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Letter from the Secretary of the Interior, in response to Senate resolution of January 25, 1893, relative to the grant made to the Northern Pacific Railroad Company.

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IN THE SENATE OF THE UNITED STATES.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

IN RESPONSE

To Senate resolution of January 25, 1893, relative to the grant made to the Northern Pacific Railroad Company.

MARCH 3, 1893.—Referred to the Committee on Public Lands and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, March 3, 1893.

SIR: I herewith transmit a preliminary report by the Commissioner of the General Land Office upon the resolution of the Senate passed January 25, 1893, with reference to the grant made to the Northern Pacific Railroad Company.

I respectfully invite attention to the statement made therein.

When the magnitude of the labor involved under the resolution is considered, and the further fact that the results, when found, so far as it is possible to ascertain the same, will at best be indefinite and unsatisfactory, the Senate may, in its wisdom, deem it best to modify said resolution.

Very respectfully,

JOHN W. NOBLE,
Secretary.

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., February 21, 1893.

SIR: I have to acknowledge the receipt, by reference from the Department for report, of Senate resolution of January 25, 1893, directing you to report to the Senate as follows:

The area of lands traversed by the railroad excluded from the grant to the Northern Pacific Railroad Company because reserved, granted, or otherwise appropriated, or to which claims or rights had attached prior to July 2, 1864; the area of lands excluded from said grant by similar causes arising subsequent to July 2, 1864; the area of the different reservations and grants, given separately, by reason of which lands are held excluded from said grant; the estimated area of lands

excluded from the grant on account of mineral deposits; the area of the surveyed lands, in each State, within the first indemnity belt of the grant selected by the company; the area of surveyed lands within such first indemnity belt now remaining subject to selection; and the estimated area of unsurveyed land which will probably become subject to selection in each State.

It will be observed that, to comply with this resolution, it is not only necessary to adjust the grant to the Northern Pacific Railroad Company as far as it can be done, but, in addition to the examination of the lands within the primary limits, a thorough examination of all lands within the first indemnity belt, so as to ascertain the status of each tract, will be essential. Now, when it is considered that the length of this railroad is 2,254 miles, that the place limits for over 1,900 miles cover a belt of territory 80 miles wide and the balance a belt 40 wide, and that the first indemnity belt covers territory equal to a belt 20 miles in width throughout the entire length of the road, the magnitude of the work required will be understood, and it must also be understood that the force to be employed thereon must be composed of experienced clerks.

Now, the examination of the lands within the primary limit of the grant and the ascertainment of the exact status of each particular tract is necessary in the adjustment of the grant, and is a duty which devolves upon this office; but an examination of each tract of indemnity land is not essential in the adjustment of the grant. An examination of indemnity lands by this office is required for such lands only as the company applies to select, and this is of course not made until the application is presented. Therefore, an examination of lands equal to a belt of territory 20 miles wide and 2,254 miles long would be of little value or benefit for any purpose, except for the use of the railroad company.

Then, because of the great quantity of unsurveyed land within the primary limits of the grant, especially in Montana, no estimate at all reliable of lands excluded from it on account of mineral can be given, and because this office has no knowledge of what settlement claims there may be on unsurveyed lands within the indemnity limits, an estimate of the quantity of unsurveyed lands within said limits which will probably become subject to selection by the company would, I think, be worthless.

Then, again, the question as to whether the lands embraced in certain Indian reservations are to be excluded from the grant, or whether upon the extinguishment of the Indian title they will pass to the company, has not yet been determined.

In consideration of the length of time which must elapse before a report in accordance with the resolution can be prepared, I think it proper to submit this preliminary statement for your information, and to enable you, if deemed proper, to secure a modification of the Senate resolution.

The available force of the division of the office whose duty it will be to make the examination are now busily engaged upon other pressing work, but the examination of the primary limits of the railroad grant will be proceeded with as early as possible.

Very respectfully,

W. M. STONE,
Commissioner.

The SECRETARY OF THE INTERIOR.