

DAMAGES TO CHIPPEWA INDIANS.

LETTER

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING

*A copy of a communication from the Commissioner of Indian Affairs, together with papers and report of Messrs. Marshall, Gilfillan, and Sibley, appointed December 22, 1882, to re-examine and ascertain the damages accruing to the Chippewa Indians residing upon Lake Winibigoshish and Leech Lake Indian Reservations in the State of Minnesota.*

FEBRUARY 4, 1884.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,  
Washington, February 2, 1884.

SIR: I have the honor to transmit herewith a copy of a communication of the 19th December last, from the Commissioner of Indian Affairs, submitting with accompanying papers the report of Messrs. Marshall, Gilfillan, and Sibley, who were appointed by this Department, under date of December 22, 1882, to re-examine and ascertain the damages accruing to the Chippewa Indians residing upon Lake Winibigoshish and Leech Lake Indian Reservations in the State of Minnesota, growing out of the construction of reservoirs upon said reservations under the provision of the acts of June 14, 1880 (21 Stat., 193) and March 3, 1881 (21 Stat., 481).

In a previous examination of the matter made by a commission appointed by this Department August 11, 1881, to assess these damages, an award in the sum of \$15,466.90 was made for damages to individual and tribal property.

This award was approved by the Department, and settlement was directed under the act of March 3, 1881, which provided that such damages to friendly Indians should be paid by the United States, "Provided, however, that such damages shall not exceed 10 per centum of the sums hereby and heretofore appropriated for the construction of said reservoirs." Said appropriations aggregated the sum of \$225,000.

The Indians protested against this award on account of its insufficiency, and the Commissioner of Indian Affairs reports at one time there was danger of a serious outbreak, which was averted by the hope on the part of the Indians that the matter would be reconsidered; and the

second commission was accordingly appointed, whose report is now presented.

The damages ascertained by this commission are reported to be of two classes: 1st. Those damages awarded for individual and tribal property taken or destroyed in the prosecution of the work, amounting to \$10,038.18; and 2d. Annual damages for loss of subsistence &c., amounting yearly to \$26,800, on account of the destruction of their rice and hay grounds and fisheries by overflow, &c.

No award is made by the commission for or on account of the land taken and occupied in the construction of the reservoirs.

The Commissioner of Indian Affairs states that there are available funds for the payment of the amount awarded for losses on account of damages to individual and tribal property amounting to \$10,038.18. For the losses of the second class, subsistence, &c., amounting to \$26,800, he recommends that an item be included in the deficiency bill now pending before Congress, in order that the necessities of the Indians for the present year may be provided for, and that hereafter an annual appropriation of \$26,800 be made for them on that account.

The recommendation of the Commissioner is approved.

Very respectfully,

H. M. TELLER,  
*Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
Washington, December 19, 1883.

SIR: By a provision in the river and harbor act of June 14, 1880 (21 Stat., 193), the sum of \$75,000 was appropriated for the reservoirs at the headwaters of the Mississippi River, to be used in the construction of a dam at Lake Winibigoshish, with the proviso that all injuries occasioned to individuals by overflow of their lands shall be ascertained and determined by agreement or in accordance with the laws of Minnesota, and shall not exceed in the aggregate five thousand dollars, &c., and by a provision in the river and harbor act of March 3, 1881 (*Id.*, 481), the sum of \$150,000 was appropriated for reservoirs upon the headwaters of the Mississippi River and its tributaries, and the Secretary of the Interior is authorized and directed to ascertain what, if any, injury is occasioned to the rights of any friendly Indians occupying any Indian reservation by the construction of any of said dams, or the cutting or the removing of the trees or other materials from any such reservation for the construction or erection of any of said dams, and to determine the amount of damages payable to such Indians therefor, which damages, when determined, to be paid by the United States, with the proviso that such damages shall not exceed ten per centum of the sums hereby and heretofore (act 1880, \$75,000) appropriated for the construction of said reservoirs.

Under these provisions of law, Messrs. A. Barnard, of Minneapolis, Thomas Simpson, of Winona, Minn., and Louis Morel, of this office, were designated by the Department, on the 11th of August, 1881, as special agents to ascertain the injury occasioned to friendly Indians by the construction of the reservoirs at Lake Winibigoshish and Leech Lake, and to determine the amount of damages payable to such friendly

Indians as might suffer on account of the construction of said reservoirs; and on the 20th of August the necessary instructions were issued to said agents, defining their duties, and the manner of proceeding to ascertain and determine the damages resulting to friendly Indians.

On the 6th of October, 1881, these agents submitted their findings and award, which was submitted to the Department on October 18, following, for consideration, and, if approved, to be forwarded to the Secretary of War for settlement under the act of 1881.

The injuries arising from the construction of these reservoirs and the assessment of damages to friendly Indians were considered by these agents and reported in separate schedules, one for Lake Winibigoshish and the other for Leech Lake, being classified as (1) injuries to individual property, and (2) injuries to tribal property.

The damages were, in the aggregate, at Lake Winibigoshish assessed \$8,393.30 and those at Leech Lake \$7,073.60. These valuations, amounting jointly to \$15,466.90, were approved by the Department and forwarded to the War Department, and the money was placed to the credit of the Interior Department for distribution under the award.

The Indians protested against this assessment as being entirely too small, and at one time there was danger of a serious outbreak; but violence was prevented by the friends of the Indians, with the hope that the question of damages would be reconsidered.

These facts having come to the knowledge of the Department, it was determined to appoint a new commission to assess the damages, and on December 22, 1882, you appointed and commissioned for that purpose General H. H. Sibley, and Wm. R. Marshall, and Rev. J. A. Gilfillan, who were to serve without compensation, other than their necessary expenses. Subsequently General Sibley, on account of ill health, resigned, and R. Blakeley, esq., was appointed to fill his place.

I am now in receipt, by Department reference, of the report of these gentlemen, dated the 4th instant, submitting in detail the result of their findings. They state that it was entirely out of the question for the commission to arrive at any reasonable agreement with the Indians as to the amount of damages by the reason of the construction of the dams; and that the amount of land overflowed has been materially reduced, as indicated in letter of Major Allen, of October 24, 1883, the amount being only 46,920 acres instead of 101,940 acres, as heretofore reported, and is in the aggregate divided as follows, viz:

Winibigoshish Reservoirs 23,240 acres, Leech Lake Reservoir 23,680 acres.

The commission make awards for timber cut, rock taken, and damages to industries, but none for land taken.

Their award is as follows, viz:

LAKE WINIBIGOSHISH AND CASS LAKE.

Personal property .....	\$1 936 50
Tribal property .....	3, 649 58
Total .....	5, 586 08

LEECH LAKE.

Personal property .....	\$105 00
Tribal property .....	1, 075 00
Total .....	1, 180 00

White Earth and Mississippi bands, pine cut, \$3,272.10.

The commission estimate for these latter bands an annual damage for

rice at 10 cents per pound \$8,610.00, and for hay at \$28 per ton \$9,800.00 ; total, \$18,410.00.

For the Indians at Lake Winibigoshish and Cass Lake they estimate the annual damage as follows, viz:

Hay .....	\$3,640 00
Loss of fish .....	4,350 00
Loss of cranberries.....	300 00
Loss of sugar .....	100 00
Total .....	8,390 00

The commission say that the Indians will be very materially damaged in their industries and will require permanent provision. The total damage awarded by the commission, outside of resultant damages, is as follows, viz:

Individual property.....	\$2,041 50
Tribal property .....	7,996 68
Total .....	10,038 18

The total annual damages awarded by them is \$26,800.

The estimate of the commission for annual damages for rice at 10 cents per pound, and hay at \$28 per ton, would appear at first sight to be rather extravagant; but when we consider that over 46,000 acres of land are taken from the Indians without any compensation whatever, it is believed that the estimate is not too high.

There are funds now at the disposition of this Department, under the act of 1881, sufficient to pay the damage awarded for individual and tribal property, \$10,038.18, but as the Indians refused to accept the award, in this respect, of the former commission, which is some \$5,000 greater than that of the present commission, they will hardly accept the latter unless an appropriation is made to pay the annual damages awarded by the latter commission.

In accordance with the award of the commission it will require \$36,838.18 for present payment, of which amount, as before stated, \$10,038.18 is available, leaving \$26,800 to be provided for.

As the acts of 1880 and 1881 make provision for payment of present damages only, and none for the payment of annual damages, I am of the opinion that this sum for the present year should be treated as a deficiency, and recommend that Congress be asked to attach an item to the deficiency bill, already submitted by this Department, appropriating the sum of \$26,800, and that annually hereafter an appropriation of \$26,800 be made, in order to carry out the award of the commission.

Very respectfully, your obedient servant,

H. PRICE,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

ENGINEER OFFICE, UNITED STATES ARMY,  
*Saint Paul, Minn., December 29, 1881.*

GENERAL: I sent the following telegram this morning to the Chief of Engineers: "Overseer, Advance Party, Winibigoshish reports progress on reservation, up to 24th. Makes no mention whatever of interruption. Will keep Department advised. Letter by mail."

Inclosed I send a copy of a letter written by the head chief at White Earth (White

Cloud) to the head chief at Leech Lake (Flatmouth) which letter passed through Brainerd en route to Leech Lake on the 26th. The copy was sent me by Assistant Wanzer from Brainerd.

Very respectfully, your obedient servant.

CHAS. J. ALLEN,  
Capt. of Engineers, and Bvt. Major, U. S. A.

Brig. Gen. H. G. WRIGHT,  
Chief of Engineers, United States Army, Washington, D. C.

[Inclosure.]

WHITE EARTH, MINN., December 26, 1881.

NE-GAUN-E-BE-NACE :

MY FRIEND: I wish to tell you something of great importance and what is the truth. It is something to be feared that I speak to you of.

I am certain that parties have started to commence building dams at Winibigoshish and where we went to last summer.

The words that May-dway-cum-ig-ish-kung and other braves sent me last fall, I think are very important.

We wish and have looked forward to sitting with the Great Father to talk about the building of these dams. The wishes and words of the White Earth (Mississippi) chiefs, carried down by the Commissioners who came here in September, are still our words. To you, my friend, sitting where you are, I wish to say that I received your letter about your correspondence with Simpson. I hear that our white friends stand fast and are working for the good or welfare of the Ojibways, therefore my friend I would warn or caution you not to molest or interfere with any white man who may commence work on the dams; and, my friend, I tell you to stop any person who attempts to interfere until this question is satisfactorily settled with the Great Father. Go to your braves, and quietly and earnestly advise against any ill will or bad work. Hinder or stop any bad work or trouble until we shall see the Great Father. Explain all carefully to all interested, and use pacific words.

I speak these words to my friends, the braves. I speak to you the same as I do to the chief and to have all go smoothly and peaceably which is for the good and advancement of our children. My opinion of you is that you will show good or right work. This is my reason for writing to you. I shall expect to hear good of you, as good works are expected of us by the Good Spirit. If he sees that our deeds are good, and that we wish to have them so, He will assist us as He will assist and give strength to our Great Father. Use good will, be pleasant and generous.

We ignorant and poor Indians are to be pitied and be assisted by the Great Father who has power or strength given him by the Great Spirit.

These, my friends, are my last words and I send you greeting.

I am at this moment being visited by one of the leading chiefs, Sang-way-way, the grandson of Big-Shaw-go-bay.

Your friend,

WAH-BAH-NAH-QUOT.

