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### The Choctaw Indians

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S. Rep. No. 178, 41st Cong., 2nd Sess. (1870)

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IN THE SENATE OF THE UNITED STATES.

MAY 27, 1870.—Ordered to be printed.

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

REPORT.

*The Committee on Indian Affairs, to whom was referred the memorial of Peter P. Pitchlynn, delegate of the Choctaw Indians, report :*

That on the 2d of March, 1861, Congress passed a law which provided : "For the payment to the Choctaw nation or tribe of Indians, on account of their claims under the eleventh and twelfth articles of the treaty with said nation or tribe, made 22d of June, 1855, the sum of five hundred thousand dollars ; two hundred and fifty thousand dollars of which said sum shall be paid in money, and for the residue the Secretary of the Treasury shall cause to be issued to the proper authorities of the nation, or tribe, on their requisition, bonds of the United States, authorized by law at the present session of Congress : *Provided*, That in the future adjustment of the claim of the Choctaws, under the treaty aforesaid, the said sum shall be charged against the Indians." (See 12 Statutes at Large, 238 and 239.)

The two hundred and fifty thousand dollars, so provided to be paid to the Choctaw nation, they received in conformity to said treaty ; but the bonds of the United States for the same amount were not then, and have not since been executed to them.

The treaty between the United States and Choctaw nation, of date of 28th April, 1866, in Article X, provides : "The United States reaffirms all obligations arising out of treaty stipulations, or acts of legislation, with regard to the Choctaw and Chickasaw nations, and entered into prior to the late rebellion, and in force at that time, not inconsistent herewith, and further agree 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."

Article XLV provides : "All the rights, privileges, and immunities heretofore possessed by said nation, or individuals thereof, or to which they were entitled under the treaties and legislation heretofore made and had in connection with them, shall be, and are hereby declared to be, in full force so far as they are consistent with the provisions of this treaty." (14 Stats. at Large.)

The late rebellion, and the disorders and confusion which it so extensively introduced, doubtlessly caused the United States government to neglect the issuance and deliverance of their bonds to the Choctaw authorities, in pursuance of the treaty of 1855, herein referred to ; but all the rights of the said Choctaw nation and individuals created by it,

and not inconsistent with the treaty between that nation and the United States of 1866, are recognized and reaffirmed by this last treaty. Wherefore your committee recommend that the Secretary of the Treasury be authorized to issue the bonds of the United States, of the aggregate amount of two hundred and fifty thousand dollars, of date of July 1, 1866, bearing interest at the rate of — per centum per annum from their date; and to pay to the agents of the Choctaw nation annual interest on the aggregate amount of said bonds so far as it may have accrued.

Your committee report herewith the form of a section of an act to carry into effect their purposes set forth in this report, and recommend that it be incorporated with the Indian appropriation bill now pending before the Senate.