

CHOCTAW AND CHICKASAW INDIANS.

LETTER

FROM THE

SECRETARY OF THE INTERIOR,

TRANSMITTING

A draught of a bill for the relief of the Choctaw and Chickasaw Indians.

JANUARY 23, 1874.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 16, 1874.

SIR: I have the honor to present, herewith, for the consideration and action of Congress, a draught of a bill authorizing and directing the Secretary of the Interior to execute the provisions of the treaty of April 28, 1866, with the Choctaw and Chickasaw Indians, touching the survey and allotment of the lands of the said Indians, upon the request of the legislative council of either of said nations, so far as the Indians making the request are concerned; and, at the option of said Secretary, providing for establishing in the Chickasaw country the land-office for which provision is made by said treaty.

A copy of a communication, dated the 14th instant, from the Commissioner of Indian Affairs, is herewith transmitted, representing the necessity which exists for the requisite legislation to enable this Department to comply with the wishes of the Chickasaws independently of the action of the Choctaw Nation,

Very respectfully, your obedient servant,

C. DELANO, *Secretary.*

The SPEAKER *House of Representatives.*

AN ACT for the relief of the Chickasaw Indians.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to execute the provisions of the treaty concluded with the Choctaw and Chickasaw Indians, April twenty-eighth, one thousand eight hundred and sixty-six, regarding the survey and allotment of the lands of said Indians upon the request of the legislative council of either of said Choctaw or Chickasaw Indians, so far as the Indians making the request are concerned; and for this purpose the land-office, for the establishment of which in the Choctaw country provision is made by said treaty, may, at the option of the Secretary of the Interior, be established in the Chickasaw country.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
January 14, 1874.

SIR: I have the honor to invite the attention of the Department to the following, with a view to legislation thereon by Congress, viz:

It is recited in the 11th article of the treaty concluded with the Choctaw and Chickasaw Indians, April 28, 1866, (Stats. at L., vol. 14, p. 769,) that—

Whereas the land occupied by the Choctaw and Chickasaw Nations, and described in the treaty between the United States and said nations of June twenty-second, eighteen hundred and fifty-five, is now held by said nations in common, under the provisions of said treaty; and whereas it is believed that the holding of said land in severalty will promote the general civilization of said nations and tend to advance their permanent welfare and the best interests of their individual members, and it is therefore agreed that should the Choctaw and Chickasaw people, through their respective legislative councils, agree to the survey and dividing their land on the system of the United States, the land * * * shall be surveyed and laid off in ranges, townships, sections, and parts of sections; and that, for the purpose of facilitating such surveys, and for the settlement and distribution of said land, as hereinafter provided, there shall be established at Boggy Depot, in the Choctaw Territory, a land-office, &c.

The lands of the Chickasaws have been surveyed at their request, and their legislative council has, through their executive authorities requested this Department to allot their lands; and the Chickasaw people, in public assemblages, have passed resolutions petitioning the Government to the same effect. The Department, however, decided, under date of the 15th March last, that in accordance with the terms of the treaty the request could not be granted in the absence of the consent of the Choctaws.

The Choctaw council refuse to join the Chickasaw council in making the request for allotments, thereby retarding the progress of the Chickasaws in agricultural pursuits, and defeating, in regard to these Indians, the policy of this Department, which is to induce the members of the various tribes to hold lands for their own exclusive use, to the end that they may be protected in the proceeds of their own labor, and thereby encouraged to cultivate the soil for their support.

A large number of freed people, also, among the Chickasaws are anxious to avail themselves of the rights accorded to them by this treaty, by selecting lands and holding them in severalty. The Chickasaws are prevented from this justice to their freed people by the action of the Choctaws.

In view of the foregoing, I have respectfully to recommend that Congress be requested to afford the necessary legislation to enable this Department to comply with the request of the Chickasaws independent of the action of the Choctaws.

A draught of a bill calculated, in the opinion of this Office, to accomplish the end in view, is respectfully submitted herewith.

Very respectfully,

E. P. SMITH,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.