

SETTLERS UPON CHEROKEE NEUTRAL LANDS.

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MEMORIAL

OF THE

LEGISLATURE OF THE STATE OF KANSAS,

REQUESTING

*Congress to pass such laws as may be necessary to fully protect the rights of bona fide settlers upon the Cherokee neutral lands in Kansas, under the homestead and preëmption laws, and the right of the State to the 16th and 36th sections for the support of common schools.*

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FEBRUARY 21, 1871.—Referred to the Committee on the Public Lands and ordered to be printed.

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Whereas by a treaty between the United States and the Cherokee tribe of Indians, ratified August 11, 1866, that tract of land known as the Cherokee neutral lands, comprising the greater part of Cherokee, the whole of Crawford and a part of Bourbon counties, in the State of Kansas, containing 800,000 acres, was ceded to the United States, and 640,000 acres of it sold by treaty sale to one James F. Joy, of Detroit, Michigan; and whereas it is believed that the aforesaid sale is illegal, inasmuch as the sale was not authorized by act of Congress; and whereas there are now settled upon said tract not less than 25,000 inhabitants, as shown by the census returns, a large number of whom settled upon the land subsequent to the date of the ratification of the treaty, and are therefore excluded from the benefit of its provisions, but have, nevertheless, selected their homes in good faith, believing that their right to purchase the same at the minimum price of the public domain would be ultimately recognized by the Government; and whereas a large majority of them were soldiers in the late war, and served the country faithfully during the rebellion, and the humble houses they occupy, with the improvements they have made thereon, comprising their little all of worldly possessions and constituting their only resource for the support of themselves, their wives, and children: Therefore,

*Be it resolved by the house of representatives of the State of Kansas, the senate concurring therein,* That we respectfully but earnestly request the Congress of the United States to pass such laws as may be necessary in the premises to fully secure the rights of the *bona fide* settlers upon the said Cherokee neutral lands under the homestead and pre-emption laws, and the right of the State to the 16th and 36th sections for the support of common schools.

2. That our Representative be requested, and our Senators instructed,

to use their entire influence to secure the passage of the necessary legislation to secure the above object.

3. That the secretary of state is hereby instructed to furnish a copy of this preamble and resolution to the President of the Senate and the Speaker of the House of Representatives of Congress, and to each of our Senators and Representative from the State of Kansas.

Adopted by the house of representatives January 19, 1871.

A. R. BANKS,

*Chief Clerk, House of Representatives.*

Concurred in by the senate January 20, 1871.

GEO. C. CROWTHER,

*Secretary.*

I, W. H. Smallwood, secretary State of Kansas, do hereby certify that the foregoing is a true and correct copy of the original resolution now on file in my office.

In testimony whereof I have hereunto subscribed my name, and caused to be affixed the great seal of the State, at Topeka, this 20th day of January, A. D. 1871.

[SEAL.]

W. H. SMALLWOOD,

*Secretary of State.*