cause the Bitter Root Valley above the Lo-Lo Fork to be surveyed and examined, and if in his judgment, it should be found better adapted to the wants of the Flathead tribe, as a reservation for said tribe, it should be so set apart and reserved; and whereas the President did, on the 14th day of November, 1871, issue his order setting forth that "the Bitter Root Valley had been carefully surveyed and examined in accordance with said treaty," and did declare that "it is therefore ordered that all Indians residing in said Bitter Root Valley be removed as soon as practicable to the Jocko reservation, and that a just compensation be made for improvements made by them in the Bitter Root Valley; and whereas the act of Congress above recited, approved June 5, 1872, makes provision for such compensation: Therefore,

It is hereby agreed and covenanted by the parties to this instrument:

First. That the party of the first part shall cause to be erected sixty good and substantial houses, twelve feet by sixteen each, if so large a number shall be needed for the accomodation of the tribe; three of said houses, for the first, second, and third chiefs of said tribe, to be double the size mentioned above; said houses to be placed in such portion of the Jocko reservation, not already occupied by other Indians, as said chiefs may select.

Second. That the superintendent of Indian affairs for Montana Territory shall cause to be delivered to said Indians 600 bushels of wheat, the same to be ground into flour without cost to said Indians, and delivered to them in good condition during the first year after their removal, together with such potatoes and other vegetables as can be spared from the agency farm.

Third. That said superintendent shall, as soon as practicable, cause suitable portions of land to be inclosed and broken up for said Indians, and shall furnish them with a sufficient number of agricultural implements for the cultivation of their grounds.

Fourth. That in carrying out the foregoing agreement as much as possible shall be done at the agency by the employes of the Government; and none of such labor or materials, or provisions furnished from the agency, shall be charged as money.

Fifth. The whole of the \$5,000 in money, now in the hands of the said superintendent, appropriated for the removal of said Indians, shall be paid to them in such form as their chiefs shall determine, except such portion as is necessarily expended in carrying out the preceding provisions of this agreement.

Sixth. That there shall be paid to said tribe of Flathead Indians the further sum of \$50,000, as provided in the second section of the act above recited, to be paid in ten annual installments, in such manner and material as the President may direct; and no part of the payments herein promised shall in any way affect or modify the full right of said Indians to the payments and annuities now and hereafter due them under existing treaties.

Seventh. It is understood and agreed that this contract shall in no way interfere with the rights of any member of the Flathead tribe to take land in the Bitter Root Valley under the third section of the act above cited.

Eighth. The party of the second part hereby agree and promise that when the houses have been built as provided in the first clause of this agreement, they

will remove the Flathead tribe to said homes, (except such as shall take land in the Bitter Root Valley,) in accordance with the third section of the act above cited, and will there-

(115) after occupy the Jocko reservation as their permanent home. But nothing in this agreement shall deprive said Indians of their full right to hunt and fish in any Indian country where they are now entitled to hunt and fish under existing treaties. Nor removing to the Jocko reservation, from selling all their improvements in the Bitter Root Valley.

JAMES A. GARFIELD,
Special Commissioner for the Removal of the Flatheads
from the Bitter Root Valley.

CHARLOT, his X mark,
First Chief of the Flatheads.

ARLEE, his X mark,
Second Chief of the Flatheads.

ADOLF, his X mark,
Third Chief of the Flatheads.

Witness to contract and signatures:

- WM. H. CLAGETT,
- D.G. SWAIM, Judge Advocate, United States Army.
- W.F. SANDERS.
- J.A. VIALL.
- B.F. POTTS, Governor.

I certify that I interpreted fully and carefully the foregoing contract to the three chiefs of the Flatheads named above.

BAPTISTE ROBWANEN, his X mark,
Interpreter.

Witness to signature:

- B.F. POTTS, Governor.

FLATHEAD AGENCY, JOCKO RESERVATION,
August 27, 1872.

DEAR SIR: In carrying out the terms of the contract made with the chiefs of the Flatheads for removing that tribe to this reservation, I have concluded, after full consultation with you, to proceed with the work in the same manner as though Charlot, the first chief, had signed the contract. I do this in the belief that when he sees the work actually going forward he will conclude to come here with the other chiefs and thus keep the tribe unbroken. I therefore authorize you to commence immediately the building of twenty houses on the ground adjoining the agency mill and upper wheat-field. And the additional houses called for in the contract shall be erected as rapidly as the work can be done well and as the necessities of the tribe shall require.

