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ALLOTMENT OF LANDS IN SEVERALTY TO INDIANS.

APRIL 24, 1890.—Referred to the House Calendar and ordered to be printed.

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

REPORT:

[To accompany H R. 8905.]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 8905) to amend and further extend the benefits of an act entitled "An act to provide for allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February 8, 1887, having considered the same submit the following report:

The act of February 8, 1887, providing for the allotment of lands in severalty to Indians, provides that to each head of a family 160 acres of land shall be given; to each single person over eighteen years of age, 80 acres; to each orphan child under eighteen years of age, 80 acres; and to each other single person under the age of eighteen years 40 acres. This distinction is found unfortunate in efforts to enforce the law and the Indians generally look upon it as unfair. Married women are discriminated against and the distinctions created by the law work very much to its prejudice and in many instances prevent its execution. The proposed legislation will remedy this evil, and the passage of the bill without amendment is recommended.

A letter from George W. Gordon, late United States special Indian agent, addressed to the chairman of the committee, clearly shows the necessity of this legislation and is attached to and made a part of this report.

WASHINGTON, D. C., April 18, 1890.

SIR: Referring to House bill No. 8905, introduced by you and now before the committee of which you are chairman, and which is a bill "To amend and to further extend the benefits of an act entitled 'An act to provide for allotment of lands in severalty to Indians on various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians,' and for other purposes," approved February 8, 1887, I beg leave to say that the friends of the Indians would be glad that your committee would take action upon said bill, No. 8905, at as early a date as practicable, and report it back to the House for passage in order that it may be then sent to the Senate for its action at the present session of Congress.

I beg leave further to say that in my judgment this bill is not only right and proper and just to the Indians, but important to the public interest generally, and would remove the grave and very reasonable objections which the Indians now make to taking lands in severalty and to selling their unallotted lands for settlement by whites, as provided in the general allotment act of February 8, 1887, their said objections being that said act of February 8, 1887, makes no provision for allotment of

lands to married women, and that it makes an unjust discrimination between single persons by providing for the allotment of 80 acres to those over eighteen years of age and only 40 acres to those under that age. They think that an equal amount of land, per capita, should be allotted to all Indians without regard to age, sex, or conjugal relations. The reservation Indians maintain that their lands are now common property, and that it would be essentially and grievously unjust not to distribute them or the proceeds thereof equally among the members of the tribe per capita. Your amending bill not only meets this condition and removes the aforesaid objections to the act of February 8, 1887, but also contains other provisions material to the rights and interests of the Indians. May we not hope, therefore, for early action by your committee on said bill and its prompt passage by the House?

Touching the aforesaid objections of the Indians to the act of February 8, 1887, I beg leave further to say that I speak advisedly, having by virtue of my position and duties as special Indian agent for the Government had occasion to make some allotments of lands to Indians under said act, and of presenting it to others with a view to inducing them to take their lands in severalty thereunder. In this way I encountered but could not successfully meet their objections to (what appeared to them as also to me) the manifest inequality of that provision of the act relating to the distribution of their lands.

Very respectfully, your obedient servant,

GEO. W. GORDON,
Late United States Special Indian Agent.

Hon. B. W. PERKINS,
Chairman Committee on Indian Affairs, House of Representatives.

I heartily concur in the above suggestions.

E. WHITTLESEY,
Secretary Board of Indian Commissioners.

Nothing before Congress, relating to Indian affairs, so urgently demands immediate attention as does the bill above referred to. No progress can be made in the work of allotment of lands until the inequalities of allotment have been remedied, and no progress can be made by the allottee until he is put in position to use his land; and hopeless complications will result unless the law makes clear the line of descent and inheritance.

Yours, truly,

C. C. PAINTER,
Agent Indian Rights Association.