

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

RELATIVE TO

An item of appropriation to enable the President to continue negotiations with the Cherokee Indians.

MAY 28, 1890.—Referred to the Committee on Indian Affairs.

To the Senate and House of Representatives :

I transmit herewith a communication of 26th instant from the Secretary of the Interior and accompanying item of appropriation, to enable the President to continue the negotiations authorized by sections 14 and 15 of the Indian appropriation act approved March 2, 1889, with the Cherokee Indians, and with all other Indians owning or claiming lands west of the ninety-sixth degree of longitude in the Indian Territory, for the cession to the United States of all their title, claim, or interest of every kind or character in and to said lands, etc.

The matter is presented for the favorable action of Congress.

BENJ. HARRISON.

EXECUTIVE MANSION,
May 28, 1890.

DEPARTMENT OF THE INTERIOR,
Washington, May 26, 1890.

The PRESIDENT :

The act making appropriation, approved March 2, 1889, for the Indian service for the fiscal year ending June 30, 1889 (25 Stat., 1005), provides for negotiations for cession of lands of the Cherokees, etc., in the Indian Territory; appropriates \$25,000 for this purpose, and requires that all agreements resulting from such negotiations shall be reported to the President and by him to Congress at *its next session*, and to the council or councils of the nation or nations, tribe or tribes agreeing to the same, for ratification.

Commissioners appointed under the provisions of this act have visited the Indian Territory, held councils with the Indians, but as yet have made no agreements. You are familiar with the efforts made by the commission to agree with the Cherokees; the many changes necessarily made in the personnel of the commission, and other unavoidable causes of delay. The commission, as reorganized, is now in the field, and reports received contain some promise of success. To enable it to visit

all the tribes living west of the ninety-sixth degree of longitude additional funds will be required, and I have the honor to recommend that the sum of \$25,000 be appropriated for the purpose. I have therefore prepared an item of appropriation for insertion in the Indian appropriation bill for the ensuing fiscal year, and respectfully request that the same be transmitted to Congress with favorable recommendations.

The present act requires all agreements made by the commission to be reported to the President and by him to Congress at its next session. It suggests itself that this may be construed to mean at the next session after the agreement or agreements made, and not necessarily after the passage of the act. But to remove all doubt on this score, a new act of the kind submitted is desirable.

There are now only \$10,000 on hand in the Treasury, and some of this may have been already contracted for the commission.

I have the honor to be, very respectfully, your obedient servant,
 JOHN W. NOBLE,
Secretary

Proposed item to be inserted in the Indian appropriation bill.

SEC. —. The sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated to enable the President to continue the negotiations authorized by act of Congress, approved March second, eighteen hundred and eighty-nine, with the Cherokee Indians and with all other Indians owning or claiming lands lying west of the ninety-sixth degree of longitude in the Indian Territory for the cession to the United States of all their title, claim, or interest of every kind or character in and to said lands, and any and all agreements resulting from such negotiations shall be reported to the President and by him to Congress at its next session and to the council or councils of the nation or nations, tribe or tribes, agreeing to the same for ratification: *Provided*, That said commission is further authorized to submit to the Cherokee Nation the proposition that said nation shall cede to the United States, in the manner and with the effect aforesaid, all the rights of said nation in said lands upon the same terms as to payment as is provided in the agreement made with the Creek Indians of date January nineteenth, eighteen hundred and eighty-nine, and ratified by the act of Congress approved March first, eighteen hundred and eighty-nine; and if said Cherokee Nation shall accept, and by act of its legislative authority, duly passed, ratify the same, the said lands shall thereupon become a part of the public domain for the purpose of such disposition as is herein provided, and the President is authorized, as soon thereafter as he may deem advisable, by proclamation open said lands to settlement in the same manner and to the same effect as in this act provided concerning the lands acquired from said Creek Indians, but until said lands are opened for settlement by proclamation of the President, no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall be permitted to enter any of said lands or acquire any right therein.

SEC. —. That the President may, whenever he may deem it necessary, create not to exceed two land districts embracing the lands which he may open to settlement by proclamation as hereinbefore provided, and he is empowered to locate land-offices for the same, appointing thereto, in conformity to existing law, registers and receivers, and for the purpose of carrying out this provision five thousand dollars, or so much thereof as may be necessary, is hereby appropriated.