The plan of the houses, for which estimates were made and examined last evening, is approved, namely, a frame 13 feet by 16 feet, boarded and tightly battened, a battened floor, and roughly ceiled on the upper joists, which shall be 8 feet above the ground-floor. The roof shall be of good pine shingles. The main room shall be lined on the inside with boards at least three-quarters of an inch in thickness, and the space between the outside and inside linings shall be filled with earth. At one end of the house shall be an adobe chimney, and on the opposite end a matched and jointed door, a sliding-sash window of twelve panes of 8 by 10 glass, and in the gable attic a window of six panes.

The houses for the three chiefs shall be of the same description as above, with a similar house added to one side as a wing, thus making two separate communicating rooms.

You are familiar with the terms of the contract made with the chiefs. I desire that you shall cause it to be carried out scrupulously in all respects. Please report frequently on the progress you are making in preparing for the removal of the tribe.

Very respectfully, your obedient servant, J.A. GARFIELD.

To, J.A. VIALL.

J. A. GARFIELD,
Special Commissioner.

J. A. VIALI, Esq.
Superintendent Indian Affairs, Montana.

SAINT IGNATIUS MISSION,

Missoula County, Montana, September 3, 1872.

HONORABLE SIR: On my return to Saint Ignatius Mission I was apprised of the conclusion arrived to by your honor, to locate the Flatheads on the grounds close by

(116) where the Flathead agency buildings stand. As I do think the place selected to be very objectionable under several respects, I beg leave to open my mind on the subject and submit to your kind consideration the reasons that make me think so.

1. The first and principal thing to be had in view in selecting a place for the Flatheads' settlement, it seems to me, ought to be this, viz, that it should contain sufficient farming-land to accomodate all, or at least the greater portion of them. The reason of this is evident. The spot selected, however, both in my judgment as well as of all those that are acquainted with it, is very deficient in this respect; it is the poorest location, in the view of a Flathead settlement, that could be found within the limits of the Jocko reservation. That triangular flat included as follows, viz: East and south by the mountains towering in the rear of the Flathead agency; south and west (to the point where Finley Creek empties into the Jocko) by Finley Creek; and east and west by the Jocko, (to the point it receives Finley Creek,) is mostly rocky and gravelous, and altogether unfit for any agricultural purposes. I am satisfied to say - and I know the ground, every inch - that in that whole flat not a couple of hundred acres of middling farming-land can be taken up. Besides, what there is of good land is in small, narrow strips, spots, and patches, far apart one from the other. Hence the necessity of fencing in large tracts of bad land, in order to inclose two or three acres of good soil. The few acres of good farming-land along and on both sides of Finley Creek have been taken up long since by half-breeds, and two or three white men married to Indian women. It is surprising to me that these facts should have been entirely overlooked in selecting that spot for the location of the Flatheads. Such being the case, the consequences can be easily foreseen. Either the Flatheads will not move to that new place, or they will soon abandon it, or if they should remain there the Government will have to feed and support them, since they could never become self-sustaining on it. The first remark I heard from the Indians on this subject, on my return from Helena, was simply this: "The Great Chief has no heart for the Indians, since he intends to make them settle down on rocks."

2. Another objection to the place selected comes from the very probable fact of the Northern Pacific Railroad passing through the Jocko Valley, and precisely close to where the Flathead settlement is intended to be. I have it from several gentlemen connected with the Northern Pacific Railroad Company. It is true, it is not quite certain as yet, but every indication, so far, points to that. Hence, in contemplation of such an event, I should think it neither prudent nor wise to have the Flatheads locate anywhere on that valley, since on that supposition, within two or three years from now, they would have to move again from their new home; and that such would be the result, in the case of the railroad passing along the Jocko, no man can seriously doubt.

3. Besides the two objections above, there is a third one, deserving even more particular consideration. All the Flatheads are practical Catholics. There in the Bitter Root Valley they have a Catholic mission and church to themselves; two of our missionaries live among them to instruct them in their religious duties and minister to them in all their spiritual wants. If those Indians be moved to the contemplated locality they will be too far from this mission of Saint Ignatius regulalry to attend church here, and be instructed in their religious duties, there being a distance of eighteen miles between the two

places, and at the same time they would be too near to have a church and mission to themselves. Besides, we would have no means to start a new mission for them in their new home. Consequently, those poor Flatheads will be made also necessarily to suffer in what is most dear to them, in what they value more than anything else in this world, viz, their religion and the practice of it. When the whole Flathead tribe will be notified of this fact, I doubt not that their unwillingness and repugnance to move thither will be intensely increased.

