

D. T. O. T. A. June 14.th
May 17, 1867

Sir.

I have the honor to introduce
herewith for your consideration
a petition to Congress from certain
settlers upon what are known
as the "Abandoned Chippewa Indian
Lands" in Kansas, asking that
provision be made for the sale
of said lands; also a petition
to the same effect from the
Chippewa Council, which
papers were referred to you
by Amos Combs and Ross and
Representative Clark, bearing
their endorsement thereon
"That no legislation is necessary
to provide for the manner of sale
and we suggest that the manner
herein pointed out will be
just & fair to all parties," which
papers were ^{on the 13th instant returned} transmitted by you
The Department of Interior to
this Office for a report, under
~~the 1st inst.~~

^{2^d article of the}
The Chippewa Treaty of 1854, [State
at 2. Vol 10. p 1084] provides that "after

all the Shawnees, and other persons
herein provided for, shall have received
their share of the two hundred
thousand acres of land reserved,
it is anticipated, that there will
still be a residue which
where it was stipulated should
be set apart in one body under the
direction of the President, for
the benefit of such Shawnees
then absent, as might return
to and settle with the tribe
within four years from the
proclamation of the treaty,
(November 2^d 1854) and, ^{that} ~~where~~
surplus of said lands which might
remain unassigned to the
"absentees" at the expiration of
said four years shall be sold as
hereinafter provided.

The allotments herein provided for by the
treaty having been made, there remained a
residue of 24,188³/₄ acres of land, which with
the approval of the Secretary of the Interior
dated November 2, 1857, was set apart for the
"absentee Shawnees".

~~1857~~ Of this amount 19,97¹/₂ acres
have been assigned to certain of the
"absentees" who returned to and

united with the tribe within
the five years specified in the
Treaty, bearing 22. 148th acres of
the lands yet undisposed of.

It was the obvious intention of
the parties to the Treaty that
the surplus "Aboriginal Lands"
should be disposed of at the
expiration of the five years
named, for that ^{specifically} instrument
states that: "Whatever portion of said
surplus remains unassigned, after
the expiration of said five years, shall
be sold as hereinafter provided."

^{no} ^{however}
Mode of sale, is specified in the
Treaty, but from the fact that the
setting apart of these lands, and
the disposition of the proceeds
of the surplus thereof, is, by the
Treaty, placed under the direction
of the President, it may, perhaps,
be inferred that it was also
intended that the President
should direct as to the sale
of the surplus lands.

The plan proposed by the
Shannon Council for disposing
of the lands in question is
substantially that provided
for by the recent Shannon

truly now before the Senate
for its constitutional action
thereon, but, inasmuch as that body
adjourned without taking action
thereon, and may not again
convene before December, prompt
action in the premises is urged
by the Indians, and by the Senators
and Representatives from Kansas.

Should you be of opinion
that it is competent for the
President to order the sale
of said lands, I respectfully
recommend that you obtain
his order for that purpose.

In regard to the mode of sale
I suggest that the lands be first
appraised by ^{three Commissioners} ~~to be appointed by the Secretary of the Interior~~
- ^{two} one of whom shall be
designated by the Commissioner
of Indian Affairs, one by the
Chambers Council and one by
the ^{Indian} ~~Aboriginal~~ Chambers. That \$2.50
be fixed as the minimum
price for said lands; that all
improvements thereon be apprais-
- ed separately; that all settlers
thereon at the date of the
President's order for the sale
of the lands shall have the
right to enter the same ^{at their Office}, upon
payment of the amount of the
appraisement thereof, in legal
subdivisions and in quantities

not exceeding one hundred,
and fifty acres for any one
person, for the period of three
months from and after the date
of the President's Order aforesaid;
That after the expiration of
said three months the residue
of said lands shall be sold
at not less than the appraised
value thereof, upon sealed bids
to be invited by the Commissioner
of Indian Affairs, and that the
proceeds of the sales of said
lands shall be invested by the
Secretary of the Interior in United
States Securities, ~~for the benefit~~
until such time as a final
disposition thereof shall have
been determined by treaty or
law.

I also inclose herewith a
copy of an Order upon the same
subject from Senator Ross.

Very
Respectfully,
N. B. Taylor
Secy

Hon. W. O. G. Llo
Act Sec of Int.