

4-8-1874

Letter from the Secretary of the Interior, transmitting a copy of a letter from the Commissioner of Indian Affairs and one from Enoch Hoag, Superintendent of the Central Superintendency, protesting against the passage of House bill 1725, providing for the sale of the Black Bob lands in Kansas

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



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

Recommended Citation

S. Exec. Doc. No. 39, 43d Cong., 1st Sess. (1874)

This Senate 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 darinfox@ou.edu.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

A copy of a letter from the Commissioner of Indian Affairs and one from Enoch Hoag, superintendent of the Central Superintendency, protesting against the passage of House bill 1725, providing for the sale of the Black Bob lands in Kansas.

APRIL 8, 1874.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., April 7, 1874.

SIR: I have the honor to transmit herewith a copy of a letter dated the 6th instant, addressed to this Department by the Commissioner of Indian Affairs, together with a copy of a communication from Enoch Hoag, dated the 21st ultimo, therein inclosed, protesting in behalf of the "Black Bob" Shawnee Indians of Kansas, against the passage of House bill 1725, providing for the sale of the lands of said Indians.

The papers are respectfully presented for the consideration of Congress in connection with the bill in question.

Very respectfully, your obedient servant,

B. R. COWEN,
Acting Secretary.

Hon. WM. A. BUCKINGHAM,
Chairman Committee on Indian Affairs, United States Senate.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., April 6, 1874.

SIR: Referring to House bill 1725, providing for the sale of the Black Bob Shawnee Indian lands in Kansas, I have the honor to submit herewith a copy of a communication from Superintendent Hoag, dated the 21st ultimo, protesting in behalf of said Indians against the passage of the same.

I respectfully suggest that this communication be laid before Congress for consideration in connection with the bill in question.

Very respectfully, your obedient servant,

EDW. P. SMITH,
Commissioner.

Hon. SECRETARY OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS, CENTRAL SUPERINTENDENCY,
Lawrence, Kans., Thirdmonth 21, 1874.

EDWARD P. SMITH,
Commissioner of Indian Affairs, Washington, D. C.:

Referring to a bill (H. R. 1725) introduced by Stephen A. Cobb for the sale of the Black Bob Indian lands in the State of Kansas, I desire to state that, in the opinion of this office, the provisions thereof are very unjust to the Indians, and I should neglect my duty as an officer of the Government and representative of these Indians not to interpose my protest against its passage.

The 33,000 acres embraced in this reservation is, perhaps, all of it occupied by settlers who have made their improvements principally from the proceeds of the land thus occupied, to wit, timber, crops, and stock-raising. During their many years' residence they have paid no taxes to the State or rent to the Indians, and the latter have been compelled, on account of these settlers, to abandon their lands and seek homes as paupers, at the mercy of the Government, in the Indian Territory. The lands in question are located in Johnson County, near Kansas City, and are very valuable. The Missouri, Fort Scott and Gulf Railroad passes through them, and their average value, aside from improvements, (I am informed by competent judges,) is \$15 per acre, exclusive of improvements, while the bill secures them to the settlers at \$5 per acre, on fifteen months' time, *without interest*. On the contrary, provision is carefully made for *reimbursement to purchasers* of any portion of these lands from Indians at the rate of 12 per cent. per annum on the purchase-money from the date of payment to the date of settlement, the amount to be determined by the *consideration specified in the deeds from the said Indians*. Thus the interest to be refunded would doubtless exceed the principal.

It is also a fact worthy of notice herewith connected, that on an investigation made by this office by direction of the Department, the result of which was reported to the Commissioner, Ninthmonth 17, 1869, it was ascertained that *out of sixteen of forty-three sales, aggregating \$6,910, the Indians received \$1,720 less than the "consideration specified in the said deeds from the said Indians,"* on which amount, though never received by the Indians, this 12 per cent. interest is to be paid. Of the remaining twenty-seven cases, the consideration specified in the deeds in each case exceeded the amount of money actually received by the Indians.

At an average price of \$5 per acre, in many cases, the land conveyed or attempted to be conveyed will not be sufficient to reimburse the purchaser, in which case recourse must be had to the individual allotments of other Indians, who never received any benefit whatever from the sale. Thus the whole band must be pauperized, and become an annual charge upon the Government, to enrich these settlers, who, in defiance of law, occupy their lands, by providing for the sale at one-third their value, and to reimburse the speculators who furnished the money by paying an interest at 12 per cent. per annum on a sum much larger than they ever invested.

With a sale based upon a fair appraisalment of the lands, the Black Bob Indians can settle with the Shawnees on Quapaw agency on terms of equality and be self-supporting. With the provisions of the above-mentioned bill enforced upon them they must remain paupers, requiring relief from the public Treasury from year to year.

Respectfully,

ENOCH HOAG,
Superintendent.