

312

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SENATE

} REPORT
} No. 790

AUTHORIZING THE PONCA TRIBE OF INDIANS RESIDING IN THE
STATES OF OKLAHOMA AND NEBRASKA TO SUBMIT CLAIMS TO
THE COURT OF CLAIMS

JUNE 6, 1924.—Ordered to be printed

Mr. HARRELD, from the Committee on Indians Affairs, submitted
the following

REPORT

[To accompany H. R. 4275]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 4275) authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The facts are set forth in House Report No. 457, Sixty-eighth Congress, first session, which is appended hereto and made a part of this report.

[House Report No. 457, Sixty-eighth Congress, first session]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 4275) authorizing the Ponca Tribe of Indians residing in the States of Oklahoma and Nebraska to submit claims to the Court of Claims, having considered the same, report thereon with a recommendation that it do pass with the following amendments:

Page 2, line 6, after the word "counterclaims" insert the words "including gratuities."

Page 2, line 8, change the period to a comma and insert "and any tribe or band of Indians deemed necessary to a final determination of any suit hereunder shall be joined as the court may order."

Page 2, line 21, after the word "Indians" insert "and in no event to exceed the sum of \$25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit."

This bill has been given careful consideration, and your committee, after holding hearings, recommends the enactment of this bill with the above-mentioned amendments. Mr. E. B. Meritt, Assistant Commissioner of Indian Affairs, appeared before your committee and stated that the department had no serious objection to these Indians presenting their claims to the Court of Claims. His statement in part is as follows:

"The department has been submitting reports on the claims of the Ponca Indians for a good many years. Some of these reports have been favorable, but

2 AUTHORIZING PONCA TRIBE OF INDIANS TO SUBMIT CLAIMS

recent reports have been more or less unfavorable. The department has taken the position that the terms of the treaty have been actually complied with and that the Government at this time owes the Ponca Indians no money under the provisions of the treaties. The Ponca Indians, however, have been convinced for a great many years that they have a just claim against the Government. The Omaha Indians secured the passage of a jurisdictional bill through Congress a few years ago, and secured a judgment amounting to about \$300,000. The Ponca Indians have a certain claim in connection with some lands they have ceded, and they believe if they were able to go to the Court of Claims they could recover a judgment. We have no serious objection to their going to the Court of Claims under a properly worded jurisdictional act, and the department has indicated in its report the changes it would like to have in this bill. This is an old claim and the Indians will never be satisfied until they have had an opportunity to go to the Court of Claims, and if the jurisdictional bill is properly worded I see no objection to their having the opportunity."

Your committee have embodied the amendments recommended by the department in this report and recommend the passage of this bill.