

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication of the Secretary of the Interior, with papers, relating to the payment of the trust fund to the Delaware Indians.

JANUARY 10, 1887.—Read and referred to the Committee on Indian Affairs and ordered to be printed.

To the Senate and House of Representatives :

I transmit herewith a communication of 22d instant from the Secretary of the Interior submitting, with accompanying papers, a draft of proposed legislation prepared in the Office of Indian Affairs, providing for the per capita payment to the Delaware Indians resident in the Cherokee Nation, in Indian Territory, of the amount of their trust fund, principal and interest, held by the Government of the United States by virtue of the several treaties with the said Delaware Indians.

The matter is presented for the consideration and action of Congress.
GROVER CLEVELAND.

EXECUTIVE MANSION,
January 10, 1887.

DEPARTMENT OF THE INTERIOR,
Washington, December 22, 1886.

The PRESIDENT :

I have the honor to submit herewith copy of a communication of 14th instant from the Commissioner of Indian Affairs, inclosing copy of a petition addressed to the Congress of the United States by certain Delaware Indians resident in the Cherokee Nation, praying that the Government cause to be paid to each Delaware Indian the amount due of the principal and interest of the "trust fund" held by virtue of the several treaties with them.

The petitioners state that they are citizens of the Cherokee Nation; have a republican form of government; an elective judiciary and other officers; a school system, and all other appliances of a civilized government; that they are an agricultural and a stock-raising people, subsisting mainly as such, and are on the same equality in these respects as the Delaware Indians who elected to become citizens of the United States under the treaty of July 4, 1866, who have long since received their share of said trust fund.

The Commissioner of Indian Affairs reports that it would be a great benefit to the said people and a large saving to the United States Government if the request of the petitioners is complied with; that the whole number of these Indians, as per last pay-roll, aggregates 816 individuals, and the per capita payment was \$59; that their trust funds amount to \$874,178.54; that the annual interest thereon amounts to \$46,131.75, and that there is in addition to the above principal sum a further sum of \$12,033.89 accumulated interest on their school fund now on the books, which results from the fact that the Delaware children are educated at the Cherokee schools under the agreement with the Cherokees in 1867.

With a view to obtaining the necessary legislation by Congress for effecting the purpose sought by the Indians, the Commissioner of Indian Affairs has caused to be prepared a draft of an amendment (copy herewith) which he desires may be incorporated in some one of the appropriation bills, and he recommends that the same may be forwarded to Congress for favorable action.

Concurring in the views of the Commissioner, I respectfully recommend that the matter may be laid before Congress for the consideration and action of that body.

I have the honor to be, very respectfully, your obedient servant,
 H. L. MULBROW,
Acting Secretary.

AMENDMENT.

This amount to be paid per capita to the Delaware tribe of Indians, under the direction of the Secretary of the Interior, being the sum invested by the United States in Florida and North Carolina bonds, and held in trust for their benefit by the said Secretary (\$140,000): *Provided*, That hereafter said bonds shall be the property of the United States, and the Secretary of the Interior is hereby authorized and directed to sell the Union Pacific Railroad bonds held in trust for the Delawares, and to pay to the said Indians per capita the proceeds, together with all uninvested funds and interest moneys to their credit and on deposit in the United States Treasury.

DEPARTMENT OF THE INTERIOR,
 OFFICE OF INDIAN AFFAIRS,
 Washington, December 14, 1886.

SIR: I have the honor to inclose herewith, in duplicate, copies of a petition addressed to the Congress of the United States by the chiefs and councilors of the Delaware tribe of Indians, now citizens of the Cherokee Nation, under an agreement entered into by said tribe of Indians and the Cherokee Nation, approved by the President April 11, 1867, in which they ask that the Government cause to be paid to each Delaware Indian his or her pro rata share of the principal and interest of the trust fund held by the United States for the benefit of said tribe, by virtue of their several treaties with the United States, for the following reasons, to wit:

That we are now citizens of the Cherokee Nation and have a republican form of government, an elective judiciary and other officers, a school system, and all other appliances of a civilized government.