P. S.—The mail has started, but this will go down to-day in time for the departure of the mail from Brainerd.

[Indorsements.]

No. 1.

OFFICE OF CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
January 5, 1882.

Respectfully submitted to the Hon. the Secretary of War with the suggestion that it be forwarded to the Hon. the Secretary of the Interior for his information in connection with previous papers on the subject.

H. G. WRIGHT,  
Chief of Engineers, Brig. and Bvt. Maj. Genl.

No. 2.

WAR DEPARTMENT, January 9, 1882.

Respectfully transmitted to the Hon. Secretary of the Interior in connection with letters of this Department of the 28th ultimo, and 3d instant, relative to reported opposition of reservation Indians to the construction of dams on Lake Winibigoshish.

ROBERT T. LINCOLN,  
Secretary of War.

DEPARTMENT OF THE INTERIOR,  
January 11, 1882,

Respectfully referred to the Commissioner of Indian Affairs.

GEO. M. LOCKWOOD,  
Chief Clerk.

WAR DEPARTMENT.

*Washington City, January 3, 1882.*

SIR: Referring to my letter of the 28th ultimo, inclosing copy of one from Capt. C. J. Allen, Corps of Engineers, of the 22d ultimo, communicating information received of dissatisfaction among the Reservation Indians regarding the construction of the dam at the outlet of Lake Winibigoshish, Wisconsin, I have the honor to inclose herewith another letter from that officer on the same subject, dated the 25th ultimo.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,  
*Secretary of War.*

The Hon. SECRETARY OF THE INTERIOR.

[Inclosure.]

ENGINEER OFFICE, UNITED STATES ARMY,  
*Saint Paul, Minnesota, December 25, 1881.*

GENERAL: In my letter of the 22d inst., referring to reported dissatisfaction amongst the Reservation Indians, regarding the construction of the dam at the outlet of Lake Winibigoshish, I wish in order to prevent any misapprehension, to state that the information came mostly from a Mr. C. H. Beaulieu (I think there are two of that name on the reservation). The statement that the Indians had not received their annuities was also based upon information furnished *u. e.* I have heard, however, that the agent had gone up to make those payments.

I understand that Bishop Whipple lately received a letter from the Rev. Mr. Johnson of the Episcopal Church, a full-blooded Indian, in which apprehensions of trouble were expressed.

A letter from Flatmouth, head chief of the Pillagers, was read to me by the Hon. H. M. Rice, of Saint Paul. This letter, written several weeks ago, contains an emphatic denial by Flatmouth that he ever consented to the construction of the dam, or assented to the action of "the commission." His exact words I do not recall.

A letter by Mr. Thomas Simpson of the Commission, of date November 18 last, to Flatmouth, was also shown me. From this letter the dissatisfaction of the chief is evident.

As stated in my letter of the 22d, of which this is a continuation, supplies, teams, &c., are going forward as rapidly as possible. Any delay in getting out material this winter, timber in particular, will materially interfere with the progress of the work. In addition, the supplies of a perishable nature may become a dead loss to the Government if any protracted delay ensues. I am therefore somewhat at a loss whether to proceed with the accumulation of supplies, tools, and machinery necessary for the entire work, as I had started out to do, such being the more economical in the end; or to take the other course, *viz.* proceed slowly.

Very respectfully, your obedient servant,

CHAS. J. ALLEN,  
*Captain of Engineers, &c., Bvt. Major U. S. A.*

Brig. Gen. H. G. WRIGHT,  
*Chief of Engineers, United States Army Washington, D. C.*

[Indorsement.]

OFFICE OF CHIEF OF ENGINEERS,  
UNITED STATES ARMY,  
*December 29, 1881.*

Respectfully submitted to the Hon. the Secretary of War in connection with my indorsement of the 27th instant submitting letter from Capt. C. J. Allen, Corps of Engineers, in relation to the dissatisfaction of Indians respecting the construction of the reservoir at Lake Winibigoshish. The within is the fuller report referred to in that indorsement, and its reference to the Department of the Interior is respectfully suggested.

H. G. WRIGHT,  
*Chief of Engineers, Brig. and Bvt. Major General.*

SANFORD ORANGE COUNTY, FLORIDA,  
*January 9, 1882.*

HONORABLE AND DEAR SIR: There was some fear that some of the foolish young men at Leach Lake would molest those who are surveying for the dam at Winibigoshish. I wrote to White Earth, and asked the chiefs here to send good and wholesome advice to these men. To-day I have a copy of a letter which White Cloud, "Wah-bau-a-quod," the head chief, sent to Flatmouth the head chief at Leach Lake, and I hope it will have its effect; I still hope you may see your way to meet a few of these leading chiefs, and settle this whole question justly and to their satisfaction.

I am, with high regard, yours faithfully,

H. B. WHIPPLE.

Hon. COMMISSIONER OF INDIAN AFFAIRS.

WHITE EARTH, MINN.,  
December 26, 1881.

NE-GAUN-E-BE-NACE.

MY FRIEND: I wish to tell you something of great importance, and what is the truth. It is something to be feared what I speak to you of.

I am certain that parties have started to commence building dams at Winibigo-shish, and where we went to last summer. The words that May-dway-cum-ig-ish-kung, and other braves, sent me last fall, I think are very important. We wish and have looked forward to sitting with the Great Father to talk about the building of these dams. The wishes and words of the White Earth (Mississippi) chiefs, carried down by the commissioners who came here in September are still our words. To you, my friend, sitting where you are, I wish to say that I have received your letter about your correspondence with Simpson. I hear that our white friends stand fast and are working for the good or welfare of the Ojibways; therefore, my friend, I would warn or caution you not to molest or interfere with any white man who may commence work on the dams; and, my friend, I tell you to stop any person who attempts to interfere until this question is settled satisfactorily with the Great Father. Go to your braves and quietly and earnestly advise against any ill will or bad work. Hinder or stop any bad work or trouble until we shall see the Great Father. Explain all carefully to all interested, and use pacific words.

I speak these words to my friends the braves; I speak to you the same as I do to the chief, and to have all go smoothly and peaceably, which is for the good and advancement of our children. My opinion of you is that you will show good or right work. This is my reason for writing to you. I shall expect to hear good of you, as good works are expected of us by the Good Spirit. If he sees that our deeds are good, and that we wish to have them so, He will assist us as He will assist and gives strength to our Great Father. Use good will, be pleasant and generous.

The ignorant and poor Indians are to be pitied by and assisted by the Great Father, who has power or strength given him by the Great Spirit. These, my friends, are my last words, and I send you greeting.

I am at this moment being visited by one of the leading chiefs, Sang-way-way, the grand son of Big Shaw-go-bay.

Your friend,

WAH-CAH-WAH-QUOT.

Rt. Rev. H. B. WHIPPLE,  
Faribault.

FARIBAULT, MINN., May 17, 1882.

HONORABLE AND DEAR SIR: I saw in the paper to-day a letter addressed to you by General Sibley and others, on behalf of the Chippewas. I honestly believe that the statements made deserve your early attention. The Chippewas hold their present lands under the guarantee of the Government. They are poor, have always been our friends, and have received far less aid than Indians who are our enemies. A visit to Washington of the chiefs, possibly a commission of those in whom they have confidence, will settle this whole question. Believing that you desire their welfare, I do earnestly ask you to spare us the possibility of any disturbances, which may be perilous to us and will be fatal to the Indians. Highly as I do esteem some of the gentlemen who were connected with the commission last fall, I believe they failed to place before you the Indian side of the question, and the Indians did not accept their offers.

I have only one desire, and that is to save this poor people, for whom I labored more than 20 years.

With high regard, your friend,

H. B. WHIPPLE.

Hon. COMMISSIONER OF INDIAN AFFAIRS.

WHITE EARTH, MINN., June 8, 1882.

MY FRIEND: I write you a few lines. I have not written to you since last winter, or have I received a letter from you since you wrote me in reply. I heard read your letter, that was published a short time ago, in which you expressed a wish that the dissatisfaction arising from the building of the dams should be quieted or settled. I did as you told me last winter, to tell the Indians to remain quiet and await the Government for a settlement of this question. General Sibley and Mr. Rice also gave me the same advice as you did, to await patiently and quietly. I believed in what you said, or had faith, knowing that you were looking to the interests of the Indians—we

the poor Indians. I am very sorry that the authorities at Washington seem to have doubted your and other gentlemen's words, that the Indians are dissatisfied. On receipt of your letters I wrote to the Pillagers and Mississippi Indians on other reservations to remain quiet and to await patiently. The Indian feels bad in his fear, and fears on account of the damage that will be done him and his children on account of that being destroyed in which they derive support. We hear of our people, the Mille Lac Indians, having land taken from them, as also the Turtle Mountain Indians. And it is for this reason we are in fear and at loss by thinking shall we be served the same way without an understanding shall be had. I think it would be better to have the work on the dams stopped until there is a settlement of this matter. Fair understanding and a settlement will (be) the means of everlasting friendship and good will on both sides. Those of us at White Earth think every day of our Heavenly Father and in our hope that the Great Father will settle this is the reason that I say that good will arise from it. We have two churches and we are told to lead good lives and follow the right way, and to live peaceably, and to love one another, and I, a lowly Indian, I think that the Good Spirit in blessing the Great Father should make the latter think or to have pity on me the Indian and the poor Indians of my tribe. I am an Ojibway Indian, and have not shown any bad deeds to our Great Father, and we hope that as the water is needed, as is evident on account of the dams being built, that a fair settlement will be made.

The Indians have been awaiting all winter until spring. It was necessary at one time last winter, at the time of the winter when delegations go to Washington, to have had the Indians go East and to settle this question.

Now the Indian is afraid that as nothing has been done and the dams are being built that will destroy what the Indians obtain a living from. It is not necessary that a delegation should go now to make an understanding, as many of the Indians are now interested in this settlement and would wish to hear how it is to be done; and it would be better now to have it done where all could hear. Major Ruffee was sent here by the Government to see whether there was any dissatisfaction among the Indians and if there would be any trouble. He found what he came for, and we told him our wishes. We asked that some persons would be sent here having power given them to settle this matter, and we ask you, being the father of these Indians, to lend your aid in trying to effect what we asked. We hear of your wishes that this be settled and we ask you as our father to do what you can; we know that you are the friend of influential white men. We at White Earth have expressed our thoughts, which were sent to the Government. Ruffee said he was going to Leech Lake; there our people will show their minds. We showed that we were not unfriendly and wished war, and we asked that we wished a fair understanding and a settlement.

At Washington is an understanding, a strong one, in which a mention is made of our reservations as made, also that a white man should take nothing from those reservations or little on them. That is what the Great Father and ourselves understood each other. We understood that if the Great Father wished to take anything himself that there would first be an understanding. That is what we the Indians follow, and the understanding was made with the Great Father if he wanted anything on our reservation we asked an understanding when the commission came here last fall. We could and did not give assent to the damming of the river.

We are told by the agent that the money is sent to pay us, but here we were expecting a fair settlement; we did not know that these were on the point of being paid. He says we are to be paid a cent an acre. As poor as I am, if forced to take this money, I would take it and throw it away. I would not take a cent an acre. This is what I have to say, little as it may be.

There is much discontent among the Chippewas on account of the dams that are to be made and which will take away much means of support. We are still awaiting, and expect that steps are being taken to settle this, though there is a probability also that nothing is being done.

