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**Compensation for survey of lands of the Five Civilized Tribes in Indian Territory. Letter from the Secretary of the Interior, transmitting a draft of a bill to authorize compensation for the survey of the lands of the Five Civilized Tribes of Indians, submitted by the Commissioner of the General Land Office.**

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COMPENSATION FOR SURVEY OF LANDS OF THE FIVE  
CIVILIZED TRIBES IN INDIAN TERRITORY.

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

*A draft of a bill to authorize compensation for the survey of the lands of the Five Civilized Tribes of Indians, submitted by the Commissioner of the General Land Office.*

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JANUARY 3, 1895.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, December 27, 1894.*

SIR: I have the honor to transmit herewith copy of a communication of 21st instant from the Commissioner of the General Land Office and accompanying draft of a bill "To authorize the Secretary of the Interior to make compensation for the survey of the lands of the Five Civilized Tribes in the Indian Territory by the day, instead of by the mile, and for other purposes."

This matter has been considered by the Department and meets with its approval, and I have the honor to recommend that the bill receive the favorable action of Congress.

Very respectfully,

HOKE SMITH, *Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

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DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., December 21, 1894.*

SIR: I have the honor to inclose herewith a draft of a bill "To authorize the Secretary of the Interior to make compensation for the survey of the lands of the Five Civilized Tribes in the Indian Territory by the day, instead of by the mile, and for other purposes."

Appropriations for said surveys were made by the Indian appropriation acts of March 3, 1893 (\$25,000), and August 15, 1894 (\$5,000).

In response to a letter of inquiry from this office as to whether it would be lawful to appoint deputy surveyors at per diem rates, and expenses of assistants, etc., the deputies to be designated by the Secretary of the Interior, and appointed by this office, in lieu of the formally awarded contracts to said deputies at legal rates of mileage, secured by bonds, in the same manner as in the survey of the public lands, the Comptroller of the Treasury states that the words "in conformity to the laws applicable to the public domain," which are embodied in the act of August 15, 1894, making the appropriation of \$5,000, "cover all laws governing the survey of the public lands, and as the clause making appropriations for the survey of the public lands, which provides for specific mileage rates, is part of the 'laws applicable to the public domain,' said rates must govern the surveys made under the appropriations for surveying the lands in the Indian Territory," and he therefore held that the execution of these surveys by duly appointed surveyors at per diem rates could not be allowed.

Being fully convinced that by adopting the method of making these surveys as provided in the proposed bill, herewith inclosed, this office will be enabled to secure more prompt, efficient, and economical service than under the prevailing contract system and mileage rates, I would respectfully request that said bill may be transmitted to Congress with your favorable recommendation.

I am, sir, very respectfully,

S. W. LAMOREUX, *Commissioner*.

The SECRETARY OF THE INTERIOR.

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A BILL to authorize the Secretary of the Interior to make compensation for the survey of the lands of the Five Civilized Tribes in the Indian Territory by the day, instead of by the mile, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in expending any unexpended balance of the sum of twenty-five thousand dollars appropriated for surveys by section fifteen of the Indian appropriation act, approved March third, eighteen hundred and ninety-three, the sum of five thousand dollars appropriated by the Indian appropriation act of August fifteenth, eighteen hundred and ninety-four, for surveying lands in the Indian Territory known as those of the Five Civilized Tribes, the Secretary of the Interior may, in his discretion, make compensation for surveys by the day, instead of by the mile, and it shall be lawful for the said Secretary to appoint the surveyors necessary for the execution of the work, at such fair and reasonable rates for services, and to allow the actual and necessary expenses incident to the surveys, including the purchase of the requisite instruments and equipment, as may, in his judgment, be required to insure the accurate and faithful execution of the work.