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Treaty stipulations with Indian tribes. (To accompany bill H.R. no. 1073.).

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TREATY STIPULATIONS WITH INDIAN TRIBES.

[To accompany bill H. R. No. 1073.]

MAY 14, 1868.—Ordered to be printed.

Mr. BUTLER, from the Committee on Appropriations, made the following

REPORT.

In the matter of the claim of the Choctaw Indians, under the 11th article of the treaty of June 22, 1855, as ratified by the Senate by the resolution of 9th March, 1859, and confirmed by the treaty of June 28, 1866, your committee report :

That by that treaty it was submitted to the Senate to adjudicate whether the Choctaws are entitled to the proceeds of the sale of their lands by the treaty of September 27, 1853, deducting therefrom the cost of survey and sale, and at what price per acre the lands remaining unsold shall be allowed the Choctaws in order to a final settlement with them ; and, secondly, whether a gross sum shall be allowed in full satisfaction of all claims, national and individual, against the United States. Whereupon the Senate, on the 9th of March, 1859, resolved that the Choctaws be allowed the proceeds of such lands as had been sold by the United States, after deducting all proper expenses and reservations, at the rate of \$1 25 per acre, and that they should be allowed 12½ cents per acre for the residue of their lands, *i. e.* those remaining unsold ; and that the Secretary of the Interior cause an account to be stated showing the amount due according to the principles of settlement above recited and report the same to Congress.

This account was transmitted to Congress on the 8th of May, 1860, and revised and corrected by the Committee on Indian Affairs, and a balance reported as due the Choctaws of \$2,322,460 85.

By the act of March 2, 1861, Congress made an appropriation of \$500,000 on account of this claim, viz : \$250,000 in cash and \$250,000 to be paid in bonds.

On the 5th of July, 1862, and 3d of March, 1866, Congress restricted the expenditure of this appropriation and bonds to such of the Choctaw nation as might remain loyal, and the Secretary of the Interior reports that it was expended in accordance with the directions of said acts. But by the treaty of 28th of April, 1866, all acts of hostility and disloyalty were condoned, and questions of differences settled between the Choctaw nation and the United States by the 10th article thereof, which reads as follows :

ARTICLE X. The United States reaffirms all obligations arising out of treaty stipulations or acts of legislation with regard to the Choctaw and Chickasaw nations, entered into prior to the late rebellion, and in force at that time, not inconsistent herewith, and further agrees to renew the payment of all annuities and other moneys accruing under such treaty stipulations and acts of legislation, from and after the close of the fiscal year ending on the 30th of June, 1866.

It will therefore be seen that that amount of \$1,832,560 85 is justly due and payable to the Choctaw nation according to treaty stipulations and under the legislation heretofore had. There seems to be no good reasons why this amount

should not be paid. Indeed common justice requires either that it should be paid or that some provision should be made by which the income arising therefrom should be secured to the tribe, many of whom are represented to be poor, and from their losses during the war needing this money for their support.

It seems to have been the policy of the government for a long series of years in many treaty stipulations to guarantee an investment of five per centum for the money due the Indians for ceded lands such as this, but heretofore the government, after guaranteeing five per cent, have invested these moneys in State stocks, many of which are worthless. As the government must be for many years a borrower it is the part of prudence that such investments should be made in its own notes. It would, therefore, in view of all the circumstances of the case, seem best to issue for the payment of this sum (provided the provision will be accepted by the Choctaw nation) twenty-year bonds of the United States on five per cent. interest, lawful money, payable semi-annually, either coupon or registered, as may be desired by the recipients, of denominations of not less than \$50.

Your committee, therefore, have added a section to the Indian appropriation bill to carry out the principles and objects set forth in this report :

SEC. — *And be it further enacted*, That in order to carry into effect the eleventh and twelfth articles of the treaty between the United States and the Choctaw and Chickasaw tribes of Indians confirmed by the Senate on the twenty-first day of February, in the year one thousand eight hundred and fifty-six, and the resolution of the Senate of the United States in pursuance thereof made on the ninth day of March, in the year one thousand eight hundred and fifty-nine, as finally adjusted by the report of the Committee on Indian Affairs made to the Senate on June nineteenth, in the year one thousand eight hundred and sixty, and the tenth article of the treaty between the United States and the said Indians approved by the Senate of the United States on the twenty-eighth day of June, in the year of our Lord one thousand eight hundred and sixty-six, the Secretary of the Treasury is hereby authorized and directed to issue on the credit of the United States coupon bonds or registered bonds of denominations not less than fifty dollars each, payable twenty years from the date of the approval of this act, bearing interest at the rate of five per centum lawful money, payable semi-annually, for the sum of eighteen hundred and thirty-two thousand five hundred and sixty dollars and eighty-five cents, which bonds shall be delivered to the Choctaw Indians : *Provided*, Said Choctaw tribe of Indians shall receive the same in full satisfaction and discharge of all claims of the said tribe, and of the members thereof, against the United States existing prior to the twenty-eighth day of June, in the year one thousand eight hundred and sixty-six.