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2-13-1873

Letter from the Secretary of the Interior, transmitting an act passed by the legislature of the Chickasaw Nation entitled "An act to adopt the negroes of the Chickasaw Nation," &c

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Recommended Citation

H.R. Exec. Doc. No. 207, 42nd Congress, 3rd Sess. (1873)

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NEGROES OF THE CHICKASAW NATION.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

An act passed by the legislature of the Chickasaw Nation entitled "An act to adopt the negroes of the Chickasaw Nation," &c.

FEBRUARY 13, 1873.—Referred to the Committee on Freedmen's Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 10, 1873.

SIR: I have the honor to transmit herewith copy of a communication from the Acting Commissioner of Indian Affairs, dated the 4th instant, enclosing a communication to him from Douglas H. Cooper, of the Chickasaw Nation, dated the 23d ultimo, together with a letter addressed to the President of the United States, by Cyrus Harris, governor of said nation, dated the 10th ultimo, transmitting an act of the Chickasaw legislature providing for the adoption of negroes in the Chickasaw country, referred to in the third article of the treaty with the Choctaws and Chickasaws, concluded April 28, 1866. (Statutes at Large, vol. 10, p. 769.)

A careful examination of these communications exhibits the fact that the third article of the treaty referred to remains unexecuted. Neither the Choctaws nor Chickasaws have made such rules and regulations as were contemplated in said article in regard to persons of African descent residing in their respective nations, within two years after the ratification of the aforesaid treaty. The Choctaw Nation has never, at any time, attempted the execution of this treaty in regard to said persons, and what has been done by the Chickasaw Nation was done after the expiration of the two years in which their action was limited by the treaty aforesaid.

Deeming it important that the provisions of said treaty be carried out, I have respectfully to recommend that such legislation be had during the present session of Congress, if possible, as will extend the time in all respects for the execution of the provisions of the third article of the treaty before referred to, for the term of two years from the 1st day of July, 1873.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

Hon. JAS. G. BLAINE,
Speaker U. S. House of Representatives, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 4, 1873.

SIR: I have the honor to submit herewith a communication from Douglas H. Cooper, of the Chickasaw Nation, dated the 23d ultimo, together with a letter addressed to the President, by Cyrus Harris, governor of said nation, dated the 10th ultimo, transmitting an act of the Chickasaw legislature providing for the adoption of the negroes in the Chickasaw country, referred to in the third article of the treaty concluded with the Choctaw and Chickasaw Indians April 28, 1866. (Statutes at Large, vol. 14, p. 769.)

In view of the expiration of the term of two years from the ratification of the treaty, within which it is stipulated that the laws, rules, and regulations referred to in the third article of the treaty aforesaid, shall be made by the Choctaw and Chickasaw Nations, and believing it to be for the best interests of the Indians, as well as of the negroes, that the latter should remain where they now are, and that the money referred to in said article should be paid to said nations, I respectfully recommend that Congress be asked to provide by legislation that the limit to the time mentioned in said third article be extended three years from the 1st of July, 1873, or until July 2, 1876.

Very respectfully, your obedient servant,

H. R. CLUM,
Acting Commissioner

The Hon. SECRETARY OF THE INTERIOR.

WASHINGTON, D. C., January 25, 1873.

SIR: I have the honor herewith to hand you a letter from Cyrus Harris, governor of the Chickasaw Nation, dated at the executive office, Tishomingo, Chickasaw Nation, January 10, 1873, and directed to the President of the United States, inclosing an act of the legislature of the Chickasaw Nation, approved on the date of said letter, entitled "An act to adopt the negroes of the Chickasaw Nation," &c., and requesting "that the President will transmit the same to Congress for such action as that honorable body may deem proper;" and I respectfully request that you will transmit the said letter and act to the President, through the honorable Secretary of the Interior, at your earliest convenience.

I am, sir, your obedient servant,

DOUGLAS H. COOPER,
Of the Chickasaw Nation.

Hon. H. R. CLUM,
Acting Commissioner, Office of Indian Affairs, Department of the Interior.

EXECUTIVE OFFICE,
Tishomingo City, Chickasaw Nation, January 10, 1873.

SIR: I have the honor to inclose a copy of an act passed by the legislature of the Chickasaw Nation, and approved this day, entitled "An act to adopt the negroes of the Chickasaw Nation," &c., and respectfully request that you will transmit the same to the Congress of the United States for such action as that honorable body may deem proper at the earliest day possible.

I am, sir, your obedient servant,

CYRUS HARRIS,
Governor of the Chickasaw Nation of Indians.

The PRESIDENT of the United States,
Washington, D. C.

AN ACT to adopt the negroes of the Chickasaw Nation, &c.

SECTION 1. *Be it enacted by the legislature of the Chickasaw Nation*, That all the negroes belonging to Chickasaws at the time of the adoption of the treaty of Fort Smith, and living in the Chickasaw Nation at the date thereof, and their descendants, are hereby declared to be adopted in conformity with the third article of the treaty of 1866, between the Choctaws, Chickasaws, and the United States: *Provided, however*, That the proportional part of the \$300,000 specified in article third of the said treaty, with the accrued interest thereon, shall be paid to the Chickasaw Nation for its sole use and benefit: *And provided further*, The said adopted negroes of the Chickasaw Nation shall not participate in any part of the said proportional part of the said \$300,000, nor be entitled to any benefit from the principal and interest on our invested funds or claims arising therefrom, nor to any part of our common domain, or the profits arising therefrom, (except the forty acres per capita provided for in the third article of the treaty of 1866,) nor to any privileges or rights not authorized by treaty stipulations: *And provided further*, That the said adopted negroes, upon the approval of this act, shall be subject to the jurisdiction and laws of the Chickasaw Nation, and to trial and punishment for offenses against them in every case just as if the said negroes were Chickasaws.

SEC. 2. *And be it further enacted*, That this act shall be in full force and effect from and after its approval by the proper authority of the United States. And all laws, or parts of laws, in conflict with this act, are hereby repealed.

Approved January 10, 1873.

CYRUS HARRIS,
Governor.

Attest:

W. H. BOURLAND,
National Secretary, Chickasaw Nation.

I do hereby certify that the above copy is a true and authenticated copy from the original now on file in my office this January 10, 1873.

W. H. BOURLAND,
National Secretary, Chickasaw Nation.