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Report of the Secretary of the Interior, in answer to a resolution of the Senate relative to the claim of the St. Regis Indians to land in Kansas

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REPORT

OF THE

SECRETARY OF THE INTERIOR,

IN ANSWER TO

A resolution of the Senate relative to the claim of the St. Regis Indians to land in Kansas.

JUNE 14, 1858.—Read, and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
June 14, 1858.

SIR: I have the honor to transmit, in response to Senate resolution of the 2d instant, a copy of the report of the Acting Commissioner of Indian Affairs, to whom it was referred.

There is, as will be seen from the report, no information on file in the Indian Office in relation to the right of the St. Regis Indians to lands in Kansas; the Acting Commissioner, however, expresses the opinion, in which I entirely concur, that the St. Regis have no claim whatever to the lands in Kansas set apart for the New York Indians.

With great respect, your obedient servant,

J. THOMPSON, *Secretary.*

Hon. J. C. BRECKINRIDGE,
President of the U. S. Senate.

DEPARTMENT OF THE INTERIOR,
Office Indian Affairs, June 12, 1858.

SIR: I have the honor to acknowledge, by reference from you, the receipt of the following Senate resolution of June 2, 1858, viz:

“*Resolved*, That the Secretary of the Interior communicate to the Senate such information as his department may afford, concerning any right or claim of the St. Regis Indians, now residing in the State of New York, to any contingent, conditional, or other interest in the lands set apart for the New York Indians, in Kansas, or in the Indian territory, and whether the Canadian portion of the St. Regis Indians has any such interest.”

The only information that this department can furnish in response to the foregoing resolution is that which is contained in a treaty consummated at Buffalo Creek, on the 15th of January, 1838, with the New York Indians.

By the provisions of the second article of which treaty, there was set apart for the occupancy of the New York Indians, including the St. Regis band, a tract of country in what is now the Territory of Kansas. And the third article looked to their removal within five years from the date of the promulgation of the treaty by the President of the United States, which event occurred on the 4th day of April, 1840. Within five years thereafter the St. Regis Indians had, however, taken no steps towards removal, nor until recently have they even intimated a desire to remove.

Having thus evidently failed to avail themselves of the provision for their removal, upon which their right to the country depended, it has been determined by the department that they have forfeited all right or interest which they might otherwise have had in the tract of country set apart by the treaty.

As to the Canadian portion of the St. Regis Indians, this office has no hesitation whatever in expressing the opinion that they have not the shadow of a right to any part of the tract in question.

The resolution referred is herewith returned.

Very respectfully, your obedient servant,

CHARLES E. MIX,
Acting Commissioner.

Hon. J. THOMPSON,
Secretary of the Interior.