

University of Oklahoma College of Law

University of Oklahoma College of Law Digital Commons

American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899

1-12-1871

Annuities to Winnebago Indians. Letter from the Secretary of the Interior, transmitting an estimate of funds required for the payment of annuities to certain Winnebago Indians.

Follow this and additional works at: <https://digitalcommons.law.ou.edu/indianserialset>



Part of the [Indigenous, Indian, and Aboriginal Law Commons](#)

Recommended Citation

H.R. Exec. Doc. No. 48, 41st Cong., 3rd Sess. (1871)

This House Executive Document is brought to you for free and open access by University of Oklahoma College of Law Digital Commons. It has been accepted for inclusion in American Indian and Alaskan Native Documents in the Congressional Serial Set: 1817-1899 by an authorized administrator of University of Oklahoma College of Law Digital Commons. For more information, please contact Law-LibraryDigitalCommons@ou.edu.

ANNUITIES TO WINNEBAGO INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

An estimate of funds required for the payment of annuities to certain Winnebago Indians.

JANUARY 12, 1871.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., January 9, 1871.

SIR: I have the honor to transmit herewith a copy of a communication, dated the 4th instant, from the Commissioner of Indian Affairs, with the accompanying paper, being an estimate of funds required for the payment of annuities to certain Winnebago Indians, as provided in sections 9 and 10 of the act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various tribes, for the year ending June 30, 1871, and for other purposes, approved July 15, 1870.

The subject is respectfully submitted for the favorable consideration of Congress.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

Hon. JAMES G. BLAINE,
Speaker of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 4, 1871.

SIR: The 9th section of the act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various tribes, for the year ending June 30, 1871, and for other purposes, provides:

That the Secretary of the Interior be, and hereby is, directed to cause to be investigated and to determine the claims of certain Indians of the Winnebago tribe, now

lawfully residing in the State of Minnesota; to issue patents without the right of alienation to those of them whom he shall find to be entitled thereto for the lands heretofore allotted to them in severalty, or which may have been designated by them for allotment under the provisions of the treaty ratified March 16, 1861, or of an act entitled "An act for the removal of the Winnebago Indians, and for the sale of their reservation in Minnesota for their benefit," approved February 21, 1863, and which may not have been sold or disposed of by the United States; and in case of such sale, then such land as may be hereafter designated by them for allotment as aforesaid, out of any unsold lands within the limits of said Winnebago reservation in Minnesota; and, should it be impracticable to make such allotments within the limits of said reservation on good agricultural lands, then they may be made on any public lands of the United States subject to sale at private entry within the State of Minnesota. And the said Winnebago Indians, and all others being members of said tribe, lawfully residing in the State of Minnesota, shall hereafter be entitled to receive their pro rata distributive proportion of all annuities in goods, money, or property, and any other moneys to which said tribe is or may be entitled under any law or treaty now in force, at their homes in Minnesota, the same as though they had removed west and settled with the Western Winnebagoes.

The 10th section of the same act further provides "that if at any time hereafter any of the said Indians shall desire to become citizens of the United States, they shall make application to the judge of the district court of the United States for the district of Minnesota, and in open court make the same proof, and take the same oath of allegiance as is provided by law for the naturalization of aliens, and shall also make proof to the satisfaction of said court that they are sufficiently intelligent and prudent to control their affairs and interests, that they have adopted the habits of civilized life, and have, for at least five years previous thereto, been able to support themselves and families; whereupon they shall be declared by said court to be citizens of the United States, which declaration shall be entered of record, and a certificate thereof given to said party. On the presentation of said certificate to the Secretary of the Interior, with satisfactory proof of identity, he may, at the request of such person or persons, cause the land severally held by them to be conveyed to them by patent in fee simple, with power of alienation, and may, at the same time, cause to be paid to them their proportion of all moneys and effects of said tribe held in trust by or under the provision of any treaty or law of the United States. And on such patents being issued, and such payments ordered to be made, such persons shall cease to be members of said tribe, and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in like manner with the property of other citizens."

The following is a statement of the annuities and funds belonging to said Indians:

For this amount, placed to the credit of said Indians on the books of the Treasury, at five per centum, per fourth article treaty November 1, 1837, and joint resolution July 17, 1862, (Statutes 12, pp. 623, 629,) and act of March 3, 1863, (Statutes 12, p. 785).....	\$1,000,000
For this amount, placed to their credit on the books of the Treasury, at five per centum, per fourth article of the treaty October 13, 1846.....	85,000
For this amount, placed to the credit of said Indians on the books of the Treasury, at five per centum, being the amount in part taken from their tribal funds to pay the expenses of their removal from Minnesota, provided for in public act No. 187, approved July 15, 1870.....	200,000
Total	<u>1,285,000</u>

The tribe numbers, per last census, 1,531 souls. One hundred and fifty of this number, residing in Minnesota, have elected to become citizens, and have complied with the requirements of sections nine and ten of the act above referred to, as regards the things to be done by them to entitle them to receive their proportion of the cash value of the credits of the tribe. There will be about ten additional members of the tribe who will probably avail themselves of the opportunity of becoming citizens, making the number one hundred and sixty who will be entitled to share in the division of the common fund.

With these data, and taking the foregoing statement as a basis of calculation, the amounts found due said one hundred and sixty are as follows:

For amount placed to the credit of said Indians on the books of the Treasury, as per fourth article treaty November 1, 1837, cash value of the shares of 160, equal to.....	\$104,506 85
For amount placed to the credit of said Indians on the books of the Treasury, as per fourth article treaty October 13, 1846, at cash value, 160....	8,883 08
For this amount, placed to the credit of said Indians for the purpose of refunding the amount taken from their tribal funds to pay the expenses of their removal from Minnesota, at cash value.....	20,901 37
Total amount due 160 persons.....	134,291 30

Which will have to be appropriated by Congress before a settlement can be made, as contemplated by sections nine and ten of the act approved July 15, 1870.

I inclose herewith an estimate of appropriations required to pay said one hundred and sixty Winnebagoes their shares of said annuities, and respectfully request that the same be laid before Congress for proper action by that body.

Very respectfully, your obedient servant,

E. S. PARKER, *Commissioner.*

Hon. COLUMBUS DELANO,
Secretary of the Interior.

Estimate of funds required to be appropriated to carry into effect sections 9 and 10 of the act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various tribes, for the year ending June 30, 1871, and for other purposes, approved July 15, 1870, being the proportion of 160 persons of all funds belonging to the Winnebago tribe of Indians :

For the proportion of 160 persons of \$1,000,000, placed to the credit of said Indians on the books of the Treasury, as per 4th article of the treaty November 1, 1837, whole number of the tribe being 1,531 persons....	\$104,506 85
For the proportion of 160 persons of \$85,000, placed to the credit of said Indians on the books of the Treasury, as per 4th article treaty October 13, 1846, whole number 1,531.....	8,883 08
For the proportion of 160 persons of \$200,000, placed to the credit of said Indians on the books of the Treasury, being the amount in part taken from their tribal funds to pay the expenses of their removal from Minnesota, provided for in public act No. 187, approved July 15, 1870, whole number 1,531.....	20,901 37
	134,291 30
	134,291 30