

FUNDS OF THE OTTAWA AND CHIPPEWA INDIANS.

M E S S A G E

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of the Interior relative to certain bonds held by the Treasurer of the United States in the name of the Ottawa and Chippewa Indians.

JANUARY 26, 1882.—Referred to the Committee on Appropriations and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith a communication from the Secretary of the Interior, with draft of an amendment, to be inserted in the annual Indian appropriation bill now pending, providing for the disposal of certain bonds and funds held by the Treasurer of the United States, as custodian, in the name of the Ottawa and Chippewa Indians, together with accompanying papers noted in said communication.

The matter is presented for the consideration of Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
January 26, 1882.

DEPARTMENT OF THE INTERIOR,
Washington, January 19, 1882.

SIR: I have the honor to transmit herewith for your consideration a draft of an amendment, prepared in the office of the Commissioner of Indian Affairs, to be inserted in the annual Indian appropriation bill, providing for the disposal of certain bonds now held by the Treasurer of the United States, as custodian, in the name of the Ottawa and Chippewa Indians, and for the covering into the Treasury of the proceeds thereof, as well as certain other funds standing in the name of said Indians as noted in said amendment.

Agreeably to the recommendation of the Commissioner, I respectfully request that the proposed amendment and accompanying papers may be transmitted to Congress for its consideration.

I have the honor to be, sir, very respectfully, your obedient servant,

S. J. KIRKWOOD,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 13, 1882.

SIR: I have the honor to advise you that there is now to the credit of the Ottawas and Chippewas of Michigan, on the books of this office, the following bonds and funds, namely:

<i>Bonds.</i>	
State of Tennessee 5's.....	\$1,000 00
Virginia (Chesapeake and Ohio Canal Company) 6's	3,000 00
	4,000 00
<i>Uninvested funds.</i>	
Proceeds of United States registered (loan of 1864) 6's	\$2,000 00
Premium on sale of coin.....	211 25
Proceeds of United States registered (loan of 1881) 5's.....	14,745 00
	16,956 25
<i>Interest.</i>	
Interest on Ottawa and Chippewa fund.....	\$36,570 09

The bonds and funds above mentioned are no longer the property of the Indians named, but belong to the United States, as will be hereinafter shown.

By the fourth article of the treaty with said Indians of March 28, 1836 (7 Stats., 491), it is provided, in consideration of the cession of certain lands, per first article of said treaty, that the United States shall pay an annuity of thirty thousand dollars (\$30,000) per annum, in specie, for twenty (20) years, twenty-nine thousand dollars (\$29,000) of which is to be paid annually to the Indians, and one thousand dollars (\$1,000) "to be invested in stock by the Treasury Department, and to remain incapable of being sold without the consent of the President and Senate, which may, however, be given after the expiration of twenty-one years."

The fifth article of said treaty provides that three hundred thousand dollars (\$300,000) shall be set apart for the payment of just debts against the said Indians, and the sixth article provides that one hundred and fifty thousand dollars (\$150,000) shall be set apart as a fund for half-breeds.

By a supplemental article (pp. 496, 497) it is provided that any "excess of the funds set apart in the fifth and sixth articles shall, in lieu of being paid to the Indians, be retained and vested by the government in stock, under the conditions mentioned in the fourth article of this treaty."

In compliance with said treaty, certain investments in stock were from time to time made by the government.

In 1851 or 1852 a portion of the stocks belonging to said Indians, arising as above mentioned, were sold to pay certain claims against the Indians, as provided for in the fifth and sixth articles of their treaty, yet leaving a balance of stock to their credit.

By the third article of the treaty of July 31, 1855, with said Indians (11 Stats., 624) it is stipulated that "the Ottawa and Chippewa Indians hereby release and discharge the United States from all liability on account of former treaty stipulations, it being understood and agreed that the grants and payments herein before provided for are in lieu and satisfaction of all claims, legal and equitable, on the part of said Indians, jointly and severally, against the United States for lands, money, or other things guaranteed to said tribes, or either of them, by the stipulations of any former treaty or treaties."

The question as to the ownership of the bonds and funds in question was the subject of reports to the department November 24 and December 17, 1875, and January 24, 1876.

In response to the December report, the Secretary decided that the stocks and funds are the property of the United States, and directed that a draft of a bill providing for a transfer of said funds, &c., to the Treasury be prepared and transmitted, with proper recommendations, to be forwarded to Congress.

The draft was prepared and forwarded by report of January 24, 1876, and the same was transmitted to Congress for consideration, but no action was taken thereon by that body.

In order that this matter may be disposed of, I transmit herewith a draft of a proposed section to the Indian appropriation act, authorizing the disposal of the bonds hereinbefore referred to, and for the proper disposition of the proceeds of the same, as well as the uninvested funds and accumulated interest, and respectfully recommend that it be forwarded to Congress for the early and favorable action of that body.

Very respectfully,

H. PRICE,
Commissioner.

HON. SECRETARY OF THE INTERIOR.

Proposed section to the act making appropriations for the support of the Indian service for the fiscal year ending June 30, 1853.

That the Treasurer of the United States be, and he is hereby, authorized and required to dispose of the bonds now held by him as custodian, in the name of the Ottawa and Chippewa Indians, amounting to the sum of four thousand dollars, and to cause the proceeds thereof to be covered into the Treasury as funds released to the United States by the third article of the treaty of July 31, 1855, with the Ottawa and Chippewa Indians. And the Secretary of the Treasury is hereby authorized and required to cause to be covered into the Treasury, in like manner, the uninvested funds and the accrued interest on said funds and bonds now to the credit of said Indians on the books of the Treasury, amounting to the sum of fifty-three thousand five hundred and twenty-six dollars and thirty-four cents (together with such other amount of interest on said funds and bonds as may accrue up to the date of carrying into effect the provisions of this act): *Provided*, That if in the opinion of the Treasurer of the United States it be found impracticable to dispose of the bonds hereinbefore referred to without loss to the government, he is hereby authorized and directed to hold the same as the property of the United States until such time as the same may be disposed of without serious loss.

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