I do not know what will be found of the thoughts of our friends the Pillagers when they are questioned. It was for some time that I decided to write what I am saying now, of the subject that troubles our people. This is all I have to say. I think always of you and send my regards, and I humbly pray that your life will be spared, knowing that you are the friend of the Ojibway.

Your friend,

WHITE CLOUD.

Bishop WHIPPLE.

[Indorsement.]

FARIBAULT, June 12, 1882.

HONORABLE AND DEAR SIR: I forward this letter to show you the feeling of the Indians as reported by the chief, White Cloud, which I believe is correct. I beg to



you to note he is willing to have a commission instead of their going to Washington, It should meet representatives from all the bands, and to do this ample time should be given.

With high regard, yours ever,

H. B. WHIPPLE.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
May 16, 1882.

SIR: I have the honor to submit herewith a communication, dated Saint Paul, Minn., May 11, 1882, from General H. H. Sibley, Hon. Henry M. Rice, F. Driscoll, David Day, and R. Blakeley, setting forth the alarming condition of things existing at the White Earth Indian Agency, and at other points in the region occupied by the Chippewa Indians, which they affirm demands prompt and efficient action on the part of the Government, to avert the possible if not probable calamity of an outbreak, which, should it occur, would inflict damage to an incalculable extent upon that State. This alarm grows out of the construction of the reservoirs at Lake Winnibigoshish and at Leech Lake, for which the Indians claim not to have been adequately remunerated, and to which improvements they have never consented. These gentlemen suggest that speedy measures be taken by the authorities at Washington to satisfy the reasonable demands of the Chippewas, and Mr. Driscoll, manager of the Pioneer Press, under date of Saint Paul, Minn., March 12, 1882, writes (herewith) that the worst feature in the case is the feeling of the Pillager band of Chippewas, of whom Flat-Mouth is chief, at Leech Lake. He states that Messrs. Sibley and Rice recommend that the work on the dams be temporarily suspended, that some 6 or 8 headmen among the Chippewas (selected by Indians in council assembled) be invited to come to Washington, and while here an agreement be made with them that will insure peace and the protection of the dams when completed.

In connection with the foregoing, I have to report that by the river and harbor act of June 14, 1880, \$75,000 was appropriated, and by the river and harbor act of March 8, 1881, \$150,000 additional was appropriated for the construction of dams at Lake Winnibigoshish and Leech Lake, and the Secretary of the Interior was authorized and directed to ascertain the injury occasioned to the rights of any friendly Indians occupying reservation lands by the construction of any of said dams.

To ascertain these injuries, your predecessor, Secretary Kirkwood, on the 11th of August, 1881, appointed A. Barnard, of Minneapolis, Thomas Simpson, of Winona, Minnesota, and Louis Morel, of this office, as agents of the Department, to whom instructions, approved by the Department, were issued August 20, 1881, directing them as to their duties in the premises. These agents submitted their report on the 6th of October, 1881, which was forwarded with favorable recommendation and report October 18, 1881, for transmission to the Secretary of War. These agents awarded the injuries upon—

Lake Winnibigoshish .....	\$8,393 30
Leech Lake .....	7,073 60
Total .....	15,466 90

This report was approved also by the War Department, and the Secretary of the Interior was informed that the money was placed on the books of the Treasury subject to his order, whereupon the amount \$15,466.90, was sent May 4, 1882, to C. P. Luse, United States Indian agent, with instructions as to its disbursement to the several bands according to the terms of the award. Inasmuch as an Indian inspector is about visiting that locality, it is respectfully suggested whether he could not accomplish all that is contemplated by a visit from these Indians; the question, however, of a delegation visiting Washington is submitted for your determination.

Very respectfully, your obedient servant,

E. L. STEVENS,  
*Acting Commissioner.*

The Hon. the SECRETARY OF THE INTERIOR.

SAINT PAUL, MINN., May 17, 1882.

My DEAR SIR: I hope our acquaintance, some years since, when I resided in Pittsburgh, will warrant my addressing you. I have been living in this State nearly two years, engaged in opening up some tolerably large farms in the Red River Valley, about 300 miles north of Saint Paul, in Polk and Norman Counties, Minnesota, on the

line of the Saint Paul, Minneapolis and Manitoba Railroad. Some of my neighbors have called my attention to the communication \* addressed to you May 11 by Genera Sibley, Messrs. Rice, Driscoll, and others, regarding the status of matters with our neighbors the Chippewa Indians. I will just say I have no personal knowledge of the complaints or the discontent of the Indians referred to, but will say this: the high character and position of these gentlemen in our State, and their intimate acquaintance with matters generally pertaining to this section of our country, entitles their communication to great respect, as well as the prompt attention of the Government.

We are only about 40 miles west from this White Earth Reservation, with our farms, and I can easily imagine the stampede of our farm hands, carpenters, &c., who are generally non-residents and not prepared for an emergency, should an outbreak occur, I must say not only on our own account, but for the interest of the entire Northwest. I hope this matter will receive prompt attention. Can't you come and see me? Will show you some good farms.

Yours, respectfully,

SPRINGER HARBAUGH,  
*Saint Paul, Minn.*

Hon. HIRAM PRICE,  
*Washington, D. C.*

\*THE CHIPPEWA INDIANS.—AN IMPORTANT MEMORIAL.

[Special telegram to the Pioneer Press.]

WASHINGTON, *May 16.*

Senator Windom and Mr. Strait to-day presented to the Secretary of the Interior the Commissioner of Indian Affairs being absent, the following communication :

SAINT PAUL, MINN., *May 11.*

SIR: We have the honor respectfully to represent that a condition of things exists at the White Earth Agency, and other points in the region occupied by the Chippewa band of Indians, which demands prompt and efficient action on the part of the Government to avert the possible, if not probable, calamity of an outbreak, which, should it occur, would inflict damage to an incalculable extent upon this State. You are aware that a commission was appointed in 1881 to make arrangements with the Chippewas whereby their consent would be obtained to the construction of dams at Lake Winnibigoshish and other outlets on the Upper Mississippi, in accordance with the appropriation made by Congress for that purpose. That consent was not given by the Indians, who did not consider the sum offered in compensation sufficient for the injury they would sustain in the overflow of their lands and the loss of the timber which would be required in the construction of the works. The Government has nevertheless proceeded to erect a dam at the lake named, and the Indians are naturally dissatisfied that some of their numbers are ousted from the village they have long occupied on the shore of the lake, and property taken without adequate remuneration. The feeling of discontent is spreading and growing more and more general and deep-rooted, requiring only some rash act of a few young men among these bands to bring on a long and expensive Indian war. The possibility of such a catastrophe is sufficient to awaken keen alarm on the part of the settlers in the northern part of the State and check immigration.

Minnesota suffered fearfully during the Sioux outbreak of 1862-'63, and her people by no means wish to repeat their experience in that direction. It is with a view of preventing such a culmination of existing difficulties that we respectfully suggest that speedy measures be taken by the authorities in Washington to satisfy the reasonable demands of the Chippewa bands. We are in a position to know that the situation is delicate and dangerous, and state emphatically that there should be no delay in such action by the Government as will relieve our citizens from the dangers that now menace them.

Very respectfully, your obedient servants,

H. H. SIBLEY.  
HENRY M. RICE.  
F. DRISCOLL.  
DAVID DAY.  
R. BLAKELEY.

Hon. HIRAM PRICE,  
*Commissioner of Indian Affairs.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
June 23, 1882.

SIR: I am in receipt of your letter of the 12th instant, indorsed upon one addressed to you by chief White Cloud, dated White Earth, Minn., June 8, 1882, showing the feelings of the Indians respecting the building of the dams at Lake Winibigoshish and at Leech Lake, and expressing the willingness of the Indians now to have a commission appointed to visit them with a view to a final settlement of the issues involved in this reservoir question.

On the 11th of May last, General Sibley, ex-Senator Rice, and other prominent citizens of Minnesota, presented their views as to the feelings of the Indians, excited by the proposed construction of the reservoir at Lake Winibigoshish, and recommended a compliance with the request of the Indians that they be permitted to visit Washington, and while there to adopt measures that would secure peace and quiet among the Indians as well as the protection of the dams when completed.

In submitting this letter to the attention of the Department on the 16th of May last, the suggestion was made whether an inspector who was about to visit that locality might not accomplish all that was contemplated by a visit from the Indians. I am now informally advised that an inspector has been sent there for that purpose, who, it is hoped, will be able to quiet the fears of the Indians, and satisfy them of the kind intentions of the Government in all its dealings with them.

Referring to that portion of the letter of White Cloud in which he says the agent informed him that the money had been sent to pay them, and that they were to be paid a cent an acre, which if offered to him he would throw away, and that these dams, if made, will take away much of their means of support, &c., I would state there was awarded by the commission the following sums to be paid to the friendly Indians as damages upon Lake Winibigoshish: \$8,393.30; Leech Lake, \$7,073.60; total, \$15,466.90, which sums, it is believed, will cover all the losses that the Indians will sustain by the construction of said dams. This money has been sent to Agent Luse for disbursement to the Indians, and if it has not been it will be paid to the several bands as recommended by the commission who made the award.

Thanking you for your interest in these, as well as other, Indians in your State,  
I am yours, very respectfully,

H. PRICE,  
*Commissioner.*

Bishop H. B. WHIPPLE,  
*Paribault, Minn.*

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
November 18, 1882.

SIR: Some time since an assessment was made of damages sustained by the Pillager and Lake Winibigoshish bands of Chippewa Indians, at and near Leech Lake and Lake Winibigoshish, because of the construction of the reservoirs at that place.

The assessment thus made amounts to the sum of \$15,466.90, but the Indians protest against this valuation of damages as being entirely too small, and absolutely refuse to receive one dollar of it, and at one time there was danger of a serious outbreak. Up to this time violence has been prevented by the friends of the Indians, with a hope that the question of damages would be reconsidered.

The facts in the case, as I learn from Bishop Whipple, who is well informed on this question, and who speaks from personal knowledge obtained on the ground, upon which these Indians base their claim for damages, are in part as follows: The principal means of support which these Indians have consists in the rice-growing on the land which will be overflowed when these reservoirs are constructed, and the fish which are taken in large quantities at a certain season of the year at particular places where the water is shoal. The water in these shoals will be ten feet deep when the reservoirs are completed, and thus cut the Indians off entirely from this means of support.

It will be seen that the Indians will thus be deprived of the means of obtaining the food upon which they have depended almost entirely for a living in the years of the past. I am not advised of the cash value of the fish of which they will now be deprived, but Bishop Whipple assures me that the yearly product of rice is worth, at a low estimate, \$6,000. This alone is 5 per cent on \$120,000.

In view of all the facts which have come to my knowledge in reference to this matter, I have the honor to respectfully suggest that a commission of three gentlemen,

entirely disinterested and well acquainted with the country and the past and present condition of these Indians, be requested to make a personal examination on the ground and report to you what in their judgment justice and equity require, which report may form the basis of such action as Congress may think necessary to take to correct any wrong that may have been inadvertently done. It has occurred to me that possibly such men as General H. H. Sibley, General W. R. Marshall, and J. A. Gilfillan, missionary at White Earth, might be induced (in aid of the cause of justice) to serve on this commission.

It is fair to presume that when these Indians are deprived of the means of support and subsistence which they have had in the past, it will be necessary for the Government to aid them in some manner so as to prevent suffering, and possibly crime.

