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Delaware Indians. Letter from the Secretary of the Interior for appropriations to carry out treaty stipulations with Delaware Indians

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DELAWARE INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR

FOR

Appropriations to carry out treaty stipulations with Delaware Indians.

MARCH 17, 1870.—Referred to the Committee on Appropriations and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 15, 1870.

SIR: On the 11th of February, 1869, the department addressed a communication to Congress, inclosing a copy of a report from the Commissioner of Indian Affairs, dated the 9th of the same month, setting forth the necessity of an appropriation to carry out the provisions of the ninth article of the treaty of July 4, 1866, with the Delaware Indians, (Stats. at Large, vol. 14, p. 796,) and the passage of a joint resolution giving authority to the Secretary of the Interior to dispose of certain stocks belonging to the trust fund of the tribe.

As far as I am advised, it is not known that action was had upon this business by the last Congress, and I have, therefore, the honor again to present a copy of the report referred to, as also copy of a letter of the Commissioner of Indian Affairs of the 11th instant, upon the subject, and request the early and favorable attention of Congress thereto.

I am, sir, very respectfully, your obedient servant,

J. D. COX,
Secretary.

Hon. J. G. BLAINE,
Speaker of the House of Representatives.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., February 9, 1869.

SIR: By the ninth article, treaty of July 4, 1866, with the Delawares, (see Statutes at Large, vol. 14, p. 796,) it is stipulated that a registry shall be made of all of said Indians who have elected to dissolve their tribal relations and to become citizens of the United States; that any of said Delawares, being adults, may appear before the judge of the district court of the United States for the district of Kansas, and make

the same proof and take the same oath of allegiance as is provided for the naturalization of aliens, "and also make proof, to the satisfaction of said court, that he is sufficiently intelligent and prudent to control his own affairs and interests; that he has adopted the habits of civilized life, and has been able to support, for at least five years, himself and family, when he shall receive a certificate of the same under the seal of said court;" also, that on filing such certificate in this office, such Delaware Indian shall be entitled to receive his just proportion in cash or bonds of the cash value of the credits of said tribe, principal and interest, then held in trust by the United States.

Certificates, as provided in said article, to the number of twenty, have been filed in this office, and the names of the persons therein designated have been reported for patents for the lands allotted to them respectively. These twenty, therefore, by the terms of said treaty, are entitled to receive their *pro rata* share of all annuities and trust property held by the United States.

It appears from papers and documents on file in this office that there were nine hundred and eighty-five of the tribe who elected to remove, and there are forty-seven children of those who have become citizens. This makes the total number of the tribe one thousand and fifty-two.

The following is a statement of the annuities and funds belonging to said Indians, viz:

Amount placed to the credit of the Delawares on the books of the Treasury Department, being the amount of bonds held in trust for them, and which were stolen while in the custody of Jacob Thompson, late Secretary of the Interior, per act of July 12, 1862. (Statutes at Large, vol. 12, p. 539, &c.).....	\$423, 990 26
Amount agreed to be set apart for school purposes, per fifth article treaty of May 6, 1856, (Statutes at Large, vol. 10, p. 1049,) being the value of thirty-six sections of land by former treaty.....	46, 080 00
Total amount to the credit of the tribe in the treasury.....	<u>470, 070 26</u>

Stock held in trust for said Indians :

GENERAL FUND.

State of Florida, at seven per cent.....	\$59, 000 00
State of Georgia, at six per cent.....	2, 000 00
State of Louisiana, at six per cent.....	4, 000 00
State of Missouri, at six per cent.....	10, 000 00
State of North Carolina, at six per cent.....	121, 000 00
State of South Carolina, at six per cent.....	1, 000 00
United States loan of 1862, at six per cent.....	210, 300 00
United States issue to Union Pacific Railway, (E. D.,) six per cent.....	280, 000 00
United States five-twenties, 1867, at six per cent.....	26, 400 00

SCHOOL FUND.

United States loan of 1862, at six per cent.....	11, 000 00
Total amount of stocks.....	<u>724, 700 00</u>

Taking the foregoing statement as a basis of calculation, and the amounts found due said twenty members of the tribe who have become citizens are as follows:

Of the amount \$423,990 26, placed to the credit of the tribe, per act of July 12, 1862, twenty shares will be...	\$8,060 65
Of the amount \$46,080, set apart for education, per treaty of 1829, being the value of thirty-six sections of land, twenty shares will be.....	876 04
Of the stock, amounting to \$724,700, held in trust for the Delawares, twenty shares will be equal to.....	13,777 56
	<hr/>
Total amount due said twenty persons.....	22,714 25
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Of which amount the sum of \$8,936 69 will have to be appropriated by Congress before payment can be made to the members of said tribe who have become, or elected to become, citizens of the United States. It will also be necessary for Congress to grant the necessary authority to your department to dispose of so much of the respective stocks held in trust for the Delawares as said twenty persons are entitled to receive for their pro rata share, in order that they may be paid in full and a final settlement be made with them.

Many of the bonds held in trust for these Indians, it will be observed, are non-paying; and on others, the interest is paid annually, only in part. Should any of these be sold at their present depreciated value, a loss to the Indians would result, which should, if possible, be avoided, as it is believed they are entitled to the par value, at least, of all the bonds held in trust for them by the government.

If the proper proportion of each kind of bonds to which said twenty persons are entitled be sold, it is the opinion of this office that a sufficient amount should be appropriated by Congress to make a sum equal to the par value of the various State stocks that may be disposed of; or if this course be considered injudicious, that the proper proportion of said State stocks be assumed by the government, and an appropriation be made equal to the par value of the same. This question is respectfully submitted for your consideration, and for such recommendation to Congress as may be deemed advisable.

I respectfully request that this matter be laid before Congress, with the view of having the necessary appropriation made, and for such action in the premises as may be thought proper by that body.

Very respectfully, your obedient servant,

N. G. TAYLOR,
Commissioner.

Hon. O. H. BROWNING,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., March 11, 1870.

SIR: I have the honor to invite your attention to office report of the 9th of February, 1869, relative to paying certain Delaware Indians who have become citizens of the United States agreeably to the ninth article of the treaty of July 4, 1866, with the Delawares, their pro rata share of the cash value of the credits of the tribe, principal and interest.

Patents have been issued to the twenty persons referred to in said report, and consequently the payment should be made as soon as possible, that the business of the citizen members of the tribe may be completed, and a final settlement be made with them.

It is presumed this matter was submitted to the last Congress by your department, in February, 1869, but no action thereon was taken by that body; and I therefore respectfully recommend that the attention of the present Congress be invited to the subject, with the view of having the necessary appropriation made, and for such action in regard to the disposition of the requisite amount of bonds held in trust for said Indians as may be thought proper.

Very respectfully, your obedient servant,

E. S. PARKER,
Commissioner.

Hon. J. D. Cox,
Secretary of the Interior.

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