

CONSOLIDATION OF MIAMI INDIANS WITH OTHER TRIBES.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

UPON THE SUBJECT OF

*The consolidation of the Miami Indians of Kansas with the confederated bands of Peoria, Piankeshaw, Kaskaskia, and Wea Indians, in Indian Territory.*

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

DEPARTMENT OF THE INTERIOR,  
*Washington, January 26, 1876.*

SIR: On the 17th of February, 1875, this Department had the honor to transmit, for the consideration of Congress, a copy of a report from the Commissioner of Indian Affairs upon the subject of the consolidation of the Miami Indians, of Kansas, with the confederated bands of Wea, Peoria, Kaskaskia, and Piankeshaw Indians, in the Indian Territory, with a statement of the funds belonging to the two bodies of Indians, and a draught for a bill to carry into effect the provisions of the act of March 3, 1873, entitled "An act to abolish the tribal relations of the Miami Indians, and for other purposes."

I now have the honor to present a further communication from the Indian Office, setting forth the present condition of these Indians, what action has been taken under the provisions of the act of March 3, 1873, before referred to, and the necessity which exists for legislation to complete the contract entered into by the tribes named, and fulfill the stipulations on the part of the Miami Indians.

Very respectfully, your obedient servant,

Z. CHANDLER,  
*Secretary.*

The SPEAKER *House of Representatives.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., January 24, 1876.*

SIR: I have the honor to invite your attention to the matter of the consolidation of the Miami Indians, of Kansas, with the confederated Peorias, Weas, Kaskaskias, and Piankeshaws, under act of Congress,

approved March 3, 1873, entitled "An act to abolish the tribal relations of the Miami Indians, and for other purposes," the 6th section of which (17 Stat., 633) provides that the Secretary of the Interior is authorized and directed to examine a contract made by and between the Western Miami Indians, of Kansas, and the confederated Peoria, Wea, Kaskaskia, and Piankeshaw Indians, on the 15th day of January, 1872, and to approve the same with such modifications as justice and equity may require, &c.

The contract in question provides that the Miamies may unite with and form a part of the confederated tribes, and have and own an equal and proportionate interest in their lands secured and described in the treaty made February 23, 1867, by paying or causing to be paid to said confederated tribes a sum equal to the price paid per acre for said lands, and ten per centum on the same from the ratification of said treaty, (October 14, 1868;) and further, that the Miamies so uniting and consolidating with them may, after uniting and settling on said lands, receive and draw like payments and annuities as the said Peoria, &c., Indians; provided they shall first place, or cause to be placed, to the credit of the united tribes a sum of money sufficient to warrant them in so drawing without prejudice to the interests of the said confederated tribes, &c.

The contract referred to was forwarded to the Department on February 21, 1874, for approval, with recommendation that the same be modified so far as related to the date of commencement of the ten per centum interest on the sum to be paid to the confederated tribes for lands purchased by the Miamies, viz, that the interest to be paid should be calculated from March 3, 1873, the date of the ratification of the said contract by act of Congress, instead of October 14, 1868, as provided therein.

To this recommendation the confederated tribes objected, and, in support of the same, a protest, dated March 2, 1874, was filed in this Office. This objection was mainly upon the ground that the price per acre, with interest to be paid by the Miamies, as per agreement of January 15, 1872, "would barely re-imburse the confederated tribes for all the outlay of money it cost them to secure the land, under the treaty of 1867; the expense of numerous 'talks' with the Senecas and Quapaws; the traveling-expenses of full delegations to and from the Indian Territory, while they yet resided in Kansas; and the expenses of delegations to Washington to procure the confirmation of their treaty by the Senate, where it hung in the balance for fifteen or sixteen months, all of which expense was borne by the confederated tribes, aside from the original price paid for the lands."

Subsequently, a modification of the original contract was entered into between the confederated tribes and the Miamies, dated September 23, 1874, providing for the payment of interest on the purchase-money for lands sold to the Miamies for one-half of the time intervening between October 14, 1868, and March 3, 1873, instead of for the whole time, as required by the contract of January 15, 1872.

This being deemed a just and equitable settlement of the differences arising out of the question of the payment of interest on the sum required to purchase lands, this Office recommended, under date of November 14, 1874, the approval of the contract of January 15, 1872, as modified by the agreement of September 23, 1874; and the said contract, so modified, was approved by the Department on the 19th of the same month.

By the contract of January 15, 1872, the tribes were required to furnish a census of their number; and, by the official list, presented by Superintendent Hoag, under date of January 19, 1874, the confederated tribes number one hundred and twelve persons. The number of Miamies was one hundred and nineteen.

Under the modified agreement of September 23, 1874, the Confederated Kaskaskias, &c., agreed to furnish a corrected census. In compliance therewith, a corrected list was furnished, placing their number at one hundred and forty persons.

Subsequently it was ascertained that certain Peorias were erroneously enrolled as Miamies, and not entitled to be considered as such, they already being enrolled with and representing a part of the one hundred and forty persons comprising the confederated tribes. Consequently, an additional modification was adopted by the confederated tribes and Miamies, dated February 6 and 10, 1875, requesting that the names of said persons, numbering thirteen, be stricken from the list of the Miamies, thus reducing the number of said Miamies to one hundred and six.

