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Omaha Lands in Nebraska

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IN THE SENATE OF THE UNITED STATES.

JULY 12, 1890.—Ordered to be printed.

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

REPORT:

[To accompany S. 4207.]

The Committee on Indian Affairs, to whom was referred the bill (S. 4207) entitled "A bill extending the time of payment to purchasers of land of the Omaha tribe of Indians in Nebraska, and for other purposes," have had the same under consideration, and report it back favorably and recommend its passage.

A bill on the same subject (H. R. 5974), that passed both branches of the Congress at the present session, was recently vetoed by the President for the reason, solely, that it contained the following provision, viz:

That all the lands, the payment for which is hereby extended, shall be subject to *taxation* in all respects by and in the State of Nebraska as if fully paid for and patents issued.

The Executive was of the opinion that this would give a purchaser of the lands at a tax-sale a title superior to the lien of the Government for purchase money.

The present bill omits the objectionable provision which provoked the veto. Your committee adopt the report made by it on the original bill, which was as follows—following the language of the House report, in which your committee concurred and now re-adopt as applicable hereto:

The relief sought by this bill is to allow the purchasers of land on the Omaha Indian Reservation, who purchased this land under and by virtue of an act of Congress approved August 7, 1882, to extend the time for making the first payment of principal until December 1, 1894. These lands were sold in 1883, at a time when real estate was at its highest point in Nebraska, and the land was sold at prices averaging more than \$12 an acre. The purchasers under the law were compelled to erect buildings and improve the land. This has been done in every case. As under the act the money paid by the purchasers is covered into the Treasury and the Omaha Indians receive only the interest thereon, your committee deem it wise to allow the principal to remain in the hands of the purchasers instead of lying idle in the Treasury of the United States. There is no question but that the principal is well secured.

Section 2 of the act allows an entryman who purchased less than 160 acres of land to buy at the appraised value additional lands so that the amount purchased shall not in the aggregate exceed 160 acres as provided in the original act, the lands so purchased to be contiguous to those already secured, and the terms of payment to be made the same as in the original act provided.

This is an amendment recommended by the committee, but desired by the settlers, and with this amendment the passage of the bill is recommended.

This bill, like the one vetoed, requires all interest to be paid over to the Indians, and distributed by the agent pro rata, annually, in order to enable them to purchase needed machinery, tools, implements of hus-

bandry, and to make improvements on their farms. They having taken lands in severalty since the passage of the act of August 7, 1882, this extension of financial aid seems wise and just.

Your committee have added, by way of an amendment to the original bill, a provision saving the rights of settlers who may have been in default July 1, 1891, relying as they have upon Congress to extend their times of payment before any forfeiture was incurred. In view of the objects of the measure this seems only just and proper.

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