

10-17-1893

## Cherokee claimants to purchase tracts of land

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CHEROKEE CLAIMANTS TO PURCHASE TRACTS OF LAND.

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OCTOBER 17, 1893.—Indefinitely postponed and ordered to be printed.

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Mr. McRAE, from the Committee on the Public Lands, submitted the following adverse

REPORT:

[To accompany S. 457.]

The Committee on the Public Lands, to whom was referred the bill (S. 457) authorizing certain Cherokee allottees or claimants to purchase certain tracts held and claimed by them, have had the same under consideration and report the same back with the recommendation that it be indefinitely postponed.

The following letter from the honorable Secretary of the Interior will fully explain why the bill should not pass:

DEPARTMENT OF THE INTERIOR,  
*Washington, D. C., September 29, 1893.*

SIR: I have the honor to acknowledge the receipt of your communication referring to this Department Senate bill 457, with the request for my opinion of the propriety of passing the same.

In the agreement with the Cherokee Nation concerning the lands commonly known as the "Cherokee Outlet" it was provided that citizens of the Cherokee Nation possessing certain qualifications should have the right to select allotments on the ceded lands, said allotments being limited to the number of seventy. In the act of March 3, 1893 (27 Stat., 640), ratifying said agreement, the following provisions in relation to these allotments is found:

"The allotments provided for in the fifth section of said agreement shall be made without delay by the persons entitled thereto, and shall be confirmed by the Secretary of the Interior before the date when said lands shall be declared open to settlement; and the allotments so made shall be published by the Secretary of the Interior for the protection of proposed settlers."

A number of applications, considerably in excess of the seventy provided for, for allotments under said agreement were presented. Upon consideration of these applications in the Department it was decided that but sixty-two of the number had shown themselves entitled, and that number were accordingly confirmed and published prior to the opening of said lands to settlement.

Inasmuch as this Department, after a careful consideration of the matter, found less than the number provided for entitled to allotments, and as the lands in question have been opened to settlement without reservations being made for the purpose contemplated by this bill, I am of the opinion it should not be passed.

Said bill is herewith returned.

Very respectfully,

HOKE SMITH,  
*Secretary.*

Hon. THOS. C. McRAE,  
*Chairman Committee on the Public Lands, House of Representatives.*