

CIRCULAR RELATIVE TO LANDS IN THE POSSESSION OF INDIAN OCCUPANTS.

**Department of the Interior,**

GENERAL LAND OFFICE,

*Washington, D. C., October 26, 1887.*

*To Registers and Receivers and U. S. Surveyors General.*

GENTLEMEN:

Your attention is called to the circular of this Department of May 31, 1884, relative to lands occupied by Indian inhabitants (3 L. D., 371), viz:

DEPARTMENT OF THE INTERIOR,

GENERAL LAND OFFICE,

*Washington, D. C., May 31, 1884.*

*Registers and Receivers, U. S. Land Offices.*

GENTLEMEN:

Information having been received from the War Department of attempts of white men to dispossess non-reservation Indians along the Columbia River and other places within the Military Department of the Columbia of the land they have for years occupied and cultivated, and similar information having been received from other sources in reference to other localities where land is occupied by Indians who are making efforts to support themselves by their own labor, you are hereby instructed to peremptorily refuse all entries and filings attempted to be made by others than the Indian occupants upon lands in the possession of Indians who have made improvements of any value whatever thereon.

In order that the homes and improvements of such Indians may be protected, as intended by these instructions, you are directed to ascertain, by whatever means may be at your command, whether any lands in your districts are occupied by Indian inhabitants, and the locality of their possession and improvements as near as may be, and to allow no entries or filings upon any such lands. When the fact of Indian occupancy is denied or doubtful, the proper investigation will be ordered prior to the allowance of adverse claims. Where lands are unsurveyed no appropriation will be allowed within the region of Indian settlements until the surveys have been made and the land occupied by Indians ascertained and defined.

Very respectfully,

N. C. McFARLAND,  
*Commissioner.*

Approved, May 31, 1884:

H. M. TELLER,  
*Secretary.*

The foregoing instructions apply to every land district and to all lands occupied by Indian inhabitants in any part of the public land States and Territories of the United States.

It has been officially represented that these instructions are disregarded, and that public land entries have been allowed upon lands on which Indian inhabitants have their homes and improvements, and in some cases where the Indians have so resided for a number of years, cultivating the soil, and making the land their permanent homes.

The allowance of such entries is a violation of the instructions of this Department, an act of inhumanity to defenseless people, and provocative of violence and disturbance.

You are enjoined and commanded to strictly obey and follow the instructions of the above circular and to permit no entries upon lands in the possession, occupation, and use of Indian inhabitants, or covered by their homes and improvements, and you will exercise every care and precaution to prevent the inadvertent allowance of any such entries. It is presumed that you know or can ascertain the localities of Indian possession and occupancy in your respective districts, and you will make it your duty to do so, and will avail yourselves of all information furnished you by officers of the Indian service.

Surveyors General will instruct their deputies to carefully and fully note all Indian occupations in their returns of surveys hereafter made or reported, and the same must be expressed upon the plats of survey.

Very respectfully,

WM. A. J. SPARKS,  
*Commissioner.*

DEPARTMENT OF THE INTERIOR,

OFFICE OF THE SECRETARY,

*October 27, 1887.*

Approved:

H. L. MULDROW,  
*Acting Secretary.*



Circular of  
Instructions  
to Land Office  
Indian Claims