

MESSAGE
OF THE
PRESIDENT OF THE UNITED STATES,
COMMUNICATING

A paper relative to the desire of certain Indian tribes in the northern superintendency to sell a portion of their lands with a view to the purchase of other lands.

FEBRUARY 8, 1871.—Referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith an extract of a paper addressed to the President, the Secretary of the Interior, and the Commissioner of Indian Affairs, by the committee of Friends on Indian affairs having charge of the northern superintendency, in relation to a desire of certain Indian tribes to sell a portion of the lands owned by them with a view of locating on other lands that they may be able to purchase; together with a report of the Commissioner of Indian Affairs thereon, and a letter of the Secretary of the Interior Department approving the report of the Commissioner.

I submit the draught of a bill which has been prepared, and which it is believed will effect the object desired by the committee, and request the consideration thereof by Congress.

U. S. GRANT.

EXECUTIVE MANSION, *February 8, 1871.*

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 2, 1871.

SIR: I have the honor to submit herewith a copy of a report of the Commissioner of Indian Affairs dated the 25th instant, together with the abstract of a paper therein referred to, addressed to the President, the Secretary of the Interior, and Commissioner of Indian Affairs, from the committee of Friends on Indian affairs having charge of the northern superintendency, in relation to a desire of certain Indian tribes to sell a portion of the lands owned by them with a view of locating on other lands that they may be able to purchase.

I have considered the subject, and, concurring with the Commissioner in the views contained in his report in relation to it, I have caused a draught of a bill to be prepared, which is also herewith submitted, and which it is believed will effect the object desired by the committee.

If the bill meet your approval, I have the honor to request that you will lay the subject before Congress for the action of that body.

With great respect, your obedient servant,

C. DELANO, *Secretary.*

The PRESIDENT.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 25, 1871.

SIR: I have the honor to submit, herewith, an abstract of a paper addressed "To the President, the Secretary of the Interior, and the Commissioner of Indian Affairs, from the committee of Friends on Indian affairs having charge of the northern superintendency," under date of 1st month 11th, 1871, which abstract relates to lands held by certain Indians, and their desire to sell a portion of the same. I deem this desire of the Indians a laudable one, and I therefore submit the draught of a general bill "for the sale of Indian lands when desired by the Indians, and for the purchase of new homes by the Indians," which covers the desire expressed by the Indians referred to in said abstract, and would also, if it should become a law, enable the Executive to carry out the wishes of Indians who may make similar requests hereafter.

Your consideration of the matter contained in the abstract herewith submitted, and also of the draught of bill, is respectfully solicited, and if you should concur with me that such a law is desirable, instead of special legislation on the respective cases, I would recommend that the same be laid before Congress for favorable action by that body.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

The Sacs and Foxes have in council expressed a desire to sell their reservation of 16,000 acres, at its fair value, which is probably \$10 per acre, provided that they can buy a small portion of the land belonging to their neighbors the Iowas, and the Iowas have also in council expressed their willingness to sell a sufficiency for this purpose. This arrangement would enable the Sacs and Foxes to settle near the agency buildings, and would bring them more immediately under the care of the agent and his wife, who are laboring earnestly for their benefit. It would afford sufficiency of funds for both tribes, and would moreover render impossible the ratification of the unjust treaty made in the winter of 1869, by which their lands were to be ceded to the Government at one-fourth of their value, for the benefit of certain railroad companies. During the last session of Congress the most determined and persistent efforts were made by politicians to have that treaty ratified, and they have not yet relinquished the hopes that they will succeed in realizing an enormous profit at the expense of the Indians. * * * * * There are coal mines on the Iowa reservation which are leased to a company who have opened them, and are now working them with a good prospect of profit to themselves and to the Indians. I have transmitted to the Department a standing offer which they have made of seven dollars and fifty cents per acre for the whole of that reservation, in order that there may be no plea left for the ratification of the treaty of 1869, which allows only two dollars and fifty cents per acre for the same property.

The Otoe and Missouri tribe made a similar treaty in the winter of 1869, ceding a large portion of their lands to the Government for the benefit of a railroad company, at one dollar and twenty-five cents an acre. The treaty has not been ratified, and the Indians are not satisfied with it. The land is worth from four to eight dollars per acre, and they now wish to sell 80,000 acres at its market value, in order to build houses, to purchase farming implements and live stock, and to establish schools. They have become so fully imbued with a desire for civilization that last month they required me to retain \$1,500 for these purposes from their scanty annuity.

The Omahas have recently petitioned the President, the Secretary of the Interior, and the Commissioner of Indian Affairs to take immediate measures for the sale of 50,000 acres of their reservation, in order to assist them in the career of improvement which they have already commenced. Their petition was transmitted to Commissioner Parker the 8th of last month. It is believed that the Pawnees would be willing to sell a portion of their reservation for the same purpose. It contains 238,000 acres.

At a convocation of our Indian agents held in this office on the 20th of the eighth month, this subject was deliberately considered, when a memorial was adopted and

signed, addressed to the President of the United States, the Secretary of the Interior, and the Commissioner of Indian Affairs. It was sent to the Indian Bureau on the 22d of the same month.

My object in bringing this subject before you is to ask your assistance in securing at an early day such action by the legislative and executive branches of the Government as may be requisite to effect the object in view. Nothing short of earnest and persevering efforts on the part of the friends of the Indians can effect it. Many politicians are indifferent, and some are opposed, to the President's Indian policy.

I think the President might be induced to send a special message to Congress recommending a law authorizing him to appoint commissioners to dispose of such portions of the reservations, at their market value, as the Indians are willing to sell.

AN ACT authorizing the sale in certain cases of lands belonging to Indian tribes, and providing for the investment of the proceeds of such sale for their benefit.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever satisfactory evidence shall be presented to the President of the United States that any Indian tribe, or a majority of the members of such tribe, desire to dispose of their lands, or any portion thereof, the Secretary of the Interior is hereby authorized, under the direction of the President, to cause such lands to be surveyed, if necessary, and the same to be appraised by three competent persons; one of them shall be the agent of the tribe to whom the lands belong; and after the survey and appraisement of said lands, as herein provided, the Secretary of the Interior is authorized to sell the same in tracts not exceeding one hundred and sixty acres each, to the highest bidder for cash; the sale to be made upon sealed proposals, to be duly invited by advertisement: *Provided,* That no bid shall be accepted which may be less than the appraised value of the land; the proceeds of sale, after deducting therefrom the expenses of survey, appraisement, and sale of the lands, shall be invested for the benefit of the Indians interested, in such manner as the President may direct.

SEC. 2. *And be it further enacted,* That any Indian tribe desiring to change their location may contract to unite with any other tribe or tribes, or for the purchase of lands for a new settlement and location, upon such terms and at such prices as may be agreed upon by the parties interested, subject to the approval of the President.

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