We are an agricultural and stock-raising people, and subsisting mainly as such. We therefore claim that we are now on the same equality in these respects as the Delaware Indians, who elected to become citizens of the United States under the treaty of July 4, 1866, and who have long since received their share of the said trust fund. We also represent that, the reasons for the policy of creating said trust fund no longer existing, the same should be paid to the Delaware people.

The facts above set forth are correct, and it is the opinion of this office that it would be a great benefit to said people and a large saving to the United States Government if the request of the petitioners is complied with.

The Delawares, according to the last pay-roll, numbered 816 individuals, and received per capita \$59.

The aggregate of the funds held in trust amounts to \$874,178.54, and yields an interest amounting to \$46,131.75 annually. This sum of \$46,131.75 is paid by the United States, and can be saved to the Government if the principal is paid.

The following is a statement of the funds held in trust, viz:

Bonds.	Amount.	Annual interest.
DELAWARE GENERAL FUND.		
State of Florida 7s, non-paying.....	\$53,000 00	\$3,710 00
State of North Carolina 6s, non-paying.....	87,000 00	5,220 00
United States issue to Union Pacific Railroad Company, Eastern Division, 6s..	49,283 90	2,957 03
Amount in United States Treasury, in lieu of investment at 5 per cent.....	673,894 64	33,694 72
DELAWARE SCHOOL FUND.		
Amount in United States Treasury, in lieu of investment.....	11,000 00	550 00
Total.....	874,178 54	46,131 75

In addition to the above principal, the Delawares will have to their credit on the 1st day of January next the sum of \$12,633.89, being accumulated interest on their school fund. This fund has accumulated for the reason that the Delaware children are educated at the Cherokee schools in accordance with the agreement entered into with the Cherokee Nation in 1867.

With a view to obtaining the necessary legislation by Congress, to effect the payment of the above trust moneys to the Delawares, I have caused to be prepared a draft of an amendment to be incorporated in one of the appropriation bills, hereafter to be acted upon by Congress, and recommend that it be forwarded to that body, with the approval of the Department, for favorable action.

Very respectfully,

J. D. C. ATKINS,
Commissioner.

The SECRETARY OF THE INTERIOR.

PETITION TO THE SENATE AND HOUSE OF REPRESENTATIVES.

To the honorable the Senate and House of Representatives of the United States:

The undersigned Delaware Indians, now merged into and residents of the Cherokee Nation, Indian Territory, by their chiefs and councilors, for ourselves and our respective families, do hereby respectfully petition and ask that the Government cause to be paid to each Delaware Indian the amount due of the principal and interest of the "trust fund" held by virtue of the several treaties with us for the following reasons, to wit:

That we are now citizens of the Cherokee Nation and have a republican form of government, an elective judiciary and other officers, a school system, and all the other appliances of a civilized Government. We are an agricultural and stock-raising people and subsisting mainly as such. We therefore claim that we are now on the same equality in these respects as the Delaware Indians who elected to become citizens of

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the United States under the treaty of July 4, 1866, and who have long since received their share of the said trust fund. We also represent that, the reasons for the policy of creating said trust fund no longer existing, the same should be paid to the Delaware people at the earliest time practicable, so as to prevent any contention, strife, or feuds hereafter, the natural result of intermarriage with the various people in said nation and among whom we now live.

In order to expedite and effect this measure we have authorized our leading men to give and grant to Charles Journeycake, a member of our late tribe and resident of the Cherokee Nation, Indian Territory, a power of attorney, giving and granting unto Charles Journeycake full authority to apply to the Government and its various Bureaus for the distribution of the said "trust funds" and to show further reasons than we have given why the same should be distributed among us per capita.

As your petitioners will ever pray, &c.

