

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

3-21-1872

Appropriation for twelve Winnebago Indians. Letter from the Secretary of the Interior, relative to an appropriation required to pay twelve 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. 204, 42nd Cong., 2nd Sess. (1872)

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.

APPROPRIATION FOR TWELVE WINNEBAGO INDIANS.

LETTER

FROM THE

SECRETARY OF THE INTERIOR,

RELATIVE TO

An appropriation required to pay twelve Winnebago Indians.

MARCH 21, 1872.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 19, 1872.

SIR: I have the honor to transmit herewith a copy of a report from the Commissioner of Indian Affairs, dated the 18th instant, inclosing an estimate of an appropriation for \$10,071 84, required to pay twelve Winnebago Indians, who have become citizens of the United States, under the provisions of the ninth and tenth sections of the act of Congress approved July 15, 1870. (See Stat. at Large, vol. 16, p. 361.)

The Commissioner gives, at length, the facts concerning the subject, and the same is respectfully submitted for the favorable consideration of Congress.

Very respectfully, your obedient servant,

C. DELANO,
Secretary of the Interior.

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

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 18, 1872.

SIR: I have the honor to invite your attention to the 9th and 10th sections of the act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with the various Indian tribes, for the year ending June 30, 1871, and for other purposes. (Stat. at Large, vol. 16, p. 361.)

The 9th section 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 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," &c.

The 10th section 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," &c.

Under these provisions one hundred and fifty-four persons, residing in the State of Minnesota, have been naturalized, and have complied with the requirements of the sections as above cited, of whom one hundred and fifty-three were paid in full their proportionate share of the tribal funds during the year 1871.

At the time the estimate was made to Congress, January 4, 1871, it was presumed that not less than one hundred and sixty persons would avail themselves of the opportunity of becoming citizens, and the appropriation was asked and was made on that basis. Of this sum appropriated, there remains on the books of this office unexpended \$5,875 24, being seven unpaid shares.

From the seven shares thus remaining there should, under the decision of the Department, August 21, 1871, be deducted three shares, amounting to \$2,517 96, on account of the three minor children of Sophia Foyles, a Winnebago woman who died after declaring her desire to become naturalized, but before naturalization papers were issued. Special authority will, however, have to be obtained for the payment of the same to the father of said children, (a white man,) and a clause conferring such authority has been added to the draught of the inclosed bill.

In January last, the district court of the United States, for the district of Minnesota, naturalized sixteen additional members of the tribe who had complied with the provisions of sections nine and ten of the act approved July 15, 1870.

Out of the sum heretofore appropriated, that has not been expended, there will, as above explained, be four full shares that can be applied toward making payment to the sixteen now entitled to their several shares of the tribal funds, leaving thus but twelve shares for which an appropriation is required.

There will be required to be appropriated for the twelve persons the following sums:

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 twelve shares	\$7, 838 01
For amount placed to the credit of said Indians on the books of the Treasury, as per fourth article treaty October 13, 1846, cash value of twelve shares	666 23
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, cash value	1, 567 60
Total amount due twelve persons	10, 071 84

which will have to be appropriated by Congress before a settlement can

be made as contemplated by the ninth and tenth sections of the act approved July 15, 1870.

I inclose herewith an estimate of appropriations required to pay said twelve Winnebagoes their share of said annuities, and respectfully request that the same be laid before Congress for the action of that body.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

Hon. C. DELANO,
Secretary of the Interior.

Estimate of funds required to pay twelve Winnebago Indians who have become citizens of the United States under the 9th and 10th sections of the act of Congress approved July 15, 1870.

For the proportion of twelve persons, of one million dollars placed to the credit of said Indians on the books of the Treasury, as per 4th article treaty November 1, 1837; whole number of the tribe being 1,531 persons.....	\$7, 838 01
For the proportion of twelve persons, of eighty-five thousand dollars placed to the credit of said Indians on the books of the Treasury, as per 4th article treaty October 13, 1846; whole number of the tribe being 1,531 persons.....	666 23
For the proportion of twelve persons, of two hundred thousand dollars 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.....	1, 567 60
	10, 071 84
	10, 071 84

And be it further provided, That the sum of \$2,517 96, heretofore appropriated, be paid to Aaron L. Foyles, (a white man,) the father of the three children of Sophia Foyles, a Winnebago Indian, who died after declaring her intention of becoming a citizen, and before her naturalization papers were issued by the United States court.