These principally are the reasons that make me think very objectionable the place selected for the location of the Flathead settlement. It is in the view of these very reasons that I anticipate a failure of the whole plan and scheme, if it be adhered to. As to ourselves, though we are not opposed in the least to the removal of the Flatheads to the Jocko reservation, if the removal be fairly and properly accomplished, we could not approve it, however, under those circumstances, fully persuaded, as we are, that to move from their old homes to the new ones, as contemplated, instead of being a lesser evil to be accepted by the Flatheads with resignation, in order to avoid a greater one, will be to them the greatest evil of all, as it will bring on sooner, instead of averting it, their dispersion and ruin.

And here I shall conclude by simply remarking that it is a matter of surprise to us that, while the Government is said to be favorable to the Indians, and while far better locations, or at least much less objectionable under all and any of these respects, could be easily found within the limits of this reservation to give a permanent home to the Flatheads, that very one should be selected which, inasmuch as the welfare and real interest of those Indians is concerned, is the most objectionable of all. I say, inasmuch as the welfare and real advantage of those Indians is concerned, to convey the idea that, in my estimation, this ought to be the principal object to be had in view in

(117) this matter, and that any other considerations compared to that cannot be but of minor importance.

I hear that arrangements have been already made to have sixty houses built in that locality as homes for the Flatheads. I am afraid the expense will be in vain and to no purpose, as far as the locating therein (of) the Flatheads is concerned; very few, if any, of the Flatheads will be benefited by that, though jobbers and other interested parties may, and very likely will.

Hoping, dear sir, that you will give these my observations the consideration your kindness may deem them to deserve, I beg to remain, respectfully, yours,

F. L. PALLADINI, S. J.

In charge of Saint Ignatius Mission.

Hon. JAMES A. GARFIELD, M. C.

Washington, D. C., November 12, 1872.

REVEREND SIR: Your letter of September 3 did not reach Washington until after I had left the city. It was subsequently forwarded to my home in Ohio, and reached me about three weeks ago, but my engagements have been such that I have not been able to answer it until now.

I very deeply regret that you were not with me at the time of my visit to the Flathead agency with the Indian chiefs. I urged Father Dastie to accompany us, but he was unable to do so.

I have carefully considered the three objections you urge to the selection of the grounds in the neighborhood of the Flathead agency for the erection of houses for the tribe.

In regard to the first, I will say that I noticed that some of the lands, near the agency, were gravelly and poor, but the lands lying in the direction of the mill and up the Jocko River appeared to be very fertile and easily irrigated, by bringing water from the Jocko River. A large crop of wheat

growing above the mill was evidence to me of the fertility of that portion of the valley.

Let me say, however, that in the contract which I made with the Flatheads chiefs, it was left to them to select any place on the reservation not already occupied by other Indians; and I suggested to the chiefs that they might examine other portions of the reservation before they made their selection. They said to me that they were well acquainted with the whole reservation and preferred the selection which they made, so as to be near the mill.

The remark which you quote from the Indian, indicating that I had no heart for their interests, from the fact that I had made them settle down on the rocks, is every way unjust to me. I was, and am, sincerely desirous that the Government shall do ample justice to the Flatheads.

Your second objection, that the Northern Pacific Railroad is likely to pass through the Jocko Valley, is one that was fully considered while I was there. From all the evidence I can get, I think it quite as likely that the railroad will pass up the Lo-Lo Fork of the Bitter Root as at any other place. But should it pass through the Jocko Valley I do not think it will go very near to the lands selected by the two chiefs. Still, whatever may happen on that subject, the Government will be bound to protect the Flatheads from any harm that may thus be done them.

The third objection, that it will be more difficult for your mission to furnish them religious and other instruction, is certainly a serious one; but it seems to me that you would find it best to take care of the Flatheads separately, wherever they are. Certainly you would do so if they remained in the Bitter Root Valley; and it would be more expensive to maintain an establishment at Fort Owen than at the Jocko.

The reason for supposing you would find it best to assist them separately was drawn from the manifest unwillingness of the chiefs to be established in the close neighborhood of the other two tribes.

