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Report : Petition of J. Babb et al.

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IN THE SENATE OF THE UNITED STATES.

JANUARY 27, 1885.—Ordered to be printed.

Mr. WALKER, from the Committee on Indian Affairs, submitted the following

REPORT:

[To accompany bill H. R. 3003.]

The Committee on Indian Affairs, to whom was referred House bill 3003 and Senate bill 1381, report that the facts fully justify the report made by the House Committee on Indian Affairs, and they adopt the same. Said report is as follows:

This bill with the affidavits and other papers upon which the committee base this report, was presented to Congress in a message from the President of the United States. (Ex. Doc., No. 13, Forty-eighth Congress.)

Prior to May 1, 1878, J. H. Babb, Henry Boyle, William Harris, and Levi Harris settled upon lands in Duck Valley, on the Omghee River, Elko County, Nevada, which lands were then open to settlement as other Government lands, and made valuable improvements thereon, but never perfected their title thereto.

On or about the said 1st day of May, 1878, the said Duck Valley, including the lands upon which these settlers had made improvements, was set apart by Executive order as an Indian reservation for the Shoshone Indians, who took possession of the same, and the said settlers were compelled to abandon their settlements and improvements, which improvements they estimated in making claim for payment for the same to the Department of the Interior, as follows: J. H. Babb, \$200; Henry Boyle, \$4,000; William Harris, \$200; Levi Harris, \$8,000.

These claims were fully investigated by the Commissioner of Indian Affairs, who, in a report to the Secretary of the Interior, dated April 1, 1880, appraises the value of permanent improvements made by these settlers as follows: J. H. Babb, \$200; Henry Boyle, \$1,500; William Harris, \$200; Levi Harris, \$3,500; which amounts are the same as those in this bill. These settlers have made improvements upon lands open to settlement, and have been deprived of their improvements by the action of the Government, and are equitably entitled to payment for the same.

Your committee recommend the passage of the bill.

In which recommendation this committee concurs, and recommend the indefinite postponement of Senate bill 1381.