

5-1142

UNITED STATES
DEPARTMENT OF THE INTERIOR
INDIAN FIELD SERVICE

A-1
49751-26

SACRAMENTO INDIAN AGENCY
SACRAMENTO-CALIFORNIA

March 22, 1927.

Commissioner of Indian Affairs,
Washington, D. C.

My dear Mr. Commissioner:

*Received in
Law Division
April 6 1927
W. J. W.*

100-500
OFFICE OF INDIAN AFFAIRS
RECEIVED
MAR 26 1927

This has further reference to your letter of November 3-1926 with above citation and pertaining to certain Indians residing on privately owned land near Buena Vista, Amador County, California, from which they have refused to move and have been complained of by Mr. T. J. Negrich, Attorney, San Francisco.

This matter has received earnest consideration. It is found that the land in question is none other than an old rancheria which is part of the land known as the Fitzsimmons Ranch and on which Indians have resided for many many years - probably one-hundred years, at least it is so claimed by the Indians now residing there.

An effort was made on two different occasions to meet and confer with Mr. Negrich in his office at San Francisco and on another occasion on the land in question when it was understood he was to visit same in company with his client Mr. Alpers also of San Francisco, and who owns the land. Hence, it has become necessary to confer with Mr. Alpers, who, by the way, has been found very considerate and cordial. It probably is better for all concerned that we are negotiating with him direct.

Mr. Alpers informed me that he had not complained about the Indians nor desired to have them removed from the rancheria, but that he had objected to their claiming that certain tract embraced in his ranch known as the Indian Rancheria; otherwise Mr. Alpers expressed and showed a friendly attitude.

The leading Indians now residing on the said rancheria and who represent all belonging thereon (about twenty in number) displayed real concern and feeling as to their present and future status and appealed to us for assistance, stating that they wanted to remain on the land where they and their forefathers for several generations had been born and lived during their whole life. They claim,

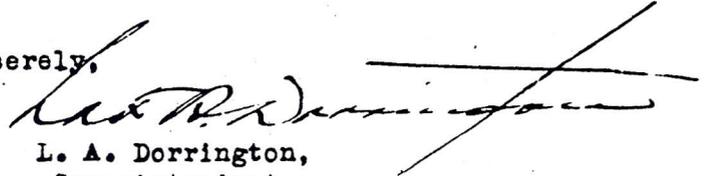
as before stated, that for more than one-hundred years only members of their band had occupied and made use of the said rancheria. The tract claimed by them was gone over carefully and a tentative survey made. Mr. Alpers, the present owner, was then seen and negotiations for the purchase of the said rancheria were entered into. He was somewhat reluctant at first to discuss the matter, but after being assured of our good faith and the suggestion that the sale of the said rancheria to the United States for use by said Indians would remove forever all doubt and contention and give notice to the world that the land was owned by the United States and had been set aside for the use of the Indians and that they belonged there, he consented to sell the land embraced in the said rancheria and suggested a price of about \$70 per acre. But after care consideration, taking account of all phases of the situation and the fact that the tract asked for was in one corner of his ranch and could be disposed of without injury or detriment to the remaining part, Mr. Alpers accepted our offer of \$3,000.00 for same, which consists of about seventy acres, and gave us the attached option on same.

It is found that the Indians concerned and those who will probably occupy and make use of the said land after the title has been settled and no longer live in fear of being rejected, will number at least twenty.

Policy of Title Insurance which includes the land in question, is submitted for your consideration in connection with the negotiations. It will be observed that there is a mortgage of \$10,000 on the whole ranch belonging to Mr. Alpers. It is understood, however, that same as affects the rancheria may, and will be, satisfied and released if purchase is approved. Mr. Alpers also agrees to pay the taxes.

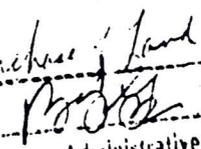
It is therefore recommended that the option be approved and necessary steps for the purchase of the said rancheria be continued to the end that same be acquired.

Very sincerely,


L. A. Dorrington,
Superintendent.

LAD-E

Encl.

a-1
Approved:  Purchase of Land
Administrative Division

85