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### Indian appropriation bill.

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H.R. Rep. No. 1185, 50th Cong., 1st Sess. (1888)

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## INDIAN APPROPRIATION BILL.

MARCH 16, 1888.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

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

### REPORT:

[To accompany bill H. R. 8565.]

*The Committee on Indian Affairs, to whom was referred the estimates of the honorable Secretary of the Interior for appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with the various Indian tribes for the year ending June 30, 1889, and for other purposes, having had the same under consideration, beg leave to submit the following report:*

The estimates for the fiscal year ending June 30, 1889, submitted by the honorable Secretary for this branch of the public service, amounted in the aggregate to \$5,488,697.66. The amount appropriated by the bill here reported amounts in the aggregate to \$5,192,253.74, being less than estimates in the sum of \$296,443.92, and being \$96,644.92 less than was appropriated for same service last fiscal year.

Upon examination of the various items in the bill it will be found that while your committee have reduced the item of subsistence to various tribes much under last year, yet, owing to the fact that education through the various industrial schools, including farming, stock-raising, etc., is believed to be the most effective and successful mode of civilization, the items for that purpose have been increased; therefore the amount appropriated for the coming fiscal year is larger than it otherwise would have been. Should the policy of the Government continue in this line, the time is near at hand when the items for subsistence can and will be greatly reduced. We might with propriety and that in a few cases in this bill the entire indebtedness of the Government to certain Indians are appropriated, which will extinguish the Government's liability in this regard.

Your committee have scrupulously avoided placing any item in this bill that is in the least repugnant to the rules of the House. Having given the entire subject-matter full and careful consideration, your committee unanimously recommend it to the House.

The eighth section of the bill appropriates \$2,858,798.62, with the interest due thereon, to pay the judgment rendered by the Supreme Court of the United States in favor of the Choctaw Nation of Indians. This large sum draws interest at the rate of 5 per cent. per annum until paid, and therefore increases the liability of the Government more than \$140,000 per annum.

Congress has no power under the Constitution to review or revise

the judgment of the Supreme Court of the United States ; neither can its decisions be rendered nugatory by the action or non-action of any other department of the Government. To attempt to do so would be revolutionary ; to do so would be an end to government. Duty to the Constitution, as well as to sound economic principles of public policy, require that the interest on this judgment be stopped by paying the principal. Therefore your committee report the eighth section, providing for its payment.

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