

CHEROKEE INDIAN LANDS.

JOINT RESOLUTION
OF
THE LEGISLATURE OF KANSAS,

PRAYING

For such legislation as may enable persons entitled thereto to purchase certain lands under the seventeenth article of the treaty of July 19, 1866, between the United States and the Cherokee Indians.

FEBRUARY 22, 1875.—Referred to the Committee on the Judiciary and ordered to be printed.

Whereas by the seventeenth article of the treaty between the United States and the Cherokee Indians, proclaimed the seventeenth day of August, eighteen hundred and sixty-six, provides, among other things, that where said lands ceded by said treaty were actually occupied by *bona-fide* settlers at the date of the treaty, that such settlers should be permitted to purchase the lands they had settled upon and improved at the appraised value thereof, said appraisement to be made by two commissioners, one to be appointed by said Indians and the other by the Secretary of the Interior; and

Whereas, after said treaty, the rest of said land was sold to James F. Joy; and

Whereas the commissioners appointed to make said appraisement did not appear upon said land to appraise the same for about two years after the date of said treaty, during which time a large number of persons, who were residing on said lands at the date of said treaty, sold and transferred their claims to other parties, who were on the same at the time said commissioners made their appraisement, which transfers the commissioners refuse to recognize, and refuse to make any appraisement of said claims, some two hundred in number, as near as ascertained, and which said claims were afterward patented by the Secretary of the Interior to the said James F. Joy; and

Whereas Justice Miller and Judge Dillon, of the eighth circuit, in the case of Joy *vs.* Langdon, have decided said claims were transferable, and the patents issued therefor by the Secretary to said Joy are null and void; and

Whereas there is no way for the settlers upon said lands to purchase them under said treaty until they were appraised, and the commission adjourned without appraising them: Therefore,

Be it resolved by the house of representatives of the State of Kansas, (the senate concurring,) That our members of Congress be requested to introduce, and, if possible, secure the passage of a law directing the Secretary of the Interior to appoint another commissioner under said treaty to appraise said lands, so the settlers thereon may be permitted to purchase the same at the appraised value thereof.

Resolved, That the secretary of state be requested to forward copies of these resolutions to the President of the United States Senate and Speaker of the House of Representatives, and to our Senators and Representatives in Congress.

Passed the house of representatives of Kansas February 1, 1875.

HENRY BOOTH,
Chief Clerk.

Concurred in by the senate February 2, 1875.

JOHN H. FOLKS,
Secretary of Senate.

I, Tom H. Cavanaugh, secretary of state of the State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original instrument of writing on file in my office.

In testimony whereof I have hereunto subscribed my name and affixed the great seal of State. Done at Topeka this 6th day of February, A. D. 1875.

[SEAL.]

TOM H. CAVANAUGH,
Secretary of State.