

61ST CONGRESS, } H. R. 22484.
2D SESSION.

A BILL

To provide for the final disposition of the affairs of the Five Civilized Tribes, and for other purposes.

By Mr. CREAGER.

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3 That all contest allotment cases shall be disposed of in the
4 office of the Commissioner to the Five Civilized Tribes not
5 later than June first, nineteen hundred and ten, and by the
6 office of the Secretary of the Interior not later than Sep-
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8 All town lots of the Five Civilized Tribes remaining
9 unsold, including all lots forfeited for nonpayment, shall be
10 sold prior to June first, nineteen hundred and ten, and paid
11 for on or before May first, nineteen hundred and eleven. In
12 cases where settlements for town-site purposes have been

1 established upon unallotted lands, where such communities
2 at the date of the passage of this Act exceed in number one
3 hundred persons, such lands in as small subdivisions as are
4 practicable, shall be immediately segregated, platted, sched-
5 uled, and appraised, and sold and paid for as other unsold
6 town lots, such payments to be completed on or before June
7 thirtieth, nineteen hundred and eleven.

8 All tracts reserved for school, church, or cemetery pur-
9 poses which have not been abandoned shall be immediately
10 deeded to the parties entitled or to the public, and such
11 deeds placed of record within the county where such tracts
12 of land lie; and all such tracts which have been abandoned
13 shall be sold prior to July first, nineteen hundred and ten,
14 and paid for prior to June thirtieth, nineteen hundred and
15 eleven.

16 All patents or deeds for town lots or tracts of land, or of
17 coal or asphalt, heretofore sold or hereafter sold, shall be
18 issued and delivered at the earliest practicable moment and
19 not later than thirty days from the date of final payment.

20 Where patents or deeds have not heretofore been issued
21 for allotted lands, the certificate of allotment shall be con-
22 sidered final evidence of title and shall be equivalent in
23 every respect to a patent therefor duly recorded, and the
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 5 be paid to anyone to whom an allotment of land is due a sum
 6 of money equal to twice the appraised value of land due to
 7 such allottee. Jurisdiction is hereby conferred on the Court
 8 of Claims to determine the value of the equity, if any, of the
 9 Choctaw and Chickasaw nations and to the lands formerly
 10 owned by them and known as the "leased district."

11 All school funds of the Five Civilized Tribes, whether
 12 heretofore set apart or not, shall be added to the funds of the
 13 tribes for per capita distribution, and the same is hereby ap-
 14 propriated for that purpose; and all funds due to any of such
 15 tribes as annuities shall be capitalized on the basis of twenty
 16 for one whenever the Secretary of the Interior is ready to
 17 make the final distribution of the tribal funds in per capita
 18 payments, and a sum sufficient to pay same is hereby ap-
 19 propriated.

20 That the present market value of the segregated coal
 21 and asphalt, separate from the surface, in the Choctaw
 22 and Chickasaw nations, shall be ascertained and appraised
 23 by the Secretary of the Interior in tracts not exceeding nine
 24 hundred and sixty acres, together with the surface thereof,
 25 in tracts not exceeding one hundred and sixty acres, within

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1 four months from the passage of this Act, and all such
2 appraised valuations shall be published.

3 The Secretary of the Interior shall immediately ad-
4 vertise for sale such coal and asphalt, and sell the same in
5 tracts not exceeding nine hundred and sixty acres, to the
6 highest bidder, at not less than the appraised value: *Pro-*
7 *vided*, That in the event any of such tracts receive no bid
8 equal to or higher than the appraised value, it shall be
9 immediately resold after advertisement for sixty days to
10 the highest bidder without reference to appraised value.

11 In like manner shall be sold the surface of said segregated
12 coal and asphalt lands in tracts not to exceed one hundred
13 and sixty acres of agricultural land, nor six thousand and
14 forty acres of grazing land, upon such terms and under
15 such rules as may be prescribed by the Secretary of the
16 Interior: *Provided*, That all payments for such coal and
17 asphalt and the surface of such coal and asphalt lands shall
18 be completed not later than June thirtieth, nineteen hundred
19 and twelve: *Provided*, That where land has high value it
20 may be subdivided and sold in like manner in small tracts:
21 *Provided further*, That the State of Oklahoma shall be given
22 preference right to purchase mineral or timber lands without
23 reserve as to area, under similar conditions and terms ex-
24 tended to other purchasers.