One of Charlot's strongest objections to the removal from the Bitter Root Valley was, that he did not wish his people mixed up with the Pend d'Oreilles and Kootenays.

Before the two chiefs selected their lands, I asked them the direct question, whether they would not prefer to be nearer the mission, but they said very decidedly that they preferred to be nearer the mill and the agency.

I had hoped that the Government might have the hearty co-operation of your mission in the work of establishing the Flatheads in a permanent home, and I still hope you may find it in the line of your duty to give what aid you can in this direction.

I will lay your letter, with a copy of my answer, before the Secretary of the Interior for his information.

Very respectfully, your obedient servant,
J.A. GARFIELD.

Rev. Father F.L. PALLADINI, S.J.

In charge of Saint Ignatius Mission, Missoula, County, Montana.

(118)

NOTE.

The following are the latest advices from Superintendent Viall, relative to the construction of the buildings intended for the use of the Indians on the Jocko reservation:

"I now have the honor to report that of the twenty buildings to be constructed, eleven are very nearly completed, including the three houses for the chiefs, and that a sufficient quantity of lumber has been manufactured, and is now on the ground, to complete the remaining nine.

"With the assistance and co-operation of the agent in charge, I have no reason to apprehend any opposition on the part of the Indians, or from any chief or member of the tribe, to a removal so well calculated to promote their future welfare and prosperity as the one in contemplation."

Report of the Commissioner of Indian Affairs, 1873, pp. 274-276; Report of J.A. VIALL, Superintendent Indian Affairs for Montana to Hon. F.A. WALKER, Commissioner of Indian Affairs, Washington, D.C., dated Helena, Montana Territory, September 25, 1873, states in regard to the Garfield Commission:

(375) Since my last annual report I have purchased a grist-mill and saw-mill for the Flathead agency. They were delivered at the agency on November 19, 1871, but owing to the severe winter, very little was done toward building until about the middle of May the present year. They are now completed, and being used for sawing lumber and grinding wheat for the Indians. I am sorry to state that the Flathead and confederate tribes have received very poor encouragement in farming up to this time. There are not more than ten good farmers in the entire confederate tribes. It is gratifying, however, to be able to state that since the visit of the Hon. J.A. Garfield, commissioner for the removal of the Flatheads proper from the Bitter Root Valley to the Jocko reservation, (where the agency has always been established,) these Indians have applied to have houses built and farms fenced preparatory to commencing farming in the spring.

(376) It is with pleasure I am able to state that General Garfield's mission was eminently successful, and that two of the three head chiefs entered into a contract with him to move to the Jocko, which place they visited with General Garfield and located their houses and farms, and agreed to bring their relatives with them, numbering twenty families. There can be no doubt but they will all move by spring.

General Garfield authorized the building of twenty houses for these Indians, and farms fenced for them. This is all being done with employes labor of the agency, under treaty of 1855. The buildings will be completed by the middle of November next, and during the coming winter lumber will be sawed for building all the houses necessary for these Indians.

I am satisfied that the Flatheads and confederate tribes can be made self-sustaining the coming season. All they require is to be protected in their rights, and to understand that no one else has a right to claim any interest or portion of what they raise but themselves. This agency, with the labor provided for it, ought to raise not less than one thousand acres of wheat per year, against twenty-five acres of every variety of grain raised on the agency farm this year.

Report of the Commissioner of Indian Affairs, 1873, p. 281, Report of C.S. JONES, United States Indian Agent, Flathead Indian Agency, September 1, 1873, to J.A. VIALL, Esq., Superintendent of Indian Affairs, Helena, Montana.

On the 24th of the past month this agency was honored with a visit from the Hon. James A. Garfield, special commissioner for the removal of the Flatheads to this reservation, accompanied by Superintendent Viall and a delegation of Flatheads themselves, who for some reason or other preferred to negotiate with the commissioner at this point. Brought into the negotiations at the particular request of the Indians themselves, and by the courtesy of General Garfield, I exerted all my influence to convince them of the necessity of their removal from the Bitter Root Valley to this reservation as alike conducive to their own best interests in every way and as in consonance with the earnest wishes of their Great Father, the President of the United States. The result of the occasion will of course be communicated to you by General Garfield, rendering any further reference on my part unnecessary.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Bulletin, 1926, No. 3

United States Indians

HISTORICAL REFERENCE



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