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# Memorial of the Choctaw Nation, praying the settlement of its claim arising under the treaty of 1855.

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MEMORIAL  
OF  
THE CHOCTAW NATION,

PRAYING

*The settlement of its claim arising under the treaty of 1855.*

JANUARY 6, 1876.—Referred to the Committee on Indian Affairs.

JANUARY 10, 1876.—Ordered to be printed.

*To the honorable the Senate and the House of Representatives of the United States:*

The memorial of the Choctaw Nation respectfully sheweth:

That on the 9th March, 1859, the Senate of the United States decided certain questions submitted in the eleventh article of the treaty of 1855 with the Choctaws and Chickasaws by awarding the Choctaws the net proceeds of the lands ceded by them in 1830.

That by the terms of the treaty the decision of the Senate was final.

That \$250,000 was appropriated by Congress in part payment of said award on the 2d March, 1861.

That no part thereof has been paid since.

That propositions have been made from time to time in both Houses of Congress to provide in the regular appropriation bills for the payment of the balance due the Choctaws under the award of the Senate; but such propositions, though repeatedly recommended by different committees of each House, have invariably been defeated, mainly, as shown by the debates, for two reasons:

1st. Because the Choctaw claim did not properly belong to any one of the regular appropriation bills, but should be presented as a separate measure.

2d. Because it had not been sufficiently investigated by the great body of either House to warrant an appropriation of so large an amount.

Therefore, your memorialist respectfully asks that an act may be passed giving the Court of Claims jurisdiction over the subject, with instructions to ascertain what amount is due the Choctaws under the provisions of the eleventh and twelfth articles of the treaty of 1855, and authorizing the Secretary of the Treasury to pay such amount to the proper authorities of the nation in manner and form as provided by said treaty.

Your memorialist respectfully calls attention to the fact that various committees of both Houses of Congress have had under consideration the claim above referred to, and that while no committee of either House has ever reported against it, *twelve* reports have been made recognizing its validity and recommending favorable action, namely, by—

1. Senate Committee on Indian Affairs, February 15, 1859.
2. Senate Committee on Indian Affairs, June 19, 1860.

3. Appropriation Committee of the House of Representatives, in bill No. 1227, reported by Hon. Thaddeus Stevens, February 27, 1867.

4. The same committee, by Hon. B. F. Butler, May 30, 1868.

5. House Committee on Indian Affairs, by the Hon. William Windom, July 6, 1868.

6. Senate Committee on the Judiciary, by the Hon. B. F. Rice, June 22, 1870.

6. Senate Committee on Indian Affairs, by the Hon. Garrett Davis, January 5, 1871.

8. House Committee on the Judiciary, by the Hon. M. C. Kerr, February 27, 1871.

9. Senate Committee on Indian Affairs, by the Hon. James Harlan, January 22, 1873.

10. House Committee on Indian Affairs, by the Hon. J. P. C. Shanks, February 22, 1873.

11. House Committee on Appropriations, by the Hon. I. C. Parker, April 9, 1874.

12. House Committee on Indian Affairs, by the Hon. A. Comingo, May 20, 1874.

Your memorialist also respectfully refers to the letter of the Secretary of the Treasury, the Hon. B. H. Bristow, of December 23, 1874, transmitting, by order of Congress, certain information concerning the liabilities of the Choctaw Nation to individuals for which the eleventh and twelfth articles of the treaty herein referred to were intended to provide.

And your memorialist, as in duty bound, will ever pray, &c.  
The Choctaw Nation, by its delegate,

P. P. PITCHLYNN.