Very respectfully,

H. PRICE,  
*Commissioner.*

Hon. H. M. TELLER,  
*Secretary of the Interior.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
December 23, 1882.

SIR: You, with Wm. R. Marshall, esq., and Rev. J. A. Gilfillan, have been designated by the Hon. Secretary of the Interior as commissioners to make a reassessment of damages sustained by the Pillagers and Lake Winibigoshish bands of Chippewa Indians, in Minnesota, by reason of the construction of dams and reservoirs, by the United States, at the headwaters of the Mississippi River (Lake Winibigoshish and Leech Lake), to serve without compensation, other than the payment of the actual traveling and necessary expenses, while engaged in the performance of your duties. If you accept the trust with its conditions, you will please so notify this office by telegraph, when your commission, with full instructions for your guidance, will be forwarded to you.

Very respectfully,

H. PRICE,  
*Commissioner.*

General HENRY H. SIBLEY,  
*Saint Paul, Minn.*

Similar letters were sent to Commissioners Marshall and Gilfillan.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
January 9, 1883.

GENTLEMEN: On the 11th of August, 1881, Messrs. A. Barnard, of Minneapolis; Thomas Simpson, of Winona, Minn., and Louis Morell, of this office, were designated as agents of the Department to ascertain the injury occasioned by the construction of the reservoir at Lake Winibigoshish (and on the next day extended the work so as to include Leech Lake), and to determine the amount of damages payable to such friendly Indians as might suffer on account of the construction of said reservoirs.

On the 20th of August, 1881, instructions approved by the Department (copy herewith) were issued to these agents, defining their duties, and directing their action in ascertaining the injury, and in determining the amount of damages payable to such friendly Indians as might suffer from the construction of said dams and reservoirs.

On the 6th of October, following, these agents submitted their award, in accordance with the aforesaid instructions, which was submitted to the Department on the 18th of October, 1881, with report (herewith) for its favorable consideration, and if approved to be forwarded to the Hon. Secretary of War for settlement, as provided in the river and harbor appropriation act of March 3, 1881 (21 Stats., p. 481).

The injuries arising from the construction of these dams, and the assessment of damages to friendly Indians, were considered in detail by these agents, and reported in separate schedules (one for Lake Winibigoshish, the other for Leech Lake), being classified as (1) injuries to individual property, and (2) injuries to tribal property.

## LAKE WINIBIGOSHISH.

The injuries to individual property, including fields and gardens under cultivation, houses, structures, fences and other improvements, they assessed at .....		\$1,936 50
The injuries to tribal property, embraced under nine different heads, were as follows:		
I.—Injury arising from the removal and cutting of trees for the erection of dams .....	\$3,276 00	
II.—Injury to overflowed and destroyed timber .....		
III.—Injury to wild-rice fields .....		
IV.—Injuries to fisheries .....	750 00	
V.—Injury to the sugar trees .....	100 00	
VI.—Injury to hay meadows .....	1,000 00	
VII.—Injury to cranberry marshes .....	75 00	
VIII.—Injury to Indian graves .....	240 00	
IX.—Overflowed lands, 74,080 acres .....	740 80	
		<hr/> 6,181 80
X.—Injury to church property .....		8,118 30
		<hr/> 275 00
Total .....		<hr/> 8,393 30

## LEECH LAKE.

The injury to individual property, as aforesaid, they assessed at .....		\$105 00
The injuries to tribal property, viz:		
I.—Injury arising from the removal and cutting of trees for the erection of dam .....	\$3,940 00	
II.—Injury to overflowed and destroyed timber .....		
III.—Injury to wild-rice fields .....		
IV.—Injury to fisheries .....		
V.—Injury to the sugar trees .....		
VI.—Injury to hay meadows and hay land .....	1,000 00	
VII.—Injury to cranberry marshes .....		
VIII.—Injury to Indian graves .....		
IX.—Overflowed lands, 27,860 acres .....	278 60	
		<hr/> 5,218 60
Rebuilding agency mill .....		1,250 00
Rebuilding bridge and road .....		500 00
		<hr/> 7,073 60

These valuations, jointly amounting to \$15,466.90, were approved by the Department and forwarded to the War Department, and the money has been placed to the credit of the Interior Department for proper distribution under the award of these agents.

You will observe that the very first instruction given these agents of the Department was to assure the Indians of the object of their visit, and of their friendly intentions, and when their consent had been secured they should then proceed to visit and inspect the lands, timber, improvements, and industries of the Indians liable to be injured. The sentiment of the Indians was found to be adverse to the construction of these reservoirs, but their opposition was not deemed by these agents so pronounced as to amount to threatened interference with the building of the dams, or a molestation of them after construction. Subsequent events, however, have shown that the opposition of the Indians to these improvements is very great, and they protest against the award of these agents (\$15,466.90) as entirely too small, and they absolutely refuse to receive one dollar of the same.

Bishop Whipple, who is well informed on this question and speaks from personal knowledge obtained on the ground, states that the principal means of support of these Indians arises from the rice growing on the lands which will be overflowed, and the fish obtained from certain localities or fishing grounds which will be destroyed by the increased depth of water. The loss of both these means of supply form the basis of their complaint, and while I am not advised of the value of the fish of which they are to be deprived, Bishop Whipple assures me that the yearly product of their rice fields is worth at a low estimate \$6,000, which alone is five per cent. on \$120,000. It is due to the agents, who made the aforesaid award, to state that the Indians were at first shy and suspicious and finally peremptorily refused to hold any communica-

tion with them or to furnish any data whereby they might arrive at the cash value of these industries.

To determine the equities in this case and that no injustice may be done these Indians, the Hon. Secretary of the Interior has determined to make further inquiry into said injuries and into the justness of the Indians' claim for heavier damages, and, for that purpose, has, under date of December 22, 1882, designated you as agents of the Department to visit these Indians who will be injured by the overflow arising from the construction of the dams at Winibigoshish and at Leech Lake, and to make a personal examination of the locality of their rice fields and fisheries, and to ascertain as near as possible the quantity of rice gathered annually by these Indians, as well as the quantity of fish taken from said lakes, with a view to ascertain the actual injury that will be occasioned by said construction, and to determine the amount of damages payable to said Indians, on account of such injury, and whether a larger sum should be paid than that already awarded for said damages. You will confer with Bishop Whipple and any other persons who have personal knowledge of the facts and issues involved in this inquiry, for such information as will aid and assist you in arriving at a fair valuation of the losses to be sustained, and in determining what justice and equity require in the premises.

When you have reached that conclusion, you will make report thereof to this office, that proper steps may be taken at once to correct any wrong that may have been inadvertently done, and that Congress may be asked to furnish the necessary means adequate for their subsistence when they shall be deprived of that source of support and subsistence heretofore obtained from their rice fields and fisheries.

You will be allowed your actual and necessary expenses in the performance of your duties under these instructions, which expenses are properly chargeable to the appropriation made by the river and harbor acts aforesaid, and your accounts must be rendered to the War Department, in accordance with instructions from the Secretary of War, dated August 26, 1881, copy herewith.

With these instructions I transmit for your use in the prosecution of your duties, and to be returned with your report, the following papers:

(1) 10352.

1. Schedules of lands subject to overflow by the construction of reservoir at Lake Winibigoshish.

(1) 11266.

2. Schedule of lands subject to overflow by the construction of reservoir at Leech Lake.

(3) 13407.

3. Tracing of Lake Winibigoshish.

4. H. Ex. Doc. No. 54, Forty-fifth Congress, third session.

5. H. Ex. Doc. No. 39, Forty-sixth Congress, second session.

6. River and harbor act of June 14, 1880.

7. River and harbor act of March 3, 1881.

8. Copy of opinion of Second Comptroller, May 23, 1881.

9. Letter to Hon. A. Barnard, September 2, 1881.

Very respectfully,

H. PRICE,  
*Commissioner.*

General H. H. SIBLEY, General W. R. MARSHALL, J. A. GILFILLAN.

WAR DEPARTMENT,  
*Washington City, April 6, 1883.*

SIR: I have the honor to acknowledge the receipt, by your reference, of a letter from the Commissioner of Indian Affairs, dated the 20th ultimo, inclosing a copy of a letter from Flatmouth, chief of the Chippewas of the Mississippi, dated February 10 last, and addressed to Bishop Whipple, pleading that the question of injury to these Indians, and the damages sustained by the construction of a dam upon Leech Lake, be ascertained and arranged before the work of construction of said dam is commenced.

The Commissioner of Indian Affairs recommends that the matter be laid before this Department with the request that the desire of these Indians be favorably considered, and that the work on the dam at Leech Lake be suspended until the report of Generals Sibley, Marshall, and Reverend Mr. Gilfillan, commissioners, now making a reassessment of damages, shall have been received and approved by this Department and the Department of the Interior.

In reply I beg to inform you that the matter was referred to Maj. C. J. Allen, Corps of Engineers, a copy of whose report on the subject is inclosed herewith.

The Chief of Engineers, in submitting the report of Major Allen to this Department, remarks that:

"It appears that Major Allen's report does not altogether confirm the statements made in the within letters, and that in his opinion it will work injury to the United States to suspend the work as requested until the new commission meets, especially as he has been informed by one of the members of the commission that it will not probably enter upon its duties for several months."

He also expresses his concurrence in the views of Major Allen, in which I likewise concur.

Very respectfully, your obedient servant,

ROBERT T. LINCOLN,  
*Secretary of War.*

The Hon. SECRETARY OF THE INTERIOR.

[Inclosure No. 1.]

ENGINEER'S OFFICE, UNITED STATES ARMY,  
*Saint Paul, Minn., March 29, 1883.*

GENERAL: I have the honor to acknowledge the receipt of, and to return herewith, letters of Chief Flatmouth to Bishop Whipple, dated February 10, 1883, and of the Commissioner of Indian Affairs to the honorable the Secretary of the Interior, dated March 20, 1883, referred to me for report by indorsement, Office of the Chief of Engineers, dated March 26, 1883.

The matter of a reservoir at Leech Lake has been before the public ever since 1875, when the first estimate for a dam at that point was made by my predecessor in charge. Congress, in 1880, 1881, and 1882, made appropriations for reservoirs, including that at Leech Lake.

Reservoir work was not commenced on the reservation until more than a year and a half had elapsed after the first appropriation was made, in order that damages to Indians might be arrived at and settled. The Department of the Interior, through its Indian Bureau, finally had damages assessed, in 1881, by a commission composed of Mr. Simpson, of Winona, Dr. Barnard, of Minneapolis, who had been before that time in the employ of the Indian Bureau, and Mr. Louis Morell, of the Indian Bureau, the appointment of the last-named gentleman due, as was generally understood, to his being connected with that Bureau and, consequently, representing the interests of the Indians. Upon the report, or recommendation, of the Indian Bureau, as I believe, was based the order of the War Department to commence to work, in obedience to the acts of Congress.

As to the delays in tendering the Indians the award, or the reasons for their reported refusal to accept it from the agent of the Indian Bureau, this office has no definite knowledge. There has been plenty of time since March, 1880, the time of the first appropriation, for settlement of the matter with the Indians. The Secretary of War, the Chief of Engineers, and this office have always desired and recommended that justice be done the Indians, and that the matter be speedily cleared up. The reports from this office have stated, fully, since 1879, the areas of Indian lands liable to damage.

