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TO CREATE THREE ADDITIONAL LAND DISTRICTS IN  
DAKOTA.

JANUARY 29, 1883.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. STRAIT, from the Committee on Public Lands, submitted the following

REPORT:

[To accompany bill H. R. 7462.]

The Committee on the Public Lands, to whom was referred the bill (H. R. 7043) to create three additional land districts in the Territory of Dakota, have had the same under consideration, and report the same back to the House with a substitute, the passage of which is recommended.

The substitute changes the eastern boundaries of the two districts proposed in the southwestern part of the Territory, and contains other changes to meet the views of the Department of the Interior, contained in the letters appended hereto and herewith submitted.

DEPARTMENT OF THE INTERIOR,  
Washington, December 28, 1882.

SIR: I have your letter of the 17th instant which was referred to the Commissioner of the General Land Office. I inclose herewith a copy of his reply. You will see that the Commissioner only recommends the establishment of the district provided for in the third section, and declines to make any recommendation as to the other districts proposed in the bill. It is true that the districts provided for in the first and second sections of the bill are composed mainly of territory now included in the Great Sioux Reservation, but as negotiations are now pending for a cession of a portion of that reservation, and there is every reason to believe such cession will be approved by the present Congress, I think it desirable that the power should be given to include such ceded lands within the lines of an established district. If the cession should not be made, the land office would not be opened and no expense incurred. I therefore recommend the passage of the bill.

Very respectfully,

H. M. TELLER,  
Secretary.

HON. THAD. C. POUND,  
Chairman Committee on the Public Lands, House of Representatives.

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
Washington, D. C., December 27, 1882.

SIR: On the 21st instant the Assistant Secretary referred to this office for report, the bill (H. R. 7043) to create three additional land districts in the Territory of Dakota. This bill was transmitted to the department for its views as to the propriety

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of the increase provided for therein, by letter to you dated 17th instant, of Hon. Thad. C. Pound, chairman House Public Lands Committee.

The lands embraced by the boundaries of the first two of the proposed districts, except certain tracts east of the Missouri River within the boundaries of the districts of Yankton, Mitchell and Huron, lie almost wholly within the Great Sioux Indian reservation, and the boundaries of the other embrace a tract of country in Northern Dakota known as the Turtle mountain region, recently restored to the mass of the public domain by your letter of the 4th of October last.

By the act of August 7, 1882 (Pamphlet Laws of 1881 and 1882, page 328), making appropriations for sundry civil expenses of the government, &c., provision is made to enable the Secretary of the Interior to negotiate with the Sioux Indians for such modification of existing treaties and agreements with said Indians as may be deemed desirable by said Indians and the Secretary of the Interior, upon the condition that any agreement made with said Indians, before taking effect, must be ratified by Congress, and any lands acquired from them shall only be disposed of to actual settlers under the homestead laws.

I am informed that under the above provision of law negotiations are now pending with a view of securing to the United States a relinquishment of a portion or portions of said reservation, but what lands, if any, may be so relinquished is unknown, and under the circumstances I decline to make any recommendation, at the present time concerning this portion of the bill.

As before stated, the other district proposed embraces the Turtle Mountain country, which now lies within the Grand Forks and Bismarck districts, and from the nearest point the land is distant in a direct line from the office of the former about 80 miles and the latter about 65 miles. These lands have not been surveyed, but from the best information attainable they are very largely occupied by actual settlers, and surveys are in contemplation at an early day.

The Bismarck district now comprises in area about one-fourth the whole territory. Although not a maximum office, yet with its boundaries diminished to the extent of the proposed district it will eventually, as the surveys are extended over it, have all the business it can accommodate.

As to the Grand Forks district, the proposed reduction embraces land heretofore reserved, and the creation of the district referred to would only withdraw from it the business which must ultimately grow out of the restoration of said land to the mass of the public domain. This is desirable, as the office at Grand Forks is now overwhelmed with business, and this condition of affairs is likely to continue, as there will then remain a large tract of country which has not been surveyed.

In view of the foregoing, I recommend the establishment of the district contemplated by the third section of the bill.

The following suggestions are made in the nature of proposed amendments: In section 1, line 5, strike out the word "third" and insert the word "second." This will relieve the conflict between the first two districts as described in the bill.

In section 4, line 4, strike out the word "same," and in line 5, same section, between the words "allowed" and "to" insert the words "by law."

Very respectfully, your obedient servant,

N. C. McFARLAND,  
*Commissioner.*

Hon. H. M. TELLER,  
*Secretary of the Interior.*