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Town sites in Oklahoma.

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Recommended Citation

H.R. Rep. No. 478, 54th Cong., 1st Sess. (1896)

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TOWN SITES IN OKLAHOMA.

FEBRUARY 21, 1896.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. LACEY, from the Committee on the Public Lands, submitted the following

REPORT:

[To accompany H. R. 1191.]

This bill was submitted to the Secretary of the Interior, and thereupon the Secretary submitted the following report and a substitute bill to the committee.

DEPARTMENT OF THE INTERIOR,
Washington, February 13, 1896.

SIR: I have the honor to hand you herewith a report from the Commissioner of the General Land Office, dated the 11th instant, on H. R. 1191, "To reaffirm an act of the Oklahoma legislature, approved February 27, 1895, and for other purposes."

The Commissioner is of the opinion, for the reasons in his report, that the bill (a copy of which he herewith transmits) should be substituted in lieu of H. R. 1191. I concur in the Commissioner's recommendation.

Very respectfully,

HOKE SMITH, *Secretary.*

Hon. JOHN F. LACEY,
Chairman Committee on the Public Lands, House of Representatives.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., February 11, 1896.

SIR: I have the honor to acknowledge receipt, for report in duplicate and return of papers, of House bill No. 1191, entitled "A bill to ratify an act of the Oklahoma legislature, approved February twenty-seventh, eighteen hundred and ninety-five, and for other purposes."

The purpose of the bill is to provide for the disposal of reservations in town site commuted under section 22, act of May 2, 1890 (26 Stat. L., 81), where such town site has been "vacated" in accordance with the laws of the Territory of Oklahoma.

While the object intended by the bill is one for which some provision should be made, the measure proposed does not meet with the approval of this office in its present form.

I, therefore, have the honor to recommend the substitution of a bill of the form herewith inclosed, in lieu of House bill No. 1191.

As the act of the Oklahoma legislature, approved February 27, 1895, which the bill, No. 1191, proposes to ratify, contravenes no law of the United States and needs no ratification, that feature has been omitted from the form of bill submitted.

The papers are returned.

Very respectfully,

S. W. LAMOREUX, *Commissioner.*

The SECRETARY OF THE INTERIOR.

SUBSTITUTE FOR THE BILL.

A BILL to provide for the disposal of public reservations in vacated town sites or additions to town sites in the Territory of Oklahoma.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where a town site, or an addition to a town site, entered under the provisions of section twenty-two of an Act entitled "An Act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States court in the Indian Territory, and for other purposes," approved May second, eighteen hundred and ninety, shall be vacated in accordance with the laws of the Territory of Oklahoma, and patents for the public reservations in such vacated town site, or addition thereto, have not been issued, it shall be lawful for the Commissioner of the General Land Office, upon an official showing that such town site, or addition thereto, has been vacated, and upon payment of the homestead price for such reservations, to issue a patent for such reservations to the original entryman.

If the original entryman shall fail or neglect to make application for the reservations within six months from the vacation of such town site, or from the passage of this Act, the reservations shall be subject to disposal under the provisions of section twenty-four hundred and fifty-five of the Revised Statutes of the United States, as amended by the Act approved February twenty-sixth, eighteen hundred and ninety-five.

SEC. 2. That if a patent has already issued, or shall hereafter issue, for any such reservation, to any town or municipality, such town or municipality, upon the vacation of the town site or addition thereto, as aforesaid, may sell the same at public or private sale to the highest bidder after thirty days' public notice of such sale, and convey said lands to the purchaser by proper deed of conveyance, and cover the proceeds of such sale into the school fund of such town or municipality: *Provided,* That where, by reason of the vacation of an entire town site and all its additions, the municipal organization has ceased to exist, the reservations in such vacated town site which may have been patented to the town may be disposed of as isolated tracts under the provisions of section twenty-four hundred and fifty-five of the Revised Statutes of the United States, as amended by the Act approved February twenty-sixth, eighteen hundred and ninety-five.

SEC. 3. That all laws and parts of laws, in so far as they conflict with this Act, are hereby repealed.

The proposed substitute of the Commissioner of the General Land Office effects the purpose for which the original bill was introduced and intended.

The reasons for the passage of the substitute sufficiently appear in the correspondence above.

The committee therefore recommend that all after the enacting clause be stricken out and that the above substitute be adopted and passed.