Signatures.

Names.	No. in family.	Names.	No. in family.
John Bullend.....	3	Daniel (his x mark) Anderson.....	2
Silas H. Conner.....	1	Sarah (her x mark) Neem.....	1
William Adams.....	6	Samson (his x mark) Jack.....	2
B. E. Hill.....	4	Mary (her x mark) Fish.....	3
Sarah S. (her x mark) McCannet.....	2	James Shaw.....	2
Sarah Smith.....	3	Mary J. Keys.....	4
Elizabeth (her x mark) Ketchum.....	3	Matilda Zane, guardian for Lilly Zane.....	4
Jas. H. Ketchum.....	1	Jefferson Zane.....	1
Jos. (his x mark) Hoff.....	1	Henry Zeigler.....	1
Cyrus Hoff.....	1	Nancy Long.....	1
Mary (her x mark) Hoff.....	3	John (his x mark) Marshal.....	1
Carrie Rentfee.....	2	A. W. Ketchum.....	2
John D. Marker.....	10	Charles K. Long.....	1
Alice Lynch.....	4	Joshua (his x mark) Wilson.....	3
Sophia C. Tiblerd.....	2	Wm. (his x mark) White.....	1
N. J. Tanner.....	4	Captian (his x mark) Curlyhead.....	6
Lorena Tanner.....	1	George (his x mark) Falleaf.....	2
R. C. Adams.....	1	Albert (his x mark) Curlyhead.....	4
Mrs. Sarah Fields.....	4	Mingome (his x mark) Peter.....	3
Lemuel P. Ketcham.....	2	Thomas D. (his x mark) Anderson.....	1
S. O. Smith.....	2	Edgar (his x mark) Halfmoon.....	4
Wm. C. Smith.....	1	Ferguson (his x mark) Longbone.....	2
Simon Love.....	1	John (his x mark) McCatlin.....	4
Mary Allen.....	8	John (his x mark) Longbone.....	2
John (his x mark) Paskel.....	1	Nancy (her x mark) Miller.....	1
Sarah Yelow (her x mark) Leaf.....	1	Silas Miller.....	3
Hester (her x mark) Leonard.....	3	John (his x mark) Brow.....	6
Mary (her x mark) Buffalo.....	1	John Sarcoxie.....	4
Joseph (his x mark) Brown.....	3	Stephen H. Miller.....	3
Shoto (his x mark) Brown.....	1	Widow Boston (her x mark) Bullett.....	3
Eliza.....	1	Samuel (his x mark) Williams.....	5
Eliza (her x mark) Reave.....	1	John (his x mark) Cass.....	1
Leng (his x mark) Gut Tow.....	5	Willie (his x mark) Brown.....	1
Andrew (his x mark) Miller.....	7	J. B. Parker.....	6
C. Halfmoon.....	1	John Young.....	5
Fielding Halfmoon.....	1	May (her x mark) Delaware.....	5
John Rice.....	3	Frenchman (his x mark).....	2
Harry (his x mark) Mindo.....	4	Charley (his x mark) Elkhart.....	3
Wilson (his x mark) Perry.....	4	James W. Gibson.....	1
Pah ta (his x mark) a Cow.....	1	George (his x mark) Wilson.....	2
Lelia (her x mark) Wagon.....	2	Mrs. (her x mark) Wah ho-ny.....	1
Joe (his x mark) Wagon.....	2	Lillie (her x mark) Blackbeaver.....	1
George (his x mark) Wilson.....	1	Elk (his x mark) Hart.....	2
Isaac N. Jonneycake.....	4	Big (his x mark) Beaver.....	2
Lillie S. Johnston.....	3	Juta J. (her x mark) Foulk.....	1
Arther (his x mark) Armstrong.....	3	James (his x mark) Anderson.....	1
John (his x mark) Wipot.....	3	Wanda (her x mark) Aha-gua.....	1
John Reimy.....	1	Soldier (his x mark).....	3
William (his x mark) Halfmoon.....	2	Samuel M. (his x mark) Smith.....	1
Jacob Wheeler.....	3	George Smith.....	1
Robert Wheeler.....	1	Milley Smith.....	1
John (his x mark) Hallet.....	2	Thoa. (his x mark) Secundince.....	8
Mary (her x mark) Anson.....	2	James (his x mark) Leekson.....	1
Snsie S. Norwood.....	1	Thomas (his x mark) Ketchum.....	1
John (his x mark) Swanuck.....	5	Jos. (his x mark) Secundince.....	1
Frank (his x mark) Frenchmen.....	3	Watson Ketchum.....	1
Billie (his x mark) Wilson.....	2	William (his x mark) Marshall.....	3
Eugene (his x mark) White.....	5	John (his x mark) Captain.....	3
Oliver (his x mark) Andrews.....	1	Thompson (his x mark) Smith.....	2
Solomon Armstrong.....	1	Emma C. Worrel.....	1
John V. Kinney.....	2	Thomas (his x mark) Nucomb.....	1
Albert (his x mark) Who-non-qua.....	3	Widow (her x mark) Jacob Hill.....	2
William (his x mark) Thomas.....	2	Louisa (her x mark) Delaware.....	1

