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DETERMINATION OF RIGHTS OF CERTAIN INDIANS.

APRIL 20, 1898.—Referred to the House Calendar and ordered to be printed.

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

REPORT.

[To accompany S. 3544.]

The Committee on Indian Affairs, to whom was referred Senate bill No. 3544, have had the same under consideration and return it with the following amendments:

After the word "rights," at the end of line 6, on page 5, add the following language:

Provided, however, That nothing herein shall in any manner impair or disturb any rights acquired by such persons by virtue of the findings and judgment of the Commission to the Five Civilized Tribes of Indians, or of the United States courts in the Indian Territory upon appeal in proceedings had under the jurisdiction and authority conferred by act of Congress approved June tenth, eighteen hundred and ninety-six.

Add the following as section 6, to be inserted at the end of section 5:

SEC. 6. That the Delaware Indians residing in the Cherokee Nation are hereby authorized and empowered to bring a suit, in law or in equity, against the United States Government in the Court of Claims to recover and collect from the United States Government any money that in law or equity may be found due to the said tribe under treaty stipulations and for reimbursement of their tribal fund for money wrongfully diverted therefrom.

That the Peoria tribe of Indians is hereby authorized and empowered to bring a suit in the Court of Claims of the United States within six months after the passage of this act against the United States Government for the purpose of determining what, if any, moneys or lands are due said Peoria tribe from the United States, particularly under treaties of eighteen hundred and fifty-four (Tenth Statutes, —) and eighteen hundred and sixty-seven (Fifteenth Statutes, five hundred and thirteen), and jurisdiction is hereby conferred on said court to hear and determine the same.

That the Seminole Nation of Indians in the Indian Territory be, and is hereby, authorized and empowered to institute in the United States Court of Claims against the United States a suit or suits to recover any and all moneys and arrears of interest claimed to be due said nation under or in pursuance of law or treaty stipulations.

Also, the persons known as the loyal Seminole Indians in the Indian Territory be, and they are hereby, authorized and empowered, within ninety days after the passage of this act, to institute suit in the said Court of Claims against the United States to recover any and all moneys claimed to be due them in pursuance of treaty stipulations.

Also, the persons known as the loyal Creek Indians are authorized to bring suit as herein provided for any loss of property under the provisions of the treaty of eighteen hundred and sixty-six.

All reports, records, and documents relative to said claims on file in any of the Executive Departments of the Government and any awards made by the Secretary of the Interior in relation thereto may be used before said court, to the end that justice may be done to all parties in interest.

On page 5, line 7, strike out "6" and insert "7."

On page 6, strike out all of lines 9, 10, 11, 12, and 13 and insert the following: "and the judgment of said court shall be final."

Your committee are of the opinion that the several questions sought to be transferred to the Court of Claims for adjudication by the bill are of that character that can be settled with more satisfaction in a court, upon judicial investigation, than in a legislative body, involving as they do intricate and complicated questions of law and fact.

The extent of the interest of the Delaware Indians to the lands and tribal funds of the Cherokee Nation, the extent of interest of the white persons who have intermarried with Indian citizens to participate in the allotment of lands and tribal funds of their respective nations or tribes, and the interest of that class of persons known as the "Chickasaw freedmen" in the lands and tribal funds of said Chickasaw Nation are questions of long standing and have been the fruitful source of much contention and dissatisfaction, and they demand a speedy and just settlement. Their determination must precede the allotment of the tribal lands in severalty or any just distribution of funds belonging to said tribes or nations.

The other matters covered by the bill are of minor importance, involving disputed claims between the nations and citizens of the nations and the United States, but justice and fair treatment demand that these disputes should be adjusted.

Your committee therefore recommend the passage of the bill.

