

BALANCE FROM SALE OF CHOCTAW ORPHAN RESER-  
VATIONS.

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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES,

COMMUNICATING

*Papers respecting a balance remaining from sales of Choctaw Orphan  
reservations.*

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JUNE 24, 1856.—Referred to the Committee on Indian Affairs, and ordered to be printed.

*To the Senate and House of Representatives of the United States:*

I communicate herewith a letter from the Secretary of the Interior, and accompanying papers, respecting the sum of \$16,024 80 now in the hands of the agent for the Choctaw Indians, being a balance remaining from the sales of "Choctaw orphan reservations," under the 19th article of the treaty of 1830, and commend the subject to the favorable consideration of Congress.

FRANKLIN PIERCE.

WASHINGTON, June 20, 1856.

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DEPARTMENT OF THE INTERIOR,  
Washington, June 20, 1856.

SIR: I have the honor to submit to you herewith a copy of a letter from the Commissioner of Indian Affairs, dated the 11th instant, and accompanying papers, in relation to \$16,024 80 in the hands of the agent for the Choctaw Indians, being a residue from the sales of Choctaw orphan reservations, in the year 1838, made under the 19th article of the treaty of 1830, to which the claimants or heirs of the original reservees cannot be found.

Agreeably to the suggestions of the Commissioner, I have the honor to recommend, with your approbation, that Congress be asked to authorize this department to pay the amount above specified, in

the hands of the agent, to the Choctaw national authorities, to aid in the establishment of orphan asylums in that nation.

I am, sir, with great respect, your obedient servant,

R. McCLELLAND,  
*Secretary.*

To the PRESIDENT.

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DEPARTMENT OF THE INTERIOR,  
*Office Indian Affairs, June 11, 1856.*

SIR: I have the honor herewith to submit for your consideration a copy of a letter from Douglas H. Cooper, esq., United States agent for the Choctaws, dated the 27th ultimo, in which he recommends that the authority of Congress be obtained for turning over \$16,024 80, in his hands, to the Choctaw nation, for aiding in the establishment of orphan asylums.

This money is a residue from sales of Choctaw orphan reservations, in 1838, under the 19th article of the treaty of 1830, to which the claimants or heirs of the original reservees cannot be found.

The money has been in the hands of government agents four or five years, and the proper beneficiaries have not been found, and there is but little expectation that any of them will be.

I would, therefore, respectfully suggest that you recommend that legal authority be given to the department to pay this money over to the Choctaw national authorities, for the purpose of establishing, or aiding the establishment of orphan asylums in the nation; the nation being made liable to refund, at any time, on the demand of the Secretary of the Interior, such amount as may be necessary to pay any claimant, or his heirs or assigns, who may hereafter appear and establish his rights to the satisfaction of the department.

This arrangement will be entirely secure, since the recent treaty, under which the United States will hold in perpetuity a trust fund of \$500,000 for the Choctaw nation, the interest on which will be annually payable.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

Hon. R. McCLELLAND,  
*Secretary of the Interior.*

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MONDOVA, *May 27, 1856.*

SIR: I would respectfully call your attention to the balance in my hands to the credit of the "trust-fund due orphan Choctaws," amounting to seventeen thousand five hundred and fifty dollars and eighty-two cents, (\$17,550 82.) While taking the census of Eastern Choctaws, I expected to have had applications, by Choctaw orphans who remained east, setting up claims to this balance, or a considerable portion of it, but, with one single exception, no claimant ap-

peared. The exception was "Atekwah," who had previously, at Fort Towson, set up a claim to Nos. 25 and 26 on the roll of orphans registered in Netacaches district. To these claims there is an opposing claim west, viz: that of "Shimoutah," who alleges that he is the true heir. It is difficult to determine who is the legal heir, the testimony being very contradictory and unsatisfactory. With the exception above stated, the whole fund may safely be considered as one to which no claimants can be identified; and I would recommend that Congress be called upon to pass an act authorizing the fund to be turned over to the Choctaw nation, for the purpose of aiding and establishing Choctaw orphan asylums and schools, and that suitable buildings at Fort Towson be also donated for that purpose.

The school for boys, in my opinion, if established, should have connected with it the manual-labor system, and the boys be taught agriculture and some of the mechanic arts. There are at Towson buildings amply sufficient for all purposes connected with such an establishment, and fields extensive enough and fertile for gardens and a small farm. This fund of itself would be amply sufficient to start the schools, &c.; and the Choctaw nation could not find a worthier object upon which to expend, annually, a portion of the interest which will arise from the \$500,000 to be invested under the treaty of 1855.

It is, at all events, necessary that some action should be taken by Congress soon, touching this balance, or else it must be returned into the treasury. If I am not mistaken, it accords with the expressed views of the department to have it turned over to the Choctaw nation; and I merely suggest the idea of the particular direction to be given to it, in view of the probability that the buildings at Fort Towson, or the greater portion of them, will not be much longer needed for the use of the Choctaw agency, which presents a fair opportunity for the government to endow a charitable institution among the Choctaws.

I am, truly and respectfully, yours, &c.,

DOUGLAS H. COOPER,

*U. S. Indian Agent for Choctaws and Chickasaws.*

Hon. GEO. W. MANYPENNY,

*Comm'r Indian Affairs, Washington, D. C.*

P. S.—The amount claimed by Atekwah and Shimoutah is \$1,526 02, leaving a balance of \$16,024 80, to which no claimant can be possibly identified.

N. B.—If an act be passed ordering the transfer of the unclaimed orphan fund to the nation, it should also embrace a provision to give direction to any future balance which may be due the unclaimed cases, when the proceeds of orphan lands and interest shall be divided among the claimants.

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DEPARTMENT OF THE INTERIOR,

*Office Indian Affairs, June 10, 1856.*

SIR: A letter, dated the 27th ultimo, has been received here from Douglas H. Cooper, esq., agent, &c., in regard to a balance of

\$16,024 80 in his hands unclaimed of "trust-fund due Choctaw orphans;" on consideration of which I have concluded that the amount, for the present, should be returned to the United States treasury.

You will, accordingly, direct him to deposite that amount with the assistant treasurer at Little Rock or New Orleans, as may best suit his convenience, taking duplicate certificates of the deposite—one of which he will forward to this office, when the amount will be brought to his credit, and restored to the proper appropriation.

The attention of the Secretary of the Interior will be called to the agent's recommendation; and should the department approve, a recommendation will be made to Congress for the enactment of a law authorizing the payment of the money, on proper conditions, to the Choctaw council, for founding schools or asylums.

Very respectfully, your obedient servant,

GEO. W. MANYPENNY,  
*Commissioner.*

CHARLES W. DEAN, Esq.,  
*Superintendent Indian Affairs, Fort Smith, Arkansas.*