

MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

A communication from the Secretary of the Interior, submitting a draft of bill "providing for allotment of lands in severalty to the Indians residing upon the Chehalis Reservation, in Washington Territory, and granting patents therefor."

DECEMBER 19, 1883.—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 from the Secretary of the Interior submitting a draft of a bill "providing for allotment of lands in severalty to the Indians residing upon the Chehalis Reservation in Washington Territory, and granting patents therefor," with accompanying report from the Commissioner of Indian Affairs upon the subject.

The matter is presented for the consideration of the Congress.

CHESTER A. ARTHUR.

EXECUTIVE MANSION,
December 17, 1883.

DEPARTMENT OF THE INTERIOR,
Washington, December 3, 1883.

SIR: I have the honor to submit herewith a draft of a bill prepared in the office of Indian Affairs, providing for allotment of lands in severalty to the Indians residing upon the Chehalis Reservation in Washington Territory, and granting patents therefor, together with a copy of report of the Commissioner of Indian Affairs of 20th November, 1883, transmitting the same to the Department.

I respectfully recommend that the measure may be presented for the action of the Congress.

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

H. M. TELLER,
Secretary.

The PRESIDENT.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 20, 1883.

SIR: On the 8th of July, 1864, the Department approved the report of this office, dated May 17, 1864, suggesting that certain tracts of land in Washington Territory be set apart as a reservation for the Chehalis Indians.

In this report it was stated that these Indians claimed a tract of country, comprising some 1,500 square miles; that they had never been treated with, but that the Government had surveyed the greater part of the tract without their consent and in the face of their remonstrances; that they had been crowded out and excluded from the use of the lands claimed by them and those which they had theretofore cultivated for their support; and that after various propositions looking to their removal and consolidation with other tribes they had consented to relinquish all the lands theretofore claimed by them in consideration of the reservation suggested in the report.

This reservation contains 4,225 acres, the population being one hundred and sixteen.

In 1878 Agent Milroy transmitted to this office a list of selections of lands in severalty made by these Indians in good faith for permanent homes. They are reported to be industrious and making good progress in civilized pursuits.

These allotments have not been approved, as there is no authority of law for such action.

Agent Eells recommends that the land be allotted and patents issued to such as have located thereon as a permanent home, in quantities as follows, viz, eighty acres to single persons and one hundred and sixty acres to heads of families. He states that many of the Indians have settled upon and improved the land in good faith, expecting such action on the part of the Government as would secure them in the title to the same.

I know of no reason why this expectation should not be fulfilled. They hold the reservation by an insecure title, and cannot have the same incentive to industry as they would have if assured of a permanent title.

The other Indians in their vicinity are entitled to allotments and patents under treaty stipulations, and I believe it will result advantageously both to the Indians and the Government to authorize this to be done in their case.

I have accordingly prepared the draft of a bill providing for the allotment of eighty acres to each single person over twenty-one years of age, and one hundred and sixty acres to each head of a family, and for the issuance of patents.

The bill as drawn provides that the patents therein authorized shall be of the legal effect, and declare that the United States does and will hold the land allotted for the period of twenty-five years in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs, and that at the expiration of said period the United States will convey the same by patent to said Indian or his heirs as aforesaid in fee discharged of said trust and free of all charge or incumbrance whatsoever.

I have the honor to recommend that the bill be submitted to Congress.

I inclose two copies of this report and three of the proposed bill.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

The SECRETARY OF THE INTERIOR.

A BILL providing for allotment of lands in severalty to the Indians residing upon the Chehalis Reservation in Washington Territory, and granting patents therefor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and is hereby, authorized to cause lands to be allotted to such of the Indians residing upon the Chehalis Reservation in Washington Territory as may wish to enjoy the privilege and will locate permanently on the land allotted, as follows: To each head of a family, one hundred and sixty acres; to each single person over the age of twenty-one years, eighty acres.

SEC. 2. That the President of the United States may cause patents to issue to all persons to whom allotments of lands shall have been made under the provisions of this act, which patents shall be of the legal effect and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs, according to the laws of Washington Territory, and that at the expiration of said period the United States will convey the same by patent to said Indian or his heirs as aforesaid in fee discharged of said trust and free of all charge or incumbrance whatsoever.

And no contract by any such Indian creating any charge or incumbrance thereon or liability of said land for payment thereof shall be valid.