Calendar No. 1343

68TH CONGRESS, 2d Session | SENATE | REPORT No. 1269

AUTHORIZING THE CROW TRIBE OF INDIANS OF MONTANA TO SUBMIT CLAIMS TO THE COURT OF CLAIMS

FEBRUARY 26 (calendar day, MARCH 3), 1925.—Ordered to be printed

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

REPORT

[To accompany H. R. 12129]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 12129) authorizing the Crow Tribe of Indians of Montana to submit claims to the Court of Claims, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are fully set forth in House Report No. 1465, Sixty-eighth Congress, second session, which is appended hereto and made a part of this report.

[House Report No. 1465, Sixty-eighth Congress, second session]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 12129) authorizing the Crow Tribe of Indians of Montana to submit claims to the Court of Claims, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Page 2, line 9, after the word "payment" insert the words "including gratuities."

Page 2, line 11, strike out the word "my" and insert the word "may."

Page 2, line 23, strike out "in accordance with existing law" and insert in lieu thereof "by the Secretary of the Interior."

Page 3, line 17, after "$25,000" insert "together with all necessary and proper expenses incurred in the preparation and prosecution of the suit."

It is the unanimous opinion of your committee that these Indians should have their day in court, and with the above amendments it is recommended that the bill be adopted, as the Government is fully protected, and it will be a final adjudication of all claims of this tribe of Indians.

The report of the Department of the Interior on this bill is attached hereto and made a part of this report.

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DEPARTMENT OF THE INTERIOR,
Washington, February 6, 1925.

Hon. HOMER P. SNYDER,
Chairman Committee on Indian Affairs,
House of Representatives.

MY DEAR MR. SNYDER: This refers to your letter of February 4, 1925, inclosing for a report thereon a copy of H. R. 12129, to authorize the Crow Tribe of Indians of Montana to submit claims to the Court of Claims. This department would offer no objection to the enactment of the bill should your committee desire to report it favorably.

The alleged claims of these Indians, as ascertained from a recent field investigation, appear to be on account of benefits which the branch of the tribe known as the River Crows have been given on the Crow Reservation, Mont., created by the treaty of May 7, 1868 (15 Stat. L. 649). The other branch of the Crow Tribe, known as the Mountain Crows, contends that the River Crows were not parties to the said treaty and were therefore not entitled to rights under its provisions.

The records do not show whether the Indians who signed the treaty were all from the Mountain Crow branch of the tribe or whether some of them belonged to the River Crow branch, and there is nothing in the treaty to indicate that it was not intended to benefit the tribe as a whole.

The Indians of the reservation further claim that the $30,000 annual appropriations made under the act of April 11, 1882 (22 Stat. L. 42), ratifying the agreement of June 12, 1880, were not expended as intended by the stipulations of the agreement. The said act authorized a $30,000 annual appropriation for 25 years, to be expended under the direction of the President for the benefit of the Indians, assisting them in the erection of homes, procurement of seeds, farming implements, stock, or in cash, as the President may direct. Similar language was used in each of the annual appropriation acts for the remaining payments, and the records of the department show that the money was expended largely for subsistence, agricultural implements, buildings, livestock, clothing, and support, and that beginning with the ninth installment certain sums were also expended for services of employees which were required directly for the benefit of the Indians rather than for administrative purposes.

There seems to be a disposition on the part of some of the Indians also to assert a claim that the moneys appropriated under the agreement of December 8, 1890 (ratified by the act of March 3, 1891, 26 Stat. L. 1039), were not used for the purposes intended by the agreement. The agreement provides substantially for sundry funds to be expended for irrigation construction, agency equipment of various kinds, schools, Indian homes, annuities, cattle, and support. The department records show that the funds appropriated were used principally in the construction and maintenance of irrigation ditches, per capita payments, and the purchase of cattle, all directly for the benefit of the Indians.

Very truly yours,

HUBERT WORK.

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