

IN THE SENATE OF THE UNITED STATES,

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

*Draft of a bill for the relief of the Eastern Band of Cherokee Indians.*

JULY 8, 1892.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,  
*Washington, July 7, 1892.*

SIR: I have the honor to transmit herewith copy of a communication of 6th instant from the Commissioner of Indian Affairs and accompanying draft of a bill for the relief of the Eastern Band of Cherokee Indians in North Carolina.

This bill authorizes the Secretary of the Interior to use so much of the fund to the credit of these Indians on the books of the Treasury as may be necessary for the payment annually of taxes upon such of their lands as are held in common, and also for the payment of the taxes that have already accrued and are now due on said lands.

The necessity for this legislation is shown by the letter of the Commissioner and the matter is presented with request for the early and favorable consideration of Congress.

I have the honor to be, very respectfully,

JOHN W. NOBLE,  
*Secretary,*

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, July 6, 1892.*

SIR: On the 16th of December, 1891, this office submitted a report upon the application of the Eastern Band of Cherokee Indians, through their council, for the authority of the President granting them permission to sell certain tracts of timber on what is known as the Cathcart tract or survey, which authority was duly given by the President on the conditions stated in said report. Instructions were issued and sent to Agent Blythe February 16, 1892, informing him of the granting of said authority and of the conditions stipulated, and directing him and the other members of the committee, duly appointed by said council, to advertise the timber for sale and to invite proposals.

A form of bond and of contract, to be executed by the successful bidder, were prepared by this office, as well as form of advertisement in conformity to the stipulations aforesaid and with the sanction of the

Indians or their representatives, and submitted to the Department May 5, 1892, which were approved May 6, 1892.

The timber was duly advertised in the Manufacturers' Record, in Baltimore, the Northwestern Lumberman, in Chicago, and the Waynesville Courier, in Waynesville, N. C.

I am informed by Mr. George H. Smathers under date of June 27, 1892, that at the time fixed for opening bids, June 23, 1892, there had not been received by Mr. Blythe, the then agent for these Indians, a single bid for the timber. On the 1st of July, 1892, Hon. H. G. Ewart reported the fact that no bids were offered for the timber and ascribes as the only reason there were no bids the many restrictions placed on the purchasers, and suggested another method by which funds could be raised to pay the taxes and other indebtedness of the North Carolina Cherokees by permitting them to sell a limited quantity of their timber.

As the lands of these Indians have been sold for the payment of the taxes due thereon and the time within which they may be redeemed has either expired or will expire very soon, and the Indian title therein to that extent jeopardized, I respectfully suggest and recommend that Congress be requested to authorize the use of the fund of the Eastern Band of Cherokee Indians for the payment of accrued and future taxes upon the lands of said Indians, which are held in common as well as for the purchase of agricultural implements and for educational purposes, as provided in the act of August 15, 1876 (10 Stats., 197).

These Indians have no other source of revenue from which such taxes can be paid other than this fund or the sale of their timber.

The late action taken shows that the Indians are unable to sell their timber under the authority granted by the President, and it being imperative that some means must be devised whereby the Indians may redeem their lands, the only alternative seems to lie in legislation by Congress authorizing the use of their funds for this purpose. And as it is a matter of annual occurrence, the act should apply to future taxes.

I am informally advised by Hon. Mr. Crawford, of North Carolina, in a personal interview with him to-day, that if the suggestions and recommendations herein made are approved by you, and the draft of a bill is submitted to Congress at once, that he will give it his personal attention and see that the necessary legislation is had by Congress to give the relief asked.

I therefore submit herewith the draft of a bill for the purpose with the request that, if it meet your approval, it be referred to the Committee on Indian Affairs for appropriate action.

Very respectfully, your obedient servant,

T. J. MORGAN,  
*Commissioner.*

The SECRETARY OF THE INTERIOR.

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A BILL for the relief of the Eastern Band of Cherokee Indians of North Carolina.

*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 is hereby authorized to use so much of the fund to the credit of the Eastern Band of Cherokee Indians on the books of the Treasury as may be necessary for the payment annually of taxes upon such of their lands as are held in common, and also for the payment of the taxes that have already accrued and are now due on said lands.*

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