The names of said thirteen persons having been compared with the Kaskaskia, &c., corrected list, and found to be enrolled thereon, this Office, under date of February 11, 1875, recommended that, "as the said thirteen persons form a part of, and are counted in with, the one hundred and forty Kaskaskias, &c., and as a further modification of the contract of January 15, 1872, between said Indians, their names be stricken from the Miami Indian list;" and on the 15th of the same month the Department approved of said recommendation.

The act of March 3, 1873, failing to provide by appropriation the necessary funds to carry out its provisions, this Office transmitted to the Department, on the 16th of February last, an estimate of appropriation required to pay the Confederated Kaskaskias, &c., for lands sold to Miami Indians; the amount necessary to pay the thirty-four Miamies who had become citizens of the United States under the provisions of the third section of the act referred to, their proportion of the assets of the tribe, and the amount to be paid, *per capita*, to the seventy-two Miamies uniting with the Confederated Kaskaskias, &c., under the sixth section of said act, with recommendation that the same be transmitted to Congress for the early and favorable action of that body; but the desired legislation has not as yet been had.

The seventy-two Miamies referred to have been for several years residing on the lands purchased from the Confederated Kaskaskias, &c., under the contract of January 15, 1872; and the latter Indians are somewhat indignant at the long delay in receiving their pay for said lands. They are constantly pressing their claim for said money, which they greatly need for the improvement of their own lands; and serious complications seem likely to arise from any further extended delay of congressional action.

The thirty-four Miamies who have become citizens of the United States have complied with all the requirements of the third section of the act named, are much in need of their proportion of the tribal assets, and are justly entitled to the same.

I therefore transmit herewith an estimate of appropriation required to pay the said thirty-four persons their share of the tribal assets of the Miami Indians, and to pay the Confederated Kaskaskias, &c., for lands sold to the seventy-two Miamies who have united with them; and respectfully recommend that the same be laid before Congress for the favorable action of that body.

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For the information of the Department, I append hereto a statement of funds belonging to the Miamies of Kansas, viz :

Four of twenty installments of \$7,500 each, under the third article of the treaty of June 5, 1854, for annuity yet to be appropriated.....	\$30,000 00
Cash value of permanent provision for miller, and for smith, assistant, &c., per treaties of October 6, 1818; October 23, 1834; and June 5, 1854; capitalized.....	30,800 00
Amount set apart by the 3d article of treaty of June 5, 1854, for educational purposes.....	50,000 00
Total assets under treaties.....	110,800 00

Of this sum thirty-four one hundred and sixths (\$35,539.62) belong to the citizen parties of the Miamies, and the balance (\$75,260.38) to the Indian party. The amount necessary to pay for lands sold to the Indian Miamies is as follows, viz :

Principal.....	\$15,385 20
Interest thereon, at 10 per cent., for one-half of the time between October 14, 1868, and March 3, 1873, 2 years and 70 days, per modified agreement	3,372 10
Interest on same, at 10 per cent., from March 3, 1873, to July 1, 1876, 3 years and 120 days.....	5,121 37
Total to pay for lands.....	23,878 67

The consolidation of the Miami funds, as contemplated by the fifth section of the act of March 3, 1873, cannot now be consummated, for the reason that the lands mentioned therein as yet remain unsold; therefore, the requirements of the sixth section of said act, which provides for the setting apart from said consolidated fund, and capitalizing with the funds of the Confederated Kaskaskias, &c., a sum sufficient to warrant and justify all the Miamies entitled, and electing, to unite with the said Confederated Kaskaskias, &c., in drawing thereafter like annuities with the said Confederated Kaskaskias, &c., without prejudice to the rights and interests of said last-named Indians, cannot, until said lands are sold, be carried into effect, the said Miamies not having at this time sufficient funds to place them on an equality with the Confederated Kaskaskias, &c., to warrant their drawing like annuities with the last-named Indians.

The annuities due, or to become due, can hereafter be paid to the Confederated Kaskaskias, &c., and to the Miamies separately, as heretofore, until such time as the Miami lands shall have been sold, and the proceeds thereof added to their consolidated fund, at which time the union of the two funds can be effected in accordance with the provisions of the said sixth section of the act referred to.

Very respectfully, your obedient servant,

J. Q. SMITH,  
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.

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Estimate of appropriation required to pay Miami Indians of Kansas who have become citizens of the United States, and to pay the confederated Kaskaskias, &c., for lands sold to the Indian party of said Miamies.

For this amount, to be paid to the thirty-four persons, formerly members of the Miami tribe of Indians of Kansas, who have become citizens of the United States under the provisions of the third section of the act approved March 3, 1873, entitled "An act to abolish the tribal relations of the Miami Indians, and for other purposes," being their share of the tribal assets, thirty-five thousand five hundred and thirty-nine dollars and sixty-two cents..... \$35,539 62

And for this amount, to be paid to the confederated Kaskaskias, &c., for lands sold to the Indian party of said Miamies, under contract of January 15, 1872, per sixth section of the act above named, twenty-three thousand eight hundred and seventy-eight dollars and sixty-seven cents..... 23,878 67

Making a total of fifty-nine thousand four hundred and eighteen dollars and twenty-nine cents, which sum is to be taken from the tribal assets of said Miami Indians..... 59,418 29

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