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Sale of Chippewa Indian Reservations. Letter from the Secretary of the Interior, relative to the sale of certain reservations of the Chippewa Indians in Minnesota and Wisconsin.

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SALE OF CHIPPEWA INDIAN RESERVATIONS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

RELATIVE TO

The sale of certain reservations of the Chippewa Indians in Minnesota and Wisconsin.

FEBRUARY 27, 1872.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., February 23, 1872.

SIR: I have the honor to transmit herewith a copy of a communication from the Commissioner of Indian Affairs, dated the 14th instant, in relation to the sale of certain reservations of the Chippewa Indians in Minnesota and Wisconsin, &c., and inclosing the text of a bill authorizing the appraisement and sale of the same.

I concur in the recommendations of the Commissioner, but deem it my duty to invite your attention to the act of Congress approved July 2, 1864, making grants of land to aid in the construction of the Northern Pacific Railroad, (see Statutes at Large, vol. 13, p. 365,) inasmuch as the said road intersects the reservation in question.

Very respectfully, your obedient servant,

C. DELANO,
Secretary.

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

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 14, 1872.

SIR: By the third and fourth clauses of the second article of the treaty concluded with the Chippewa Indians of Lake Superior and the Mississippi, on the 30th day of September, 1854, (10 Statutes at Large, p. 1109,) provision was made for the establishment of the Lac de Flambeau, Lac Court Oreilles, and Fond du Lac bands of those Indians, upon certain reservations therein designated.

Under these stipulations, the Lac de Flambeau and the Lac Court Oreilles bands were to obtain tracts of three townships each, which were located on the head waters of the Wisconsin and Chippewa Rivers, respectively. These lands are not well suited for agricultural purposes, but are covered with valuable pine timber. It has been found impracticable to preserve these Indians from contact with lumbermen, who have invaded their reservations for the purpose of cutting this timber, or to counteract the demoralizing influences thus introduced among them. The rapid increase of settlers and the multiplication of railroads in this section of the State, together with the fact that the payment of the annuities provided by their treaty will soon cease, render it advisable to concentrate these scattered bands upon some reservation where they can be better protected by the Government.

The reservation for the Fond du Lac band contains about 100,000 acres, and is located in the northeastern part of Minnesota. The reasons adduced in favor of the removal of the other bands apply with equal force in their case, and are strengthened by the fact that the Northern Pacific Railroad passes through their reservation. As originally surveyed, this reservation did not include within its limits some lands claimed by the Indians, and, at their request, a second survey of it was subsequently made. This was acceptable to them and was recognized by the Government. The railroad company, however, dispute its legality, and refuse to pay for the right of way through it. The construction of this road has greatly injured the Indians, and will continue to work to their disadvantage.

In addition to these bands of Indians to whom well-defined reservations have been assigned, there are in the State of Wisconsin about five hundred Pottawatomies, and two hundred Chippewas intermarried with them, not thus provided for. An appropriation for the removal of these Indians to the Indian country was made in 1870, (16 Statutes at Large, p. 359,) but the action there indicated has never been taken, and the sum there appropriated is still unexpended.

It is proposed to remove these bands to the tract reserved by the second clause of the article above referred to for the La Pointe band. This tract, known as the Bad River reservation, is sufficiently large for their accommodation, and this office is informed that the consent of all the Indians to this action will be cheerfully given. Upon this reservation these Indians can be fully protected by the Government, and the expenditure of a moderate sum for their establishment there will undoubtedly result favorably.

I have the honor to inclose a draught of a bill calculated, in my opinion, to accomplish these objects, and to request that, if consistent with your views, the same may be presented to Congress for its consideration.

Very respectfully, your obedient servant,

F. A. WALKER,
Commissioner.

To the honorable the SECRETARY OF THE INTERIOR.

AN ACT for the removal of certain bands of Chippewa Indians in Wisconsin and Minnesota, and for the sale of their reservations for their benefit, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That with the consent and concurrence of those bands of the Chippewa Indians of Lake Superior, located on Lac de Flambeau and on Lac Court Oreilles, and also of the Fond du Lac bands of said Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and hereby is, authorized to remove the

said bands of Indians from the tracts of lands which were set apart for them respectively and withheld from sale for their use, in accordance with the third and fourth clauses of the second article of the treaty between the United States and the Chippewa Indians of Lake Superior and the Mississippi, concluded September thirtieth, eighteen hundred and fifty-four, and to locate said bands of Indians upon the tract of land set apart by the second clause of said article for the La Pointe band of said Chippewa Indians.

SEC. 2. That the lands rendered vacant under the preceding section of this act shall be appraised by three competent commissioners, one of whom shall be the United States agent for the said Chippewa Indians, and the other two shall be appointed by the Secretary of the Interior. Should there be upon any of the lands to be thus appraised any improvements made by or for the Indians, or for Government purposes, the said commissioners shall appraise the said improvements separately. After the said lands shall have been appraised, as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale, and sealed proposals, duly invited by public advertisement, shall be received for the same, for tracts not exceeding one hundred and sixty acres each, and also for the entire body offered; and he shall be, and hereby is, authorized to accept the proposal for the entire tract, or the highest bids for separate tracts, as shall be deemed best, and to cause patents in the usual form to be issued to said purchaser or purchasers for said lands: *Provided*, That no bid for separate tracts shall be accepted which may be less than the appraised value of such tract, including the improvements, if any, thereon, or for the entire tract, which shall be less than the aggregate appraised value of the same and of all the improvements, if any, thereon: *And provided, further*, That bids for tracts having improvements upon them shall state the price for both the land and the improvements. The proceeds of such sales shall be invested or expended for the benefit of the Indians interested, in such manner as the Secretary of the Interior may direct.

SEC. 3. That the commissioners to be appointed by the Secretary of the Interior, under the provisions of this act, shall receive compensation for their services at the rate of eight dollars for each day actually engaged in the duties herein designated, in addition to the amount paid by them for actual traveling and other necessary expenses.

SEC. 4. That the sum of seventy-five thousand dollars be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Interior, for the appraisal and sale of the said reservations and for the removal and establishment of said Indians, as hereinbefore provided; the said sum of seventy-five thousand dollars to be reimbursed from the proceeds of the sales of the lands of said Indians, authorized in section 2 of this act.

SEC. 5. That the Secretary of the Interior be, and hereby is, authorized to remove the stray bands of Pottawatomie Indians, now in the State of Wisconsin, and the Chippewas intermarried with them, to the tract of land set apart for the La Pointe band of Chippewa Indians mentioned in the first section of this act; and to expend for the removal of the said Indians, as herein provided, and for their establishment on the said La Pointe reservation, the sum of twenty-one thousand dollars, appropriated by the first section of the "Act making appropriations for the current and contingent expenses of the Indian Department," &c., approved July fifteenth, eighteen hundred and seventy, for the removal of the said Indians to the Indian country south of Kansas.