In response to inquiries at different times, assurance has been given (and presumably from the Bureau of Indian Affairs) that no trouble was apprehended on the reservation from building the dams. It was therefore a matter of surprise to us to note the apparent change of opinion as expressed in the letter of the Commissioner of Indian Affairs, dated November 18, 1882, to the honorable the Secretary of the Interior, a copy of said letter having been forwarded to this office by indorsement, Office of the Chief of Engineers, December 14, 1882.

The War Department desires, as earnestly as the Department of the Interior, or as Bishop Whipple can, full justice to the Indians, and its action in referring the matter of entering upon the reservation in order to carry out the river and harbor act of Congress of 1880, to the Attorney-General for opinion, is a matter of record.

The foregoing remarks are necessary in order to a correct understanding of the present status.

The work on the Leech Lake dam, undertaken after assurance from the proper Department of the Government that the way was clear, is now progressing rapidly. A large amount has already been expended for "plant," and supplies for eight or nine months have been laid in, the winter roads having been used to advantage for that purpose. Every stoppage of work, and every delay from reported Indian troubles, adds much to the ultimate cost of the work, to say nothing of the effect upon the community at large.

The assertion of the chief, Flatmouth, that the small-pox would probably not have occurred had not a dam been built, would be laughable had he not told my assistant. that but for the presence of our men and the assistance they afforded and their activ-

ity in quarantining, the disease might have killed off half his tribe. The small-pox originated at least 70 miles to the south and east of our work and on the east bank of the Mississippi. Our work is on the west bank, the Winibigoshish dam excepted, one end of which rests on the east bank. The Indians who had the small-pox were on the east bank. The lumber camps (not Government camps) where the disease prevailed were to the northeast and southeast of our works. We speedily quarantined our camps, vaccinated our own men (whites and Indians), and our physician, at his own expense, vaccinated and attended to Indians not connected with our camps. This of course was an advantage to us and to the entire northern part of the State. Our own men buried the bodies of Indians on the east bank of the river which had been abandoned by the survivors, and cared for several of the sick also deserted by the tribe.

Governor Hubbard, of Minnesota, after an interview I had with him, sent a physician of the State board of health to co-operate with our physician, Dr. Walker, and the Assistant Engineer in local charge, Mr. Wanzer, as well as to assure the Indians that the disease had been checked.

I called upon General Sibley, several weeks ago, and learned from him that the new commission, to adjust damages, would not start for the reservation probably under two or three months.

The dams even, when finished, will not raise the water in the lakes until the sluiceways are built and shut down.

If the orders of Congress are to be carried out, viz, to build these dams, the work should not stop, and I would not feel justified in recommending suspension of work at Leech Lake.

Regretting that I have had to expatiate so much,  
I am, very respectfully, your obedient servant,

CHAS. J. ALLEN,  
*Major of Engineers.*

Brig. Gen. H. G. WRIGHT,  
*Chief of Engineers, U. S. Army, Washington, D. C.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*April 14, 1883.*

SIR: A copy of the letter from Flatmouth, chief of the Chippewas of the Mississippi, dated Leech Lake, Minnesota, February 10, 1883, pleading that the question of injury to the Indians and the damages sustained by the construction of a dam upon Leech Lake be ascertained and determined, before the work of construction of said dam is commenced, which you referred to this office with the suggestion that the request be granted if possible, was submitted to the Secretary of the Interior, March 20, 1883, with the recommendation that the matter be laid before the Hon. Secretary of War with the request that the desire of the Indians be favorably considered, and that the work on the dam at Leech Lake be suspended until the report of Commissioners Sibley, Marshall, and Gilfillan should have been received and approved by the War Department as well as this Department.

I inclose herewith a copy of a letter from the Hon. Secretary of War, dated the 6th instant, declining, for reasons stated therein, to suspend the work as requested.

Very respectfully,

H. PRICE,  
*Commissioner.*

Right Rev. H. B. WHIPPLE,  
*Faribault, Minn.*

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SAINT PAUL, *August 9, 1883.*

SIR: The inclosed letter was prepared at Leech Lake, and represents truly the sentiments of the Pillager and Mississippi Indians lately assembled at Leech Lake from six different reservations. I was requested to come to Saint Paul to get some one to write to you to suitably present this matter.

I find that General Sibley is sick and cannot write for me. Ex-Governor Marshall has undertaken in this brief letter to put the matter before you. He thinks that the inclosed letter written by me, at request of the Indians, expresses all that needs to be said, except to add that these Indians have waited a long time to have the matter referred to adjusted, and they earnestly request authority for a delegation to go on to Washington to settle all pending questions between them and the Government.



The commission appointed by you, General Sibley, Governor Marshall, and Rev. Mr. Gilfillan, have been unable to act, owing to the long and dangerous sickness of General Sibley and the departure early last spring of Rev. Mr. Gilfillan for Europe, where he now is. The Indians are very anxious to have the question of damages caused by the reservoir dams settled immediately.

Please answer this to me, at Leech Lake, right away.

Very respectfully,

WILLIAM BONGA.

Hon. HIRAM PRICE,  
Commissioner of Indian Affairs, Washington, D. C.

[Inclosure.]

)  
LEECH LAKE RESERVATION,  
August 2, 1883.

DEAR SIR: We, the Chippewa tribe of Pillager Indians and Mississippi Indians, including six different reservations, have assembled here this day in general council to consider the question of having the dams built on Leech River and Mississippi River; and we, the undersigned chiefs and headmen, in behalf of the Indians have decided not to have built any dams until we have settled with you our rights. Also, that instead of one-half our dues being sent, that the whole amount be sent for this year. Also, that you furnish money that we may send a deputation of Indians to Washington before next fall. Also, that law book furnished to us a few days ago is too strict and cannot be enforced. Also, that there be appointed a new overseer, school-teacher and interpreter in place of those now filling these positions. And we have employed William Bonga to go down to Saint Paul to write a letter to the Commissioner of Indian Affairs, to Washington, D. C.

To COMMISSIONER OF INDIAN AFFAIRS,  
Washington, D. C.

[Indorsements.]

Respectfully forwarded to Hon. Wm. R. Marshall, of Indian Commission.

H. H. SIBLEY,  
Chairman Commission.

SAINT PAUL, August 9, 1883.

Respectfully referred to Hon. Hiram Price, Commissioner of Indian Affairs, with letter of Wm. Bonga.

WM. R. MARSHALL.

SAINT PAUL, August 9, 1883.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
August 17, 1883.

SIR: I am in receipt of your letter of August 9, 1883, with the petition of certain Chippewas of the Mississippi respecting the building of reservoirs on their reservations in Minnesota, forwarded by Ex-Governor W. R. Marshall, and asking that money be furnished them to pay the expenses of a visit of a delegation to Washington, to settle all pending questions between them and the Government.

In reply, I have to say that to determine the injury to be sustained by the construction of the reservoirs authorized by the river and harbor acts of 1880 and 1881, United States Indian Agent C. A. Ruffee, was directed to examine the lands to be overflowed, and report the damages likely to arise to the Indians from the construction of these reservoirs. His report having failed to furnish the information desired, a commission consisting of Messrs. Barnard and Simpson, of Minnesota, and Mr. Louis Morrell, of this office, was appointed and instructed to make the necessary examination to determine the injury to be sustained and the amount of damages to arise from the construction of these reservoirs, and from their report an award of \$15,466.90 was made, and that sum tendered the several bands of Chippewas who were likely to be injured by these improvements.

For reasons satisfactory to themselves, the Indians refused to accept this award from the hands of their Indian agent, asserting that the damages sustained by them would amount to a much larger sum than that awarded.

Such was the dissatisfaction expressed by the several bands respecting their treatment in this matter, that the Department, upon the recommendation of Bishop Whipple, decided to appoint another commission to review the former appraisal and to determine whether or not the amount of the former valuation, \$15,466.90, was a

fair compensation for the damages sustained by the Indians, and, if not, to report what amount of compensation should be awarded.

This commission was appointed at such a late period last year that it was impracticable for it to enter upon its investigation before the spring; since that time, however, from sundry causes, it has been unable to render the service for which it was appointed.

Without such facts as a commission of this character only can furnish, this Department is not in a condition at this time to enter into negotiations here for the permanent settlement of all pending questions between the Chippewas of the Mississippi and the Government. Moreover, there are no funds at my disposal for the payment of the expenses of a visiting delegation of Indians, but if there were, Washington, under the circumstances recited, is not now the place to determine or settle the questions involved in the construction of these reservoirs.

Very respectfully,

H. PRICE,  
*Commissioner.*

WM. BONGA, Esq.,  
*Leech Lake, Cass County, Minnesota.*

FARIBAUT, *August 17, 1883.*

HONORABLE AND DEAR SIR: General Marshall sent me to-day the inclosed letters. I fully appreciate all he says and believe he truly represents the condition of affairs.

I am heart sick over this whole matter. It is one of the many instances where we have clearly violated principles of justice.

Before work was commenced the honorable Secretary of War, at the request of Major Allen, asked the Attorney-General if we had the right to go on with the work without the Indians' consent.

The Attorney-General wrote a full legal opinion in which he said we had not.

I do wish that something could be done. I shall consecrate a church at White Earth 23d, and expect to meet the chiefs, and will write you what they say.

Yours, with high regard,

H. B. WHIPPLE.

HON. COMMISSIONER OF INDIAN AFFAIRS,  
*Washington, D. C.*

[Inclosures.]

No. 1.

SAINT PAUL, *August 15, 1883.*

MY DEAR BISHOP WHIPPLE: It has seemed to me that I ought to write the Commissioner of Indian Affairs in regard to the non-action of the commission appointed last winter to reappraise the damages caused by the Mississippi reservoir dams. I have written the letter, but when about to seal it, it occurred to me that you ought to be apprised of the fact. I therefore inclose it to you, with request that you forward it with such suggestion or recommendation as your large knowledge and deep interest in the Indians would prompt.

Very truly yours,

WM. R. MARSHALL.

Right Rev. H. B. WHIPPLE,  
*Faribault, Minn.*

SAINT PAUL, *August 15, 1883.*

SIR: I ought perhaps sooner to have advised you that in consequence of the long and dangerous illness of General Sibley and the departure for Europe in May of Rev. J. A. Gilfillan there has been no final action taken by the commission composed of those gentlemen and myself, appointed by you or the Hon. Secretary of the Interior to reappraise the damages suffered by the Pillager and Lake Winibigoshish bands of Chippewa Indians from construction of reservoir dams at the head of the Mississippi River.

In March, as you were advised, there was a preliminary conference in this city with the head chief Flatmouth and ten other representative Indians.

About the first of May I started to go to Leech Lake, with Co-Commissioner Gilfillan, General Sibley being then too ill to go, but we were met on the way by messages from Leech Lake that the Indians were then scattered, sugar-making and on their spring hunts, so that it would not be practicable to assemble them to meet us. (At the meeting in March they had indicated this time about the 1st of May as the time they wished us to go to see them, evidently not thinking of their usual occupations at that time.) General Sibley, I regret to say, is still incapacitated for any business. While

there is a hopeful prospect of his recovery, it will be probably several months before he is well enough, if ever, to discharge the duties of this appointment.

I think it may be assumed that it is hardly best to expect his services. He is an old man, and may never be well again.

He has placed in my hands all the papers, maps, correspondence, &c., that came to him as chairman I would be thankful to be relieved. I would hardly have consented to act except in connection with General Sibley. My impression is that you will need to allow a delegation of these Indians to go to Washington before this question of damages is settled.

