

CHAP. XXXII. — *An Act to establish Peace with certain Hostile Indian Tribes.*

July 20, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to appoint a commission to consist of three officers of the army not below the rank of brigadier general, who, together with N. G. Taylor, Commissioner of Indian Affairs, John B. Henderson, Chairman of the Committee of Indian Affairs of the Senate, S. S. Tappan, and John B. Sanborn, shall have power and authority to call together the chiefs and headmen of such bands or tribes of Indians as are now waging war against the United States or committing depredations upon the people thereof, to ascertain the alleged reasons for their acts of hostility, and in their discretion, under the direction of the President, to make and conclude with said bands or tribes such treaty stipulations, subject to the action of the Senate, as may remove all just causes of complaint on their part, and at the same time establish security for person and property along the lines of railroad now being constructed to the Pacific and other thoroughfares of travel to the western Territories, and such as will most likely insure civilization for the Indians and peace and safety for the whites.

See post, p. 80.
Commission to treat with hostile Indians, and make treaties, &c.

SEC. 2. *And be it further enacted,* That said commissioners are required to examine and select a district or districts of country having sufficient area to receive all the Indian tribes now occupying territory east of the Rocky mountains, not now peacefully residing on permanent reservations under treaty stipulations, to which the government has the right of occupation or to which said commissioners can obtain the right of occupation, and in which district or districts there shall be sufficient tillable or grazing land to enable the said tribes, respectively, to support themselves by agricultural and pastoral pursuits. Said district or districts, when so selected, and the selection approved by Congress, shall be and remain permanent homes for said Indians to be located thereon, and no person [s] not members of said tribes shall ever be permitted to enter thereon without the permission of the tribes interested, except officers and employees of the United States: Provided, That the district or districts shall be so located as not to interfere with travel on highways located by authority of the United States, nor with the route of the Northern Pacific Railroad, the Union Pacific Railroad, the Union Pacific Railroad Eastern Division, or the proposed route of the Atlantic and Pacific Railroad by the way of Albuquerque.

Commissioners to select a district or districts, subject to the approval of Congress, for a permanent home for certain Indians.

Members of tribes only to enter thereon, without, &c.

Districts not to interfere with travel on highways, nor with certain railroad routes.

SEC. 3. *And be it further enacted,* That the following sums of money are hereby appropriated out of any moneys in the treasury, to wit: To carry out the provisions of the preceding sections of this act, one hundred and fifty thousand dollars; to enable the Secretary of the Interior to subsist such friendly Indians as may have separated or may hereafter separate themselves from the hostile bands or tribes and seek the protection of the United States, three hundred thousand dollars.

Appropriation under this act.

SEC. 4. *And be it further enacted,* That the Secretary of War be required to furnish transportation, subsistence, and protection to the commissioners herein named during the discharge of their duties.

Transportation, subsistence, &c. of commissioners.

SEC. 5. *And be it further enacted,* That if said commissioners fail to secure the consent of the Indians to remove to the reservations and fail to secure peace, then the Secretary of War, under the direction of the President, is hereby authorized to accept the services of mounted volunteers from the Governors of the several States and Territories, in organized companies and battalions, not exceeding four thousand men in number, and for such term of service as, in his judgment, may be necessary for the suppression of Indian hostilities.

Services of certain mounted volunteers may be accepted, if, &c.

SEC. 6. *And be it further enacted,* That all volunteers so accepted shall be placed upon the same footing, in respect to pay, clothing, subsistence, and equipment, as the troops of the regular army.

Pay, subsistence, &c. of such volunteers, if accepted.

* Commissioners to report to the President.

SEC. 7. *And be it further enacted*, That said commissioners report their doings under this act to the President of the United States, including any such treaties and all correspondence as well as evidence by them taken.

APPROVED, July 20, 1867.

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CHAP. XXXIII. — *An Act to carry into Effect the Convention with the Republic of Venezuela for the Adjustment of Claims of Citizens of the United States on the Government of that Republic.*

Pay, &c. of commissioner for adjustment of claims upon Venezuela.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of carrying into effect the convention with the Republic of Venezuela, for the adjustment of claims of citizens of the United States on the Government of that Republic, signed at Caracas on the twenty-fifth day of April, eighteen hundred and sixty-six, the Commissioner to be appointed by the President of the United States, by and with the advice and consent of the Senate, shall be allowed a compensation in full for his services of three thousand dollars, and ten dollars a day in commutation of travelling expenses for the time actually and necessarily occupied in going from the place of his residence to Caracas, and returning to his home, after the termination of his duties.

Pay of Minister Resident in Venezuela, if appointed Commissioner. 1856, ch. 127, § 9. Vol. xi. p. 66.

SEC. 2. *And be it further enacted*, That if the President shall elect to appoint the Minister Resident of the United States in Venezuela to perform the duties of Commissioner under the convention aforesaid, such Minister shall receive a compensation for his services of fifty per centum of the sum hereinbefore mentioned pursuant to the provisions of the ninth section of the act of August eighteenth, eighteen hundred and fifty-six, "To regulate the diplomatic and consular systems of the United States."

Contingent expense of the Commission, and pay of umpire and secretary.

SEC. 3. *And be it further enacted*, That the President be, and hereby is, authorized to make such provision for the contingent expenses of the Commission under the convention, including the moiety of the United States for the compensation of the umpire, and of the secretary who may be chosen by the Commissioners, pursuant to the provisions of the convention, as he shall deem just and proper.

Appropriation.

SEC. 4. *And be it further enacted*, That such sums of money as may be necessary to carry out the provisions of this act, be, and they are hereby, appropriated out of any money in the treasury not otherwise appropriated.

APPROVED, July 20, 1867.

July 20, 1867. 1867, ch. 13, § 6. Ante, p. 9.

CHAP. XXXIV. — *An Act amendatory of "An Act making Appropriations to supply Deficiencies in the Appropriations for contingent Expenses of the Senate of the United States for the fiscal Year ending June thirty, eighteen hundred and sixty-seven, and for other Purposes.*

Repeal of act prohibiting the making of treaties with Indian tribes, &c.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the concluding portion of section six of an act entitled "An act making appropriations to supply deficiencies in the appropriations for contingent expenses of the Senate of the United States for the fiscal year ending June thirtieth, eighteen hundred and sixty-seven," approved March twenty-ninth, eighteen hundred and sixty-seven, in the words following, to wit: "And all laws allowing the President, the Secretary of the Interior, or the Commissioner of Indian Affairs to enter into treaties with any Indian tribes are hereby repealed, and no expense shall hereafter be incurred in negotiating a treaty with any Indian tribe until an appropriation authorizing such expense shall be first made by law," be, and the same is hereby, repealed.

APPROVED, July 20, 1867.