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APR 17 1929

Memorandum for Secretary Edwards:

Reply is made to your memorandum of April 17, accompanied by a letter from the Title Insurance and Guaranty Company of San Francisco California, relating to the purchase of 70 acres of land from Louis Alpers for landless California Indians.

The purchase of land from Mr. Alpers for the Kewuck band of California Indians at a cost of \$3,000, subject to outstanding mineral interests was authorized by the Department on October 2, 1928. Mr. Alpers' claim for payment of the consideration was submitted to the General Accounting Office December 28, 1928, for settlement. By letter of January 30, 1929, the Comptroller General informed the Department, in substance, that Mr. Alpers' claim had been suspended and referred to the matter as follows:

"By decision of this office dated December 15, 1928, A-25156, you were advised that under an appropriation providing for the purchase of land for, and industrial assistance to, certain Indians, there was no authority for the purchase of land subject to reservations of the timber thereon and mineral interests in the land.

The same principle is applicable in the present case and payment of the claim for the purchase price of the land is not authorized unless a relinquishment of the mineral rights shall have been obtained, or such facts, not now before this Office, are presented, as will justify an exception to the rule as set forth in the decision of December 15, 1928, supra.

Final action on the claim will await your further administrative report in the matter."

On February 27, 1929, Departmental reply was submitted to the Comptroller General presenting additional information and papers relating to the purchase, for use in connection with further consideration of the claim.

No further word has been received from the Comptroller General of the General Accounting Office and this office has not been ad-

UNITED STATES
DEPARTMENT OF THE INTERIOR
WASHINGTON

April 17, 1929.

MEMORANDUM FOR THE COMMISSIONER
OF THE INDIAN SERVICE.

Attached find letter from Title Insurance and Guaranty Company, San Francisco, California, with reference to the matter of the purchase of 70 acres of land in Amador County, California, from Louis Alpers.

Kindly prepare a memorandum which I may inclose to this Company in answer to its letter, and upon which I may predicate a wire as requested in its letter hereto attached.

Please do this today.

E. W. ...
Assistant Secretary.

noted [initials]