

JURISDICTION OVER INDIANS IN CERTAIN STATES.

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

PRESENTING

*Draught of a bill in relation to the jurisdiction over Indians in certain States named, &c.*

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FEBRUARY 1, 1876.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, January 27, 1876.*

SIR: I have the honor to transmit herewith a draught of a bill for the transfer of the Indians in the States of New York, North Carolina, Michigan, Wisconsin, Minnesota, and Iowa from the control of the United States Government to the control of the several States named within which said Indians are located.

In my opinion the Indians referred to have made such progress in the acquirement of education and industrial skill as to enable them to support themselves, and to render it wise and proper to separate them from the guardianship and control of the Federal Government, that they may be made subject to the restraints and be endowed with the rights and privileges granted by State laws and regulations.

This subject was referred to in my annual report, and also in the last annual report of the Commissioner of Indian Affairs, and, regarding it a progressive movement in the direction of a final settlement of the relations of the Indians to the Government, I respectfully commend the measure to the favorable consideration of Congress.

I have the honor to be, very respectfully, your obedient servant,  
Z. CHANDLER,  
*Secretary.*

The SPEAKER *House of Representatives.*

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Whereas the following-named tribes and bands of Indians, to wit: the Six Nations, including the Oneidas, the Onondagas, the Tuscaroras, the Tonawandas, and the Senecas, of the State of New York; the Eastern Band of Cherokees, in the State of North Carolina; the Chippewas, the Ottawas, and the Pottawatomes, of the State of Michigan; the Chippewas, the Menomonees, the Oneidas, and the Stockbridges, of the

State of Wisconsin ; the Sacs and Foxes, of the State of Iowa ; and the Chippewas, of the State of Minnesota, have attained to such a degree of civilization as to become self-supporting, and in all other respects fitted to mingle with the citizens of the States, to be subject to the same municipal control, and enjoy the same rights and privileges ; and whereas it is not the policy of the United States Government to maintain its present system of guardianship over the Indians resident within its jurisdiction after they have become fitted to enjoy the privileges and exercise the duties of citizenship : Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That by and with the consent of the States of New York, North Carolina, Michigan, Wisconsin, Iowa, and Minnesota, or either of them, first had and obtained, respectively, through the legislative assemblies of the said States, and upon the terms and conditions hereinafter specified, the control and guardianship of the several tribes and bands of Indians mentioned in the preamble to this act shall be transferred to the said States respectively, within which they are located, to be by them exercised according to the laws of said States.

SEC. 2. That all stocks, bonds, or other evidences of indebtedness, held in trust by the Government of the United States, or any officer thereof, for the benefit of any tribe or band of Indians named in the preamble to this act, the principal of which is the property of said Indians, and all balances of appropriations which may remain unexpended in the Treasury of the United States to the credit of said Indians, shall be transferred to the said State so accepting the guardianship and control of said Indians as aforesaid, respectively.

SEC. 3. That where the treaty liabilities of the United States Government to any of the said Indians are not in the form of stocks or bonds, but are provided for by annual appropriations, Congress shall make annual appropriations equal in amount to the said treaty liabilities of the Government to said Indians, which appropriations shall be paid to the several States, respectively, to which such Indians have been transferred, during the period for which said liabilities shall continue, which appropriations shall be expended for the sole use and benefit of said Indians, as the States in their legislative capacities shall decide.

SEC. 4. That the title of the United States to all reservations of land held for and occupied by the Indians mentioned in the preamble to this act, or any of them, shall vest in the State so assuming control of said Indians : *Provided,* That said lands shall not be disposed of excepting for the benefit of the tribe or band of Indians holding the possessory or other title to or occupying such lands as a home or reservation at the time of the transfer.

SEC. 5. That on the acceptance by the States mentioned in the first section of this act, or any of them, of the guardianship and control of the Indians as aforesaid, and the transfer of the bonds and balances of appropriations mentioned in the second section of this act, the guardianship and control by the United States Government over said Indians named in the preamble to this act shall cease and determine, and all records, accounts, and documents in the Indian Bureau, or certified copies of the same, which may be necessary to enable said States to carry out the terms of the trust herein imposed, shall be transferred to the several States, respectively.