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Claim of the Seneca Indians. Letter from the Acting Secretary of the Treasury, transmitting a communication from the Commissioner of Indian Affairs for an appropriation to pay the claim of the Seneca Indians for land taken by the United States

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CLAIM OF THE SENECA INDIANS.

L E T T E R

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

A communication from the Commissioner of Indian Affairs for an appropriation to pay the claim of the Seneca Indians for land taken by the United States.

APRIL 19, 1890.—Referred to the Committee on Indian Affairs.

TREASURY DEPARTMENT, *April 18, 1890.*

SIR: I have the honor to transmit herewith for the consideration of Congress, a communication from the Commissioner of Indian Affairs of the 14th instant, forwarded by the Secretary of the Interior, for an appropriation to pay the claim of the Seneca Indians for land taken by the United States, \$2,881.60.

Respectfully, yours,

GEO. S. BATCHELLER,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 14, 1890.

SIR: I have the honor to inclose herewith a copy of a communication from G. W. Stidham, esq., a Creek Indian, in reference to a claim of the Seneca tribe of Indians in the Indian Territory, for certain lands taken by the United States under the first article of the treaty with said Indians of February 23, 1867 (15 Stats., 513) in excess of the amount therein ceded.

The treaty above mentioned provides for the cession by the Seneca Indians to the United States of 20,000 acres of land for the settlement of the Wyandottes, and for which the sum of \$1 per acre was paid to the Senecas by the Government.

The first article of the treaty above referred to provides as follows:

The Senecas cede to the United States a strip of land on the north side of the present reservation in the Indian country: the land so ceded to be bounded on the east by the State of Missouri, on the north by the north line of the reservation, on the west by the Neosho River, and running south for the necessary distance; to contain 20,000 acres; for which the Government is to pay \$20,000 upon the ratification of the treaty; the south line of said tract to be ascertained by survey, at the cost of the United States.

Under the provisions of the foregoing article of the said treaty, the Wyandottes were settled upon the land in question, and the sum of \$20,000 was paid the Senecas therefor.

An examination of the official plats of survey of this tract on file in this office, however, shows that the portion of land so taken by the Government and occupied by the Wyandottes contains 21,405.66 acres, being an excess of 1,405.66 acres over the amount ceded, for which no compensation has ever been paid to the Senecas.

In reference to the request of Mr. Stidham, set forth in his communication, that an estimate be made to pay the Senecas \$1 per acre for the said portion of land taken in excess of the amount paid for, under the provisions of the said treaty, with interest from the date of the proclamation of said treaty, I have the honor to submit my opinion that the claim is a just one, and that the Seneca tribe should be paid the price mentioned for 1,405.66 acres, with interest at 5 per cent. per annum from July 1, 1869, the date on which the payment for the 20,000 acres became available.

As the Wyandottes have no money due them out of which payment for the said land could be made, I inclose herewith a draft of an item making the necessary appropriation from any money in the Treasury not otherwise expended, and have the honor to suggest that it be transmitted to Congress, with the recommendation that it be inserted in one of the appropriation bills.

Very respectfully, your obedient servant,

R. V. BELT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

ITEM.

To enable the Secretary of the Interior to pay per capita to the Seneca tribe of Indians, in the Indian Territory, the sum of one thousand four hundred and five dollars and sixty-six cents for one thousand four hundred and five and sixty-six-hundredths acres of land taken from said tribe, without compensation by the United States, in excess of the amount authorized to be taken by the first article of the treaty with said tribe, concluded February twenty-third, eighteen hundred and sixty-seven, with interest thereon at five per centum per annum from July first, eighteen hundred and sixty-nine, the date on which the payment for the land taken became available; in all two thousand eight hundred and eighty-one dollars and sixty cents.

322 FOUR-AND-A-HALF STREET, NORTHWEST,
Washington, D. C., January 6, 1890.

SIR: By reference to my letters of December 24, 1888, addressed to your predecessor, you will find that I presented a claim for the Seneca tribe of Indians located in the Indian Territory, for 1,406 acres of land set apart for the use of the Wyandotte Indians in 1867, which they have never been paid for, and requesting that an estimate be made for an appropriation to pay them. I again repeat the same request in their behalf.

Very respectfully, yours,

G. W. STIDHAM.

Hon. T. J. MORGAN,
Commissioner of Indian Affairs.