

THE INDIANS AND THE RAILROADS

The following are the railroads which pass through Indian reservations, and by which the interests of the Indian are, or may be, affected.

The Northern Pacific Railroad

By act of July 2, 1864, entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Lake Superior to Pudget Sound, on the Pacific coast, by the northern route," this corporation was authorized to construct a railroad between the points named, and it was provided in the second section of this act that "The United States shall extinguish, as rapidly as may be consistent with public policy and welfare of said Indians, the Indian titles to all lands falling under the operation of this act, and acquired in the donation to the (road) named in this bill." The first tract of country through which the line of this road passes to which the Indians have claim is that lying between the Red River of the North on the east and the James River on the west. The claim of the Sisseton and Wahpeton bands of Sioux Indians to this territory is recognized by the treaty of 1867. By act of June 7, 1872, it was made the duty of the Secretary of the Interior to examine and report to Congress what title or interest the said bands of Sioux Indians have to this territory, and what compensation should be paid them therefor. The proceedings of the commission appointed in pursuance of this act, and the recommendations of the Office thereon, will be found under the appropriate titles of this report.

To the lands upon the line of this road between the James River and the Missouri, no Indian tribe is known to have title. This whole tract is, however, "Indian country" within the meaning of the intercourse act of 1834, and the same is true of the lands upon this road from the western bank of the Missouri to the eastern border of the Territory of Idaho except as the road (as its line is at present understood at this Office) is to pass through the Jocko reservation in Western Montana, established by the provisions of the treaty of July 16, 1855, for the Flatheads and other Indians. Between the same two points the line of road also passed through the reservation of the Arickarees, Mandans, and Gros Ventres, which, however, has only the authority of an Executive order (April 12, 1870). Further on, the line of the road passes north of and near to the reservation established for the Mountain Crow Indians, by the treaty of May 7, 1868. West of Idaho to the Pacific coast the line of the road does not intersect any Indian reservation.

So far as operations in construction of this road have been carried on, no serious difficulty has yet been encountered with any of the Indians. The Sisseton and Wahpeton bands, by the treaty of 1867, ceded to the United States the right to construct railroads through their country, and these Indians have manifested no opposition to the construction of the Northern Pacific Railroad. West of the Missouri River objections have been made by various Sioux Indians, members of the Ogallala, Brule, and other bands, and by the Northern Cheyennes and Arapahoes, and surveying and working parties have been loudly threatened by three Indians. The proceedings of the commission, of which the Assistant Secretary of the Interior, Hon. B.R. Cowen, was chairman, and which visited this section of the country during the past summer for the especial purpose of removing the objections of the Indians to the progress of the road will be found elsewhere. The most unfortunate feature of the situation is the premature withdrawal of the surveying party and its military escort from the head-waters of the Yellowstone River, in October last, in the face of threatening demonstrations from some small but noisy bands of Sioux from the Grand River and Lower agencies. The agent for