Signatures—Continued.

Names.	No. in family.	Names.	No. in family.
Pea-toh (his x mark) Pea-she	2	William W. Nicholas	1
We-she (his x mark) Cah-cum-she	2	Thomas (his x mark) Willson	4
Pah-kah (his x mark) Ta-pe-a-she	2	Calvin (his x mark) Everett	1
Pah-mah (her x mark) Cum-she	1	Joseph Hill	1
Nic-co te (her x mark) Pe-a-she	4	Emaline J. Campbell	3
John (his x mark) Walker	2	Mary Nairn	2
John (his x mark) Hill	1	Lucy Quilkey	3
Nak-ka (his x mark) Pe-a-she	5	Louella E. Roberts	1
Simon Secundyne	5	Lucinda Hicks	1
Edson (his x mark) Washington	1	Jane Noah	1
Zachary T. Newcomb	8	Annie E. J. Armstrong	3
Malinda (her x mark) Bascom	1	A. F. Armstrong	1
James Randall	3	Lizzie Cotter	3
Bertha B. Kinkead	1	Cora L. J. Casey	8
Julia Hall	3	Catharine Armstrong	1
Benjamin Conner	1	Carrie V. Armstrong	1
Susie A. Conner	1	Shues (his x mark) Miller	4
Elizabeth (his x mark) Raus	1	Mrs. Jacob Easy	1
Horace M. Adams	1	Mary Keys	1
Adaline L. Sullivan	3	Robert J. Sunday	7
Sallie (her x mark) Corn	1	James D. Yost	2
Sarah Everett	1	Lizzie Davis	2
Carrie Brutcher	1	Rachel Anderson	6
Henry (his x mark) Harrison	1	Lizzie Barker	4
Katy (her x mark) Bogfield	1	Henry T. Wolff	1
Widow (her x mark) James Harrison	2	John Conar	2
Charles V. Tanner	3		
Mary (her x mark) Bigfield	1	Total	137

COO-WEE-SKOO-WEE DISTRICT,

Cherokee Nation:

This day personally appeared before me, William V. Carny, clerk of the aforesaid district and Nation, one Abram Ketcham and one William Adams, who, after being duly qualified by law, state: That they witnessed the signatures of the foregoing names. That the persons signing this petition understood fully the nature and extent of the same.

ABRAM W. KETCHAM.
WILLIAM ADAMS.

Sworn and subscribed, as the law directs, this 10th day of March, A. D. 1886.

[SEAL.]

WILLIAM V. CARNY,
Clerk *Coo-wee-skoo-wee* District, C. N.