

12-18-1873

Letter from the Secretary of the Interior,  
transmitting a bill providing for the sale of the  
Kansas Indian lands in Kansas to actual settlers, and  
for the disposition of the proceeds of sale

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KANSAS INDIAN LANDS.

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LETTER

FROM THE

SECRETARY OF THE INTERIOR,

TRANSMITTING

*A bill providing for the sale of the Kansas Indian lands in Kansas to actual settlers, and for the disposition of the proceeds of sale.*

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DECEMBER 18, 1873.—Referred to the Committee on the Public Lands and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., December 3, 1873.*

SIR: I have the honor to transmit herewith a copy of a letter, dated the 26th ultimo, from the Commissioner of Indian Affairs, together with a form of a bill prepared under the direction of this Department, providing for the sale of Kansas Indian lands in the State of Kansas to actual settlers, and for the disposition of the proceeds arising from such sale.

The attention of Congress is respectfully invited to this bill, which is recommended to the favorable consideration of that body.

Very respectfully, your obedient servant,

C. DELANO,  
*Secretary.*

The SPEAKER of the *House of Representatives.*

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DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., November 26, 1873.*

SIR: In compliance with the direction contained in your letter to this office, under date of the 14th instant, I have the honor to transmit herewith, in duplicate, the form of a bill to be presented to Congress, providing for the sale of the Kansas Indian lands in Kansas to actual settlers, and for the disposition of the proceeds arising from the sale of said lands.

Very respectfully, your obedient servant,

EDWARD P. SMITH,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

AN ACT providing for the sale of the Kansas Indian lands in Kansas to actual settlers, and for the disposition of the proceeds of sale.

Whereas the Secretary of the Interior, in pursuance of an act approved May 8, 1872, has caused to be appraised the lands heretofore owned by the Kansas tribe of Indians in the State of Kansas, which by the terms of the treaty made by the United States and said Indians, and proclaimed November 17, 1860, were to be sold for the benefit of said Indians; which appraisal also includes all improvements on the same, and the value of said improvements; distinguishing between improvements made by members of said Indian tribe, the United States, and white settlers.

And whereas said Secretary has also caused to be appraised, in the manner provided for in said act, the diminished reserve of the said Kansas Indians, including lands held in severalty and in common by them, in the manner prescribed by said act. Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each bona-fide settler on any of the trust-lands embraced in said act, heretofore reported as such by the commissioners appointed to make said appraisal, and the rejected claimants as bona-fide settlers, who were recommended as such by Andrew C. Williams, acting under instructions to Superintendent Hoag, from the Indian Office, dated October 24, 1872, be permitted to make payment of the appraised value of their lands to the local land-office at Topeka, Kansas, under such rules as the Commissioner of the General Land-Office may adopt, in four equal annual installments; the first installment payable on the 1st of April, 1874, and the remaining installments payable annually from that time, and drawing interest at six per centum per annum until paid: *Provided,* That each settler on making his first payment shall enter into bond with adequate security, on condition that he will commit no waste by the destruction of timber or otherwise on said land until the last payment is made, and give his notes with adequate security for the deferred payments on the terms aforesaid.

SEC. 2. All the remainder of the trust-lands and of the undisposed portion of the diminished reserve shall be subject to entry at the local land-office at Topeka, Kansas, in tracts not exceeding one hundred and sixty acres, unless a legal subdivision of a section shall be fractional and found to contain a greater number of acres, by actual settlers, under such rules and regulations as the Commissioner of the General Land-Office may prescribe. And the parties making such entries shall be required to make payment of the appraised value of the land entered and occupied by each, in the following manner: One-fourth at the time the entry is made, and the remainder in three equal annual payments, drawing interest at six per cent. per annum, which payments shall be secured by notes payable to the United States, satisfactorily indorsed by responsible parties. And the person making such entry shall also be required to give bond with adequate security to commit no waste, by the destruction of timber, or otherwise, on the premises until final payment for the tract has been made; and the Secretary of the Interior shall cause patents in fee-simple to be issued to all parties who shall complete purchases under the provisions of this act: *Provided,* That if any person or persons applying to purchase land under the provisions of this act shall fail to make payment or to perform any other conditions required by the provisions of this act, or by rules and regulations that may be prescribed in the execution hereof, within ninety days after such payment shall become due, or performance be required by the terms hereof, or by the rules and regulations which may be prescribed in the execution hereof, such person or persons shall forfeit all rights under the provisions of this act, and all claim or right to re-imbusement or compensation for previous action or payment by said person or persons under the provisions hereof; and the land proposed to be purchased by such person or persons shall again be subject to sale as though no action had been had in regard to the same.

SEC. 3. That the net proceeds arising from such sales, after defraying the expenses of appraisal and sale, which have heretofore or may hereafter, be incurred, and also the outstanding indebtedness, principal and interest of said Kansas tribe of Indians, which has heretofore been incurred under treaty stipulations, shall belong to said tribe in common, and may be used by the Commissioner of Indian Affairs, under direction of the President of the United States, in providing and improving for them new homes in the Indian Territory, and in subsisting them until they become self-sustaining, and the residue, not so required, shall be placed to their credit on the books of the Treasury, and bear interest at the rate of five per centum per annum, and be held as a fund for their civilization, the interest of which, and the principal, when deemed necessary by the President of the United States, may be used for such purpose.