As a question of material damage it is not easy to get at a just estimate. I doubt if any commission could arrive at it. The possessions of the Indians, the fishing privileges, rice marshes, sugar-making and canoe-making grounds, &c., have not a marketable and commercial value, such as the possessions and privileges of white men, by which they make a living here.

There is, too, a large sentimental damage, not material, but not less real, involved. Their accustomed haunts are broken up, their paths, roads submerged, they will feel compelled to relocate their villages, will have to adapt themselves to new surroundings, a thing a white man could readily do, but not an Indian.

I suggest these considerations; why this matter needs to be a subject of treaty of agreement rather than one of strict appraisalment of material damage, I am sure you will find it so.

Very respectfully,

WM. R. MARSHALL,  
*Member of Commission.*

Hon. HIRAM PRICE,  
*Commissioner of Indian Affairs, Washington City, D. C.*

P. S.—Some days ago one Wm. Bongá, a mixed blood of the Chippewas, was here and requested me to write you a letter in his behalf which I did.

It sufficiently indicated its character and the circumstances under which it was written. But it may be well for me to here say, that I wish to have no responsibility for Mr. Bongá's requests or representations. I do not know enough of him or the condition of things at Leech Lake to judge of the merits of matters, which he or the Indians in whose behalf he wrote and touched upon, other than the desire of the Indians to have this question of damages settled.

I have no doubt they are impatient for this.

W. R. M.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, August 28, 1883.*

SIR: I am in receipt of your letter of August 17, 1883, covering two letters from ex-Gov. W. R. Marshall, one of the commission appointed to reappraise the damages caused by the construction of reservoirs on the Lake Winibigoshish and Leech Lake Reservations, giving an account of what had been done and why there has been a cessation of action by the commission, with suggestions as to the proper consideration to be given this subject, it being, in his opinion, one of treaty or agreement, rather than of valuation, and of the necessity, finally, of visitation from these Indians who are to be damaged by these reservoirs, &c.

I am in receipt of General Sibley's resignation, which has been accepted by the Secretary of the Interior with regrets, and requesting him, in consultation with you, to name some suitable person as his successor. This commission is to serve without pay, except for actual necessary and traveling expenses, and I trust from your extensive knowledge of the Chippewas and of the citizens of Minnesota, that you and General Sibley will be able to prevail upon some competent person to accept the trust, and that such person may also be satisfactory to Governor Marshall, who seems inclined to surrender his trust.

As to the question of sentimental damages, I would suggest that the commission, when it is again organized, submit a report of the damages under instructions of January 9, 1883, and that it submit a supplemental report covering the whole ground, including sentimental damages.

The object to be secured by the appointment of this commission is to ascertain, as near as possible what loss will be incurred by these improvements to be made by the War Department, and to obtain all possible data connected therewith, that will assist the Department in forming some basis for its action in its final dealings with these Indians.

Until the Government is furnished that data, it would be useless, in my opinion,

to have the Indians visit this city with any expectation of arriving at a settlement of all the issues involved.

Your attention is also called to the law which provides that the damages allowed to friendly Indians shall not exceed 10 per centum of the sums appropriated (\$225,000). If sentimental damages are to be awarded, application would have to be made to Congress to make the necessary appropriation therefor, inasmuch as the appropriation by the act under which the commission is appointed is limited to the payment of damages to private property, and to friendly Indians, and the injury sustained by said Indians by the construction of dams or cutting or removing trees or other material from the reservations. I inclose herewith a copy of Department letter, accepting resignation of General Sibley, and requesting him to suggest a successor, &c.

Very respectfully,

H. PRICE,  
*Commissioner.*

Right Rev. Bishop H. B. WHIPPLE,  
*Faribault, Minn.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, August 28, 1883.*

SIR: I am in receipt of your letter of August 15, 1883, forwarded by Bishop Whipple on the 17th instant, reporting the movements and action of the commission appointed to reappraise the damages caused by the construction of reservoirs on the Lake Winibigoshish and Leech Lake Reservation, with your suggestions as to the proper consideration to be given the subject, it being in your opinion one of treaty or agreement rather than valuation, and your views as to a visit of a delegation of Chippewas to Washington to adjust the questions arising out of these improvements.

I inclose herewith, for your information, a copy of my letter to Bishop Whipple, as well as a copy of Department letter accepting General Sibley's resignation.

Very respectfully,

H. PRICE,  
*Commissioner.*

Hon. W. R. MARSHALL,  
*Room 12, Gilfillan Block, Saint Paul, Minn.*

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, September 5, 1883.*

SIR: In my letter of the 28th of August last, to Bishop Whipple, a copy of which I inclosed in my letter to you of the same date, I called his attention to the fact that damages arising from injuries sustained by friendly Indians in the construction of reservoirs on the headwaters of the Mississippi River was limited to 10 per centum of the sums appropriated, stating at the same time that the appropriations amounted to \$225,000.

I now discover by the river and harbor act of August 2, 1882, there was an additional appropriation of \$300,000 made for said reservoirs, with the same provisions and limitations (22 Stats., p. 203), so that instead of there being only a fund of \$22,500, there is now \$52,500 from which these damages may be paid.

Very respectfully,

H. PRICE,  
*Commissioner.*

Hon. W. R. MARSHALL,  
*Saint Paul, Minn.*

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SAINT PAUL, MINN.,  
*November 30, 1883.*

Mr. SECRETARY: Your commission appointed December 22, 1882, "to make re-assessment of damages sustained by the Pillager and Lake Winibigoshish bands of Chippewa Indians, by reason of the construction of dams and reservoirs by the United States at the head of the Mississippi River," have the honor to report the result of their investigations and the performance of the duties assigned them in accordance with the instructions received from Hon. H. Price, Commissioner of Indian Affairs.

It is believed that the proceedings of this commission as at first constituted, with General H. H. Sibley as chairman, has been fully reported by him, and need not be further referred to. Owing to the protracted and severe sickness of General Sibley, the work of the commission was necessarily suspended, and he was finally compelled to resign his place upon the commission because of his physical inability to perform its duties, and R. Blakeley was appointed September 21, 1883, to fill the vacancy in the commission.

On the return of Rev. J. A. Gilfillan, about the 27th of September, the Board was again reorganized, and R. Blakeley was elected chairman. It was resolved that the commission would visit Leech Lake at the time of the annual payment, which it was believed would take place in a few days, and the chairman so informed Maj. C. P. Luse, agent of said bands of Indians at White Earth Agency.

Unfortunately the payment was indefinitely postponed, as Maj. C. P. Luse informed us by letter dated November 1, 1883. Immediately on the receipt of this information, it was resolved to proceed at once to Leech Lake and perform the duties assigned us.

On Monday the 5th instant the Chairman, having secured the services of H. B. Hammore as reporter for the commission, and accompanied by Mr. Rufus Davenport, from the office of Maj. Chas. J. Allen, United States Engineer in charge of the works, started for Leech Lake. General Marshall was not able to accompany the other commissioners because of his other engagements. The party stopped at Brainerd one day, to enable Mr. Gilfillan to join them, and finally arrived at Leech Lake on Thursday evening, November 8.

The memorandum of our proceedings during our stay, as reported by Mr. Hammore, is sent herewith for your information, and is made part of the report.

Upon careful inspection of that received, we think that it will be apparent to you that it was entirely out of the question for the commission to arrive at any reasonable agreement with the Indians as to the amount of the damages by reason of the construction of the dams.

Before leaving Saint Paul, Major Allen furnished the commission with two new vellum maps, upon which were exhibited the flowage lines of the reservoir, also the lines of the boundaries of the reservations of the Leech Lake and Winibigoshish bands of Indians. These lines were taken from a map of Minnesota, issued by the General Land Office, under Commissioner J. A. Williamson, in 1879. All of said maps are sent herewith, and are numbered one, two, and three. The amount of land overflowed upon these maps has been materially reduced, as was indicated by a letter of Major Allen, dated October 24, 1883, and new list of lands furnished, all of which are inclosed. According to said letter the amount of land taken is only 46,920 acres for both dams, instead of 101,940 acres, as indicated by the lists sent, the other commission. This list of lands are divided among the bands as follows:

For Winibigoshish reservoirs:	Acres.
Winibigoshish bands.....	3, 840
Cass Lake bands .....	200
Mississippi bands .....	19, 200
Total .....	<u>23, 240</u>
For Leech Lake reservoir:	
Mississippi bands .....	11, 520
Leech Lake bands .....	12, 160
	<u>23, 680</u>

The commission having made up their minds to make these awards for the timber cut, rock taken, injury to the industries effected by reason of the construction of the dams, do not think it proper that they should appraise the land taken also. By our instructions, under date of February 28, 1883, we are directed not to make any appraisal of damages for flowing the lands of the Mississippi River lands, consequently make no award for them, for lands.

The result of our investigations shows that these bands of Indians live almost entirely by fishing and the wild rice that they gather in the fall from the marshes around the lakes.

They make some sugar and kill some game during the winter season, but that is mostly off the reservation. They gather their hay for their ponies and cattle near the lakes. These lands are very poor, and they have very little under cultivation, on which they raise some corn, potatoes, and garden vegetables; consequently they are very much in earnest in their inquiry as to what is to become of them when the dams are constructed.

Our instructions direct us to make separate schedules in our awards for injury to personal property of individuals that would occur to them, either to their fields and gardens under cultivation, horses, stables, fences, or other improvements.

Secondly, to estimate the injury to tribal property.

Owing to the lateness of the season we were not able to go to Winibigoshish or Cass Lakes, but Mr. Gilfillan had visited them during the month of October and made careful inquiry as to the award of the former commission for damages to personal property of those bands, and informed it was fair and would be accepted if everything was satisfactory; we have therefore agreed to approve the award of the former commission for the damages to personal property, as follows:

Personal property, including fields, gardens under cultivation, houses and other property, \$1,936.50.

For injury to tribal property of these bands, as follows:

Damage to church property.....	275 00
Damage to Indian graves.....	240 00
Damage to church at Cass Lake.....	275 00
1,500 cubic yards rock taken to build dams, at 5 cents.....	75 00
1,392,290 feet white pine cut at the west side of Lake Winibigoshish and north of Mississippi River, at \$2 per M.....	2,784 58
<b>Total tribal property.....</b>	<b>3,649 58</b>

Leech Lake band:

Individual property, same as awarded by former commission, \$105.

Tribal property:

Damage to bridge and road.....	300 00
Damage to saw and grist mill.....	700 00
1,500 cubic yards rock, at 5 cents.....	75 00
<b>Total.....</b>	<b>1,075 00</b>

White Earth and Mississippi River bands: 1,635,255 feet white pine (B. M.), at \$2 per M, \$3,272.10.

In making the award for damages sustained by "loss of any particular industry, such as hay meadows, rice fields, and cranberry marhes," as directed in letter of instructions dated March 30, 1883, the commission found themselves in a very difficult situation, because of the determined and unreasonable resolution of the Indians not to give any information as to the amount of rice and hay they gathered in a season, or the amount of fish they caught during the year, and were finally compelled to depend upon the evidence taken and information gathered from all sources within reach, to guide us in making this most important part of our award. After much consideration we have decided to say that we believe the rice marshes will be destroyed by raising the waters as contemplated in Leech Lake, and that their hay fields will be destroyed by being so long submerged that nothing will grow where they now get their hay. If so, this is a very serious matter for them, as there is no other place within their reach where this loss can be replaced, as they have no other rice or hay fields.