1 Any person or corporation having a coal or asphalt
2 lease upon which mining operations are now being con-
3 ducted shall have a preference right for three months to
4 purchase not exceeding ten per centum of the surface of the
5 lands embraced within their lease for use in mining opera-
6 tions at a price not less than double the appraised value of
7 such surface: *Provided, however,* That the preference right
8 shall not apply to lands valuable for town-site purposes.

9 All other unsold lands belonging to any of the Five
10 Civilized Tribes shall be sold in like manner under like rules
11 and regulations: *Provided,* That at the first public sale of
12 such lands they shall not be sold at less than twice the ap-
13 praised value of such lands. If there remain any of such
14 lands not sold under these conditions, they shall be thereafter
15 offered and sold, after general advertisement, to the highest
16 bidder: *Provided,* That all payments shall be completed by
17 June thirtieth, nineteen hundred and twelve.

✓ According to this no one will undertake to buy at the price twice the appraised value. But will wish to do so at the final sale.

18 All tribal officers are hereby abolished, except the chief
19 executives, their secretaries, and the mining trustees of the
20 Choctaw and Chickasaw nations, and attorneys of the said
21 tribes, whose offices shall terminate June thirtieth, nineteen
22 hundred and twelve, at which date the tribal existence shall
23 be held as ended.

24 Conveyances made by full-blood heirs subsequent to
25 July twenty-seventh, nineteen hundred and eight, of allot-

1 ments where the allottee died prior to May twenty-seventh,
2 nineteen hundred and eight, shall have the same effect as if
3 the allottee had died subsequent to May twenty-seventh,
4 nineteen hundred and eight, and without requiring the
5 approval of the Secretary of the Interior.

6 The Commissioner to the Five Civilized Tribes, as the
7 United States Indian superintendent, shall use a seal with
8 his official title thereon in attesting copies of the records of his
9 office, which shall be conclusive evidence, when signed by
10 him or the clerk in charge, that the signature thereto attached
11 is the signature of such officer, and any copy of any record
12 when so certified shall be admissible in evidence in all courts
13 for all purposes for which the original itself would have been
14 admissible.

15 The office of the Commissioner to the Five Civilized
16 Tribes shall terminate June thirtieth, nineteen hundred and
17 ten, and all duties of said office shall be thereafter discharged
18 by the United States Indian superintendent at Union Agency.

19 Where merchantable timber is upon unsold lands and
20 has heretofore been appraised it shall be sold, together with
21 lands, in tracts not exceeding one hundred and sixty acres, at
22 not less than twice the appraised value, both land and timber,
23 as other unsold lands, and under the rules heretofore pro-
24 vided in this Act. No tribal funds shall hereafter be ex-

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2 propriation by Congress as authorized in this Act.

3 The proceeds from all sales provided for in this Act, and
4 any and all funds belonging to the Five Civilized Tribes de-
5 rived from any source, shall be distributed per capita to the
6 legally enrolled members thereof, their heirs or legal repre-
7 sentatives, except that the citizens of the Creek Nation shall
8 be paid pro rata the funds available for the equalization of
9 allotments: *Provided*, That the Court of Claims is hereby
10 given jurisdiction with full equity powers to hear and finally
11 determine any claims made by the citizens of the Creek
12 Nation to further compensation for the equalization of
13 allotments.

14 All per capita payments herein provided for shall be
15 made by check, requiring two witnesses to the signature or
16 mark of the payee: *Provided*, That in no case shall any of
17 such checks be discounted at a rate in excess of one-half of
18 one per centum, under penalty of one thousand dollars fine.

19 All Acts and parts of Acts in conflict herewith are
20 hereby repealed.

21 That the Act entitled "An Act making appropriations
22 for the current and contingent expenses of the Indian De-
23 partment for fulfilling treaty stipulations with various Indian
24 tribes, and for other purposes," approved June twenty-first,
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1 page three hundred and twenty-five), be, and the same is
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