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Letter from the Secretary of the Interior, transmitting, in answer to Senate resolution of December 23, 1884, report of Commissioner of Indian Affairs regarding the price paid for certain Cherokee lands

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LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

In answer to Senate resolution of December 23, 1884, report of Commissioner of Indian Affairs regarding the price paid for certain Cherokee lands.

JANUARY 6, 1885.— Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, January 3, 1885.

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate, dated December 23, 1884:

Whereas by the act of March 3, 1883, the sum of \$300,000 was appropriated by Congress for the benefit of the Cherokee Nation of Indians "out of the funds due under appraisalment for Cherokee lands west of the Arkansas River": Therefore,

Be it resolved, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate, as soon as practicable—

First. What was the price paid said Cherokee Nation per acre for their lands west of Arkansas River.

Second. Whether there has been more than one appraisalment of such lands; and if so, what, and by what authority.

Third. If the payment of said \$300,000 was on account of any lands belonging to said Cherokee Nation west of the Arkansas River other than the lands occupied by the Pawnees, Nez Percés, Poncas, Otoes, Missouriias, and Osages.

In reply, I respectfully transmit herewith copy of report of 30th ultimo from the Commissioner of Indian Affairs, to whom the subject was referred, embodying the information called for in said resolution.

Very respectfully,

H. M. TELLER,
Secretary.

The PRESIDENT PRO TEMPORE OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., December 30, 1884.

SIR: I have the honor to acknowledge the receipt, by Department reference, for report, of Senate resolution dated December 23, 1884, referring to the act of March 3, 1883, appropriating the sum of \$300,000, to be paid to the Cherokee Nation of Indians out of the funds due under appraisalment for Cherokee lands west of the Arkansas River, and directing the Secretary of the Interior to inform the Senate as soon as practicable—

First. What was the price paid said Cherokee Nation per acre for their lands west of the Arkansas River.

Second. Whether there has been more than one appraisalment of such lands; and if so, what, and by what authority.

Third. If the payment of said \$300,000 was on account of any lands belonging to said Cherokee Nation west of the Arkansas River other than the lands occupied by the Pawnees, Nez Percés, Poncas, Otoes (and) Missouriias, and Osages.

In reply, I have to state that the Cherokees have not been paid for all their lands lying west of the Arkansas River.

There are of these lands 6,574,586.56 acres, of which there has been but one appraisement.

The appraised value of these lands, as fixed by the President June 23, 1879, by virtue of the authority vested in him by the act of 1872 (17 Stat., 190), and the act of 1876 (19 Stat., 120), is as follows, viz :

230, 014. 04 acres, at 70 cents per acre, Pawnees; see act 1876 (19 Stat., 28)	\$161, 009 82
6, 344, 572. 51 acres, at 47.49 cents per acre.....	3, 013, 037 48
<u>6, 574, 586. 56 acres.....</u>	<u>3, 174, 047 30</u>

The following dispositions have been made out of the lands in question, viz :

To the Pawnees, act 1876 (19 Stat., 28) :	
230, 014. 04 acres, at 70 cents per acre	\$161, 009 82
To the Nez Percés, act 1878 (20 Stat., 74) :	
90, 710. 89 acres, at 47.49 cents per acre.....	43, 078 60
To the Poncas, act 1881 (21 Stat., 422) :	
101, 894. 31 acres, at 47.49 cents per acre.....	48, 389 46
To the Otoes and Missouriias, act 1881 (21 Stat., 390) :	
129, 113. 20 acres, at 47.49 cents per acre.....	61, 315 85
<u>551, 732. 44 acres.....</u>	<u>313, 793 73</u>

On account of the Cherokee lands lying west of the Arkansas River, the following payments have been made, viz :

Under act June 16, 1880 (21 Stat., 248).....	\$300, 000 00
Under act March 3, 1881, Poncas (21 Stat., 422)	48, 389 46
Under act March 3, 1883 (22 Stat., 624).....	300, 000 00
<u>Total.....</u>	<u>648, 389 46</u>

This sum is \$334,595.73 in excess of the value of the lands disposed of at the price fixed by the President.

With the exception of the Poncas, in which case an express appropriation was made, this Department holds that the above-named appropriations were made on account of *all* the lands of the Cherokee Nation lying west of the Arkansas River, including the assignments made therefrom, as above stated.

The acts of June 16, 1880, and March 3, 1883, expressly provided that the appropriations thereby made were to be paid to the Cherokee Nation out of the funds due, under appraisement, for its lands west of the Arkansas River.

The Pawnees, Poncas, Nez Percés, and Otoes and Missouriias have made no payments to the Cherokees for the tracts occupied by them respectively. All payments made on account of these lands have been made by the Government.

The Osages, mentioned in the third subdivision of the resolution, are located on lands lying east of the Arkansas River, and which are not covered by the above-named appropriations. See act of 1872 (17 Stat., 228).

The resolution of the Senate is herewith returned.

Very respectfully, your obedient servant,

H. PRICE,
Commissioner.

The Hon. SECRETARY OF THE INTERIOR.