There are 1,147 of this band of Indians, and we estimate that they gather 86,100 pounds rice annually, worth 10 cents per pound.....	\$8,610 00
That they cut 350 tons of hay, which costs \$3 per ton, but cannot be replaced for less than \$28 per ton.....	9,800 00
(Their fisheries will be damaged some, but no one can tell how much; it is possible it may very great.)	
<b>Annual damages.....</b>	<b>18,410 00</b>

There are 148 Indians at Lake Winibigoshish, and about 290 at Cass Lake. These bands get their rice at Bowstring Lake, but there is not much; probably there may be enough to do them; some will be destroyed on the lakes, consequently they may be said to have rice enough. But the fish question is the serious one for them. This lake is raised 14 feet, and all their old fishing places will be submerged, and it may be very difficult to set their gill-nets for fish. They think the fish will all leave their usual haunts and their traditional fishing-grounds will be lost. When we remember an Indian must catch fish every day during summer for his daily food, say ten fish for a family, it may be considered a very alarming situation for these bands.

These bands cut 130 tons hay, which cannot be replaced for less than \$28 per ton.....	\$3,640 00
Their loss of fish must be.....	4,350 00
Injury to cranberries.....	300 00
Injury to sugar crop.....	100 00
<b>Annual damages.....</b>	<b>8,390 00</b>

These lakes and marshes are the storehouses of these Indians, and their fish are taken with a gill-net at certain localities every day. It becomes evident that some provision must be made for contingencies that are certain to occur during the coming summer, and probably for all time, as they may not be able to find the new haunts of the fish for some time to come.

Both bands of Indians will be very materially and permanently damaged in their usual industries and dependence for a living, and will, in our opinion, require that some special provision shall be made for them of a permanent character. Permit us to hope that these bands and all others within this State may be removed to the White Earth Reservation, and the four million acres of land they now occupy be opened to sale and settlement by the Government.

Respectfully submitted.

R. BLAKELEY,  
WM. R. MARSHALL,  
J. A. GILFILAN,  
*Commissioners.*

Hon. H. M. TELLER,  
*Secretary of Interior, Washington, D. C.*

Please find herewith returned :

(1.) \$10,352.

1. Schedule of lands subject to overflow by the construction of reservoirs at Lake Winibigoshish.

(1.) \$11,266.

2. Schedule of lands subject to overflow by the construction of reservoirs at Leech Lake.

(3.) \$13,407.

3. Tracing of Lake Winibigoshish.

4. H. Ex. Doc. No. 54, Forty-fifth Congress, third session.

5. H. Ex. Doc. No. 39, Forty-sixth Congress, second session.

6. River and harbor act of June 14, 1880.

7. River and harbor act of March 3, 1881.

8. Copy of opinion of Second Comptroller, May 23, 1881.

9. Letter to Hon. H. Barnard, September 2, 1881.

Also the following papers and maps referred to in report :

Two vellum maps of Lake Winibigoshish and Leech Lake.

One letter of Maj. Chas. J. Allen, of October 24, 1883.

One letter of Maj. Chas. J. Allen, of November 5, 1883.

One letter of Maj. Chas. J. Allen, of October 8, 1883.

One list of lands referred to in letter of October 24, 1883.

One map of Minnesota, 1879.

DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
December 19, 1883.

The within report is hereby approved and forwarded with the recommendation that it receive the approval of the honorable Secretary of the Interior.

H. PRICE,  
*Commissioner.*

[Inclosure.]

SAINT PAUL, October 8, 1883.

DEAR SIR: Before your commission meets, I should like to send you a revised statement of acreage liable to damage from overflow at Leech and Winibigoshish Lakes.

Very truly, yours,

CHAS. J. ALLEN,  
*Major of Engineers, U. S. A.*

Capt. RUSSELL BLAKELEY,  
*Saint Paul.*

ENGINEER OFFICE, UNITED STATES ARMY,  
*Saint Paul, Minn., October 24, 1883.*

DEAR SIR: I send you, with this, two outline maps on vellum, showing the locations of the reservoir dams at Leech and Winibigoshish Lakes, and the flowage areas to result from the operating of the same.

The old maps of Lake Winibigoshish showed a flowage line due to a line 2 feet higher than the dam we are now building. Consequently the flowage covers a much less acreage than was originally expected. The dam we are now building rises to a height of but 14 feet above the low water of 1878.

The Leech Lake dam is to raise the level of Leech Lake 4 feet above the water of 1874, as originally intended.

The bounds of the different band reservations, as placed on the map herewith, are from the map by the Department of the Interior, 1879, which you furnished me as official. The areas of flowage as shown may never be reached, as the demands upon the reservoirs may preclude filling them to their full capacities.

Yet, if occasion offers for getting more than one season's storage in them, the full flowage will probably occur.

The reservoir capacity of each is approximately as follows :

	Cubic feet.
Winibigoshish reservoir : .....	40,000,000,000
Leech Lake reservoir .....	22,000,000,000

As you are aware, the plan is to store up the larger part of the water prior to July 1, and then to draw it off in the interest of river navigation during the season of low water.

My official progress reports, 1878-1881, contain full information as to what is expected of the reservoirs. You have copies of them, I understand.

Mr. C. McClellan, assistant engineer of this office, has calculated the acreage of flowage under the new conditions and reports as follows :

ENGINEER OFFICE, UNITED STATES ARMY,  
*Saint Paul, Minn., October 19, 1883.*

Maj. CHAS. J. ALLEN,  
*Corps of Engineers, U. S. A.:*

SIR: I have to report the following approximate estimate of acres of land belonging to the different Indian bands that will be overflowed by the reservoirs on Winibigoshish and Leech Lakes, viz :

WINIBIGOSHISH RESERVOIR.

	Acres.
Winibigoshish bands .....	3,840
Cass Lake band .....	200
Chippewa band .....	19,200
Total .....	23,240

LEECH LAKE RESERVOIR.

	Acres.
Chippewa band .....	11,520
Leech Lake band .....	12,160
Total .....	23,680

This estimate is based on a flowage line 14 above water of 1878 for Winibigoshish reservoir, and a line 4 feet above water of 1874 for Leech Lake.

The total acreage for the reservoirs amounts to 46,920.

Very respectfully, your obedient servant,

CARSWELL McCLELLAN,  
*Assistant Engineer.*

This acreage is calculated by allowing a good margin in favor of the Indians.

The rock that has been taken for the dams has been mainly from the shores and beaches, and this item can damage nobody.

The quantity of timber cut from the reservation for the use of the dams is, as per reports sent to this office, about as follows :

For Winibigoshish dam, 2,000 M feet, B. M.

All belonging to the Chippewa band as understood from the Interior Department map 1870.

For Leech Lake dam, 1,500 M feet, B. M.

All belonging to the Chippewa band, as understood from map just referred to.

There are three reservoir dams in progress of construction and more or less advanced, viz: One at the Falls of Pokegama, under the local charge of Mr. Archibald Johnson, C. E.; one at the outlet of Leech Lake, in immediate charge of Mr. John Cullen, C. E.; and one at the outlet of Lake Winibigoshish, in immediate charge of Mr. A. Wanzer; Mr. C. Wanzer being in local charge of these latter (two), viz, Leech and Winibigoshish.



My aim will be, when these dams shall be opened, to draw first upon the Pekegama reservoir, next upon the Winibigoshish Reservoir, and lastly upon that at Leech Lake.

Just below Leech Lake dam is Mud Lake, a vast rice field. The Indians generally gather from this rice by the first week in September, I believe. By drawing upon the Leech Lake dam last for any appreciable supply of water, I have no idea that the rice-gathering will be affected in the least. In addition, the capacity of Mud Lake is such that considerable water can be let out from the Leech Lake reservoir without raising its surface rapidly.

Mr. Rufus Davenport, assistant engineer, who is familiar with the reservation, will be at Leech Lake to fully explain the maps and matters generally, and is authorized to speak for this office as to the dams and overflows.

Messrs. Wanzer and Cullen will be written to to repair to Leech Lake if you desire Mr. Davenport to send for them.

The Interior Department map, 1879, is returned herewith.

Very respectfully, your obedient servant.

CHAS. J. ALLEN,  
*Major of Engineers.*

Capt. RUSSELL BLAKELEY,  
*President of Commission, Saint Paul, Minn.*

Four inclosures, viz, two outline maps on vellum; one Interior Department map of 1879; one rough outline tracing not mentioned in this letter, it being one I furnished Mr. Chapman in 1882, and which you left in this office.

Memorandum of a council held with the Leech Lake and Winibigoshish bands of Indians at Leech Lake Agency, by and between their chiefs and headmen and the commission appointed by the Secretary of the Interior "to make assessment of damages sustained by the Pillagers and Lake Winibigoshish bands of Chippewa Indians in Minnesota by reason of the construction of dams and reservoirs by the United States on the headwaters of the Mississippi River," under letter of instruction from the Hon. H. Price, Commissioner of Indian Affairs, dated January 10, 1883.

The commission, consisting of R. Blakeley, Rev. J. A. Gilfillan, accompanied by Mr. Rufus Davenport, assistant engineer, on the part of Mr. Chas. J. Allen, engineer in charge of the construction of the work, and H. B. Hanmore, secretary of commission, arrived at Leech Lake Agency on Thursday, November 8. On Friday, November 9, the commission took the United States steamer Kate and proceeded to Leech Lake dam, which they inspected; the commission remained at the dam overnight, the guests of Mr. J. Cullen, assistant engineer in charge, until Saturday, November 10, when they returned to Leech Lake Agency. On Saturday afternoon the commission commenced their conference with the Indians at the agency office, where they met the following named chiefs: Hi-gan-i-bi-ness, or Flat Mouth, head chief of the Pillagers; Muck-a-day-we-ki-ney-ay, the Priest; Mau-way-wen-ne, the Sturgeon Man; No-din-ah-quan, the Temperance Chief, and about fifty additional chiefs, braves, and others of the bands interested in the matters referred to the commission.

Captain Blakeley, president of the commission, informed the Indians that the commission had expected to have had the aid of Thomas A. Warren, the interpreter of the agent, but as he was not present they had selected Mr. Wright to act in his place, and asked if the Indians were satisfied with this selection. Chief Flat Mouth asked to have Capt. Cha. H. Beaulieu appointed, and in deference to their wishes he was selected in place of Mr. Wright. Captain Blakeley then addressed the Indians as follows: "It is necessary for me to say a few words in relation to the commission. As you know, General H. H. Sibley, Ex-Gov. Wm. E. Marshall, and the Rev. J. A. Gilfillan were appointed to reassess the damages sustained by the Indians by reason of the construction of the dams. General Sibley during the early summer was taken very sick and has not been able to come and see you. Some time since he resigned his place on the commission and I was appointed in his stead, and the commission came to hand early in October. Immediately after I received my appointment I notified the agent I would come here to meet you at the time of the payment. I have been ready to come for the last three weeks, but because of the delay of the payment have deferred the visit until this time. Ex-Governor Marshall was detained at home by important business and was not able to come. It is the wish of the commission that all who are now present shall speak and say what they wish. I want you to understand that the commission wish to do you justice in the award for damages done by the construction of the dams. As a matter of course we hardly know what your judgment is. The last commission did not impart what the chiefs of any of the bands said they wanted. I do not feel like making any extended remarks; we are ready to hear what any of the chiefs have to say."

