

MANUFACTURE OF SALT IN THE INDIAN TERRITORY.

JULY 1, 1882.—Referred to the House Calendar and ordered to be printed.

Mr. BUCK, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 6687.]

The Committee on Indian Affairs have had under consideration the subject-matter of the bill (H. R. 5919) for the manufacture of salt in the Indian Territory (said bill having been referred to said committee), and report the accompanying bill as a substitute for the same.

There are numerous salt deposits situated in the Indian Territory, and found mostly west of the ninety-sixth degree of longitude. Owing to their location these deposits of salt have never been available to the Cherokee Nation as a source of revenue. They are situated on the unassigned portion of the lands belonging to that nation. The bill relates to three of these deposits, and authorizes the Cherokee Nation to lease them, with the approval of the Secretary of the Interior, the proceeds to be devoted to educational purposes and to be an addition to the educational fund of said nation.

The bill provides that a royalty of not less than \$1 per ton for the salt taken from these deposits shall be paid to said nation, and also provides for the leasing of so much land connected with said deposits as may be necessary for the proper working of them.

The committee are of opinion that the substitute bill fully protects the interest which the Cherokee Nation may acquire under the authority given to it by the bill, and recommend its passage.

The following correspondence indicates the views of the honorable Secretary of the Interior in regard to the propriety of the passage of the bill:

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

SIR: Referring to your communication of the 10th instant, addressed to the Commissioner of Indian Affairs, requesting his opinion upon H. R. 5919, "for the manufacture of salt in the Indian Territory," I have the honor to transmit herewith his report of the 17th instant, from which it will be seen that the Indian Office has no objection to the passage of the bill.

Very respectfully,

H. M. TELLER,
Secretary.

Hon. JOHN R. BUCK,
of Subcommittee of Committee on Indian Affairs, House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 17, 1882.

SIR: I am in receipt of a communication, dated the 10th instant, from Hon. J. R. Buck, of the subcommittee of the House Committee on Indian Affairs, inclosing a printed copy of H. R. 5919, Forty-seventh Congress, first session, being a bill "for the manufacture of salt in the Indian Territory." This bill provides that the legislative council of the Cherokee Nation may execute a lease of the salines, or salt deposits, on the plains, not exceeding three in number, located on the lands of the Cherokee Nation lying west of 96° of longitude, in the Indian Territory, for a period of not exceeding twenty years, with the right of highway for ingress and egress, and lands therewith, not exceeding for all such locations five townships, to be reserved for such purposes and to facilitate the manufacture of salt, the conditions of the lease to insure the payment to the Cherokee national authorities of a royalty of not less than \$1 per ton, such lease being subject to such conditions and to the jurisdiction of the Cherokee national legislature, and subject to the approval of the Secretary of the Interior. The proceeds of such royalty are to be added to the educational fund of said nation.

The last clause of the bill provides that said salines shall continue subject to any rights of the United States under sections (articles) fifteen and sixteen of the treaty with the Cherokees of July 19, 1866 (14 Stat., 803 and 804); and that said lease or leases shall be liable to revocation by the legislative council of the Cherokee Nation and the Secretary of the Interior for the non-performance of any of said conditions. A bill identical in its provisions (S. 1071) passed the Senate on the 21st of April last.

A full and complete history of the lands to which the proposed legislation applies, and the rights and interests of the Cherokee Nation in and to the same, may be found in House Ex. Doc. No. 89, Forty-seventh Congress, first session.

As the Cherokee Nation under the sixteenth article of the treaty of 1866 retains the right of possession of and jurisdiction over these lands until sold and occupied, and as under the proposed measure the interests of the United States arising under said treaty are, it is believed, sufficiently protected, and sufficient power vested in the Cherokee National Council and the Secretary of the Interior to prescribe such conditions and regulations as will insure the faithful performance of the conditions of the lease on the part of lessee, and the observance of the intercourse laws, I can see no objection to the passage of the bill; and with your concurrence have the honor to recommend that Mr. Buck be so advised.

The letter of Mr. Buck and the accompanying bill are herewith returned.

Very respectfully, your obedient servant,

E. L. STEVENS,
Acting Commissioner.

The Hon. the SECRETARY OF THE INTERIOR.

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