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In the Senate of the United States. Letter from the Acting Secretary of the Interior, in response to the Senate resolution of March 22, 1894, as to sums of money paid out by, and that may be due from, the United States by virtue of treaties with the Wahpaykootey and Medawakantan bands of Sioux Indians.

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IN THE SENATE OF THE UNITED STATES.

LETTER

FROM

THE ACTING SECRETARY OF THE INTERIOR,

IN RESPONSE TO

The Senate resolution of March 22, 1894, as to sums of money paid out by, and that may be due from, the United States by virtue of treaties with the Wahpaykootey and Medawakantan bands of Sioux Indians.

MAY 10, 1894.—Ordered to lie on the table and be printed.

DEPARTMENT OF THE INTERIOR,
Washington, May 9, 1894.

SIR: I have the honor to acknowledge the receipt of the following Senate resolution, dated March 22, 1894:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate what sums of money, if any, have been paid out by the United States, to what bands of Indians paid, and when paid, under and by virtue of the stipulations of the treaties of 1836 and 1851, with the Wahpaykootey and Medawakantan bands of Sioux Indians, the former treaty having been made at St. Peters, Minn., and proclaimed February 18, 1837, and the latter treaty having been made at Mendota, Minn., August 5, 1851, and proclaimed February 24, 1853. Also what sums have been paid, to whom and when paid, under a treaty with same Indians, made at the city of Washington, June 19, 1858, and proclaimed March 31, 1859, and also to inform the Senate what sums would now be due under such treaties if the same were in force, and what sum or sums would be due to what was a portion of said bands of Indians, but now known as the Santee Sioux Indians, residing at this time in the Santee Agency, in the State of Nebraska, as near as the same can be ascertained.

In reply thereto, I transmit herewith copy of a communication of the 5th instant from the Commissioner of Indian Affairs on the subject, to whom the matter was referred, wherein he states that the information requested is on file in the office of the Second Auditor of the Treasury. The Commissioner called upon the Second Auditor to furnish the information, and the papers in the case were referred to the Department by the Acting Secretary of the Treasury, stating that "if the information desired by the Senate is to be furnished by the Auditor, an appropriation for clerks to be employed in its preparation would seem to be necessary."

I have the honor to be, very respectfully,

WM. H. SIMS,
Acting Secretary.

The PRESIDENT OF THE SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 5, 1894.

SIR: I have the honor to be in receipt, by your reference for report of the 23d of March, of the following Senate resolution, viz:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to inform the Senate what sums of money, if any, have been paid out by the United States, to what bands of Indians paid, and when paid, under and by virtue of the stipulations of the treaty of 1836 and 1851 with the Wahpaykootey and Medawakantan bands of Sioux Indians, the former treaty having been made at St. Peters, Minn., and proclaimed February 18, 1837, and the latter treaty having been made at Mendota, Minn., August 5, 1851, and proclaimed February 24, 1853. Also what sums have been paid, to whom, and when paid under a treaty with same Indians made at the city of Washington June 19, 1858, and proclaimed March 31, 1859; and also to inform the Senate what sums would now be due under such treaties, if the same were in force, and what sum or sums would be due to what was a portion of said bands of Indians but now known as the Santee Sioux Indians, residing at this time in the Santee Agency in the State of Nebraska, as near as the same can be ascertained.

In reply, I have the honor to state that upon an examination of the aforesaid resolution, it was ascertained that the data required involved an examination of pay rolls and vouchers from 1852 to 1863, inclusive, on file in the office of the Second Auditor of the Treasury.

On the 2d day of April last this office called upon the Second Auditor of the Treasury to furnish this office with the information required, and I am now in receipt of a communication from said officer, addressed to the honorable Secretary of the Treasury, dated the 18th ultimo, in which he states that—

A cursory examination of the magnitude of the undertaking involved in a compliance with the Commissioner's request, which will require several months' tedious search of the files, and expert work, and by a division already overcrowded with work and greatly behind on account of the constantly increasing demands of the Indian service, and an insufficient force, renders it necessary that this office submit the matter for your advice.

The Secretary, in referring the letter of the Second Auditor to this Department, made the following indorsement thereon:

"Respectfully referred to the honorable Secretary of the Interior, inviting attention to the report of the Second Auditor in regard to the information called for by Senate resolution of March 22, 1894.

If the information desired by the Senate is to be furnished by the Auditor, an appropriation for clerks to be employed in its preparation would seem to be necessary.

W. E. CURTIS,
Acting Secretary.

From the above it will be seen that it is impossible for this office to report the information called for by the first clause of the resolution.

In regard to the closing question of the resolution as to "what sum or sums would be due to what was a portion of said bands of Indians, but now known as the Santee Sioux Indians residing at this time on the Santee Agency in the State of Nebraska, as near as the same can be ascertained," this office is clearly of the opinion that no sum or sums are due the said Sioux, for the following reason, viz:

The Santee Sioux Indians were parties to the treaty between the United States of America and the different tribes of Sioux Indians concluded April 29, *et seq.*, 1868; ratification advised February 16, 1869; proclaimed February 24, 1869 (15 Stats., 635). Under article 10 of said agreement the Indians named consented to receive the benefits to be

derived from said treaty for *thirty years*, "in lieu of all sums of money or other annuities provided to be paid to the *Indians herein named*, under *any treaty or treaties heretofore made.*"

The Senate resolution is returned herewith.

Very respectfully,

D. M. BROWNING,
Commissioner.

The SECRETARY OF THE INTERIOR.