FLAT MOUTH said: "I wish to tell you a few words in advance, not on the main subject at all; there will be three present to speak to you. I will be the fourth; a chief, a brave, and a young man will speak. This man will tell you something."

THE PRIEST. You have already told us what you came for. I want to tell you something. Which are you going to listen, the whites or the Indians? I am now ready. We place no faith in any other person but you. Take these words to Washington, the place from which you get your authority; also show up the works you came to see. The mixed-bloods over there we think a great deal of; one of them will speak to you and show you some papers to show that this is not a child's affair. The principal men all around the lake are assembled here on account of what is transpiring." (William Bonga then exhibited some credentials from the Indians appointing him to go to Saint Paul and see the commission.)

WILLIAM BONGA. "I wish to let you know I was employed by these Indians as agent in these matters. At Otter Tail Point I was employed to go to Saint Paul and to see the commission, and to have them send some papers to Washington. I assented to this employment. I listened to the chiefs' words and this is the letter (exhibiting a paper) which was sent to Washington. All the leading men, including White Cloud, were present when I read my authority. The reason I mention these papers is because complaints have been made that I caused the trouble. I would not do anything that would lead the Indians into trouble. I made a trip across the lake and they wished me to go alone to Saint Paul. I did not choose to do so; I thought that some one should go with me, when two chiefs were appointed. I don't wish you to listen to any white man on this visit, but listen to this destitute people."

FLAT MOUTH. "I now wish to speak a few words. I speak to the Great Father who sent you here. It is very singular that this Great Father is taking such steps as he is doing; he is making a laughing-stock of himself by taking away what the Indians are living on. I have always spoken to persons in good authority of what is being done to the Indians. It was always said to the Indians whenever anything is wished of them they would be asked. This is the reason this movement was started two years ago. It startled them very much, this action of the Great Father. I think the Great Father is doing this on purpose to harm the Indians. Some time ago I made complaint in Saint Paul what the damages would be. No white man would be able to estimate the damage done us. We are able because we derive our living from the lakes. It appears to us that the Government is going to set its own price and not do us justice, or give what we expect to get. The Great Father has now commenced to dam up the river in spite of our opposition. There is no white man or no person who has asked me for this permission, and it has startled us. If the Great Father wishes still to go on with the work, we wish \$250,000 every six months. This is our property and this is very great damage to us. It is two years since this work was commenced and nothing has been done. I will send word to have the work stopped unless some settlement is made."

STURGEON MAN. "You have come here now to do your errand. I am very much pleased to see you on this errand. The reason is on account of our fears of the damages that will be done us. You have come here to hear the Indians; they will give you what you will have to take where our Great Father is sitting. No white man knows of the damage that will be done to us. As long as the sun shall pass over our heads we would have been able to live here if this dam had not been commenced. Every year what supports us grows on this place. If this dam is built we will all be scattered, we will have nothing to live on. The reason we ask for \$250,000 every six months is because our children will live sometime on it. If we will be given this amount we will agree to the dams being built. The Great Father has a great deal of money; also the parties who are making the dams have a great deal of money. The reason I say the Great Father has a great deal of money is he makes it. Such things as we make will be destroyed. What I mean is about what came out in the papers last spring." (NOTE.—The 33 items mentioned by Flat Mouth constituting the resources of the lake as stated by General Sibley on his visit to Saint Paul.) "We have now given this matter to you to carry to the Great Father. We will all come to ruin if this amount is not given, we are afraid. This is the mind of all the Pillager Indians. We also wish to make a choice and do make a choice of one of our mixed blood, one we think a great deal of, one who is trying to do right by us; it is William Bonga, to be our agent and adviser."

TEMPERANCE CHIEF. "I have to say a few words to the person who comes a long way to see us. I wish to speak of the same matters as the others have spoken of. I wish to tell you what the Indians would have done under the circumstances, if the Indians had a box of money and the whites had been damaged. If we had the power to go and build dams on the white man's land, what would the white man say? If we had made a commencement of the dams we should have paid exactly what these persons requested. Before commencement was made there should have been to me one sent up here and an estimate of the probable damage made. If it had been anything like fair we should probably have accepted it. Who has asked our consent?"

We have given no permission and we are at a loss to know why this thing has gone on in this way; we wish the \$250,000 to be given every year."

(VOICES. "Every six months. Our minds have been made up ever since spring. Our minds (are) as one.")

Continuing: "I also wish to be paid every six months as long as the dam stands. Whenever a person comes here, outside influence gets to work and interferes with the interests of the Indians; inspectors who come here from only a short distance, but I think you (to Captain Blakeley) are the person you represent yourself to be. William Bonga does not take upon himself the work we want him to do, but he is the choice of the Indians."

THE PRIEST. "You have listened to our chiefs, and our braves, and our young men; I told you would, when I was in Saint Paul, you would hear what you have heard. When the Great Father does what we wish, then will be the time when he will make his dams. That will enable those Indians to live that would have died otherwise. We wish to have you represent this thing to all in Washington or the place from which you were sent."

STURGEON MAN. "At one time here I was a very small boy. Mr. Rice came to the place. I remember it. In our language we call the country Long Prairie; a country he came and borrowed from us in 1847. We received a very small remuneration for it. If our Great Father wants that land we want more payment for it. The chief will finish the subject; I will speak more after a while."

Captain BLAKELEY: "The great council at Washington wants to improve the Mississippi River so they can run their boats on it. They make an appropriation of money and they order the engineers to make the survey of the river and report how it can be done; how the river can be made navigable; they make a map of the work and send it to Washington to the Great Father, who orders the engineers to make the improvement and build dams. If it hurts any of the white people, they have a commission appointed and they go before the commission as you come before us, and they make up their minds from what they see and hear the people say what damages will be done. That will be the way that the damages will be found out at Gull's Lake, Pine River, and Pokegama Falls, on the lands you sold the white man years ago. A great many of the white people have signed papers to surrender all the land overflowed by these dams; most of the damages have been settled already because they could talk to the white people better than they can to your people. The first commission that was sent up here to make the award of damages for the Winibigoshish and Leech Lake dams did what they thought was their duty. Perhaps they did not understand what the Indians wanted. When you refused to receive the money awarded, the Great Father appointed General Sibley, a man you all know; Ex-Governor Marshall, who has been governor of our State; the Rev. Mr. Gilfillan, whom you all know and who speaks your own language, and we are very anxious to agree upon something before we go away that will be satisfactory to you all. You ask a very great price; it will require very great consideration and care for us to come to a conclusion as to what we ought to do. When a white man makes a claim before a commission, they judge what the damage has been before they make the award. If they take his hay lands they know what his hay is worth; they know whether it is valued too high or not, and they make up their minds how much the Government ought to pay for the lands which they take. It is very seldom, perhaps hardly ever that the man gets as much as he asks, and as a matter of course they have to agree upon some amount between them that may be satisfactory to all. We have the engineer with us who made the map and the survey. He is in the service of the Government. The dams are built by the Great Father, and for the benefit of all the people who navigate and use the river. He can show us how high the water will come, how long it will stay in the lake, and when it will be taken out. We have a list of all the lands that will be overflowed and we know the number of acres. A great deal of it is very poor tamarack swamp, some hay meadows, some rice fields. We would like to learn how much hay the Indians cut upon these fields, how much rice they gather, and if there are other fields where they can cut hay and gather rice. When we understand and the Indians understand exactly what is going to be taken and what is going to be left, perhaps we can agree. If all the trouble was fixed and settled about the dams now, they would close the gates, the water would be raised 6 feet above what it is in the lake now. The water would be gathered in the lake during the winter and spring up to the 1st of September, and we hope the dam would be filled up to 6 feet. When we commence to let the water out of the lake by raising the gates, it will run away by the time the fall fishing commences. In the middle of October, the water will be pretty near drawn off the lake down to the stage it is now. When the river freezes up, the gates will be put in the water raised in the lake again just as before, and that is all the use the Great Father wants to make of the water."

FLAT MOUTH. "I want to reply to some things you have said. We set this price because it is our property. The Great Father has taken it upon himself to commence in the way he has. This is a matter of the greatest importance to us of anything

since we have had any relations with the Great Father. The white men have brought in their claims, which are very small in comparison to ours. We were at one time injured by Mr. Rice, and we propose to settle these matters ourselves. I mention the other matter because Mr. Rice was connected with it and we were greatly injured by it. We don't want to depend entirely on other parties. We have made this price and we wish to hold to it." (Flat Mouth submitted written statement marked Exhibit A.)

STURGEON MAN. "I wish to say a little more to the commission about matters that are troubling the Pillager Indians and which we wish you to take cognizance of. Tell the big chief whose business you have come on we wish to say something about our teachers, the representative of the agent here, the overseer. We don't think it right the Government should pay him as much as it is doing, and also Mr. Wright, we think he has received an increase of salary. Then the overseer's wife receives \$400. We wish the Great Father would give us farming money instead of paying officers such great salaries. We don't receive as much seed as we did formerly; if we had more assistance in this way we would be better off. These officers are paid too much and they make complaints against the Indians. If they would attend to their business more we would like it. Our interpreter also we take some exception to; he don't interpret the right way. I mean James Taylor; they have mentioned him to the Indian agent, but he has never been able to have another one appointed. All the officers at the post are appointed from Washington and the agent cannot effect their removal.

"Another thing: Whenever any person comes to see us, these parties have all the say to them and place us in a false position. There is only one person who never interferes with us, and that is Mr. Benedict, our preacher. We like that person; when we hate him we will speak of it. We would like to have these changes made here that we have spoken about."

FLAT MOUTH. "I am sorry the agent is not here so he could hear what I would tell him. I learned an inspector was to come with the agent and was very much pleased. I would be heard in the matter just spoken about. I live right here and speak of matters I see, not that I hear of. I am very much surprised at the Great Father on account of what the employés are doing, as our treaty stipulations have expired. These stipulations must state what the agent proposes to do with our moneys. We suppose we own what is promised to us for thirty years. The agent is the worst one in the lot. I think he was sent here by the devil. He pays no attention to us. He only comes at payment times. Then probably the Great Father thinks he has complied with his treaty stipulations when he is fulfilling parts of the treaty, why he is not fulfilling other parts of the same treaty, when 200 acres of land was promised to be broken. When the interpreter was clerk here we had a farmer who measured the lands that he had broken and he found it to be 103 acres. Since the annuities have been made we have always been promised that this land should be broken. I have broken some land which has grown up into a thicket. I have faith that Captain Blakeley will take this matter to the Great Father. What has been said about the employés is so. I wish to say a few words on the subject. When any person comes and asks this person who has charge here for assistance he talks crossly to them and almost strikes them. I had some trouble with the ironing of a sled. I wished to go in the shop myself and see the work. I had employed Sim Weaver to fix the sled, and Sim had not completed it. I afterwards wanted to go and do it, but the agent would not let me do it, but had me ordered out of the shop by the police. I wish the overseer removed by the Great Father. I don't want only the Indians punished for bringing liquor on the reservation, but want the white man punished for the same offense. A policeman found a bottle in a white man's pack and took it to the overseer, who let the white man go because he represented it was for medical purposes. Another time there was a bottle of whisky taken from a white man at Sim Weaver's, given to the overseer, who restored it to the man, who claimed it was for medicine."

Captain BLAKELEY. "Can you tell us how much hay and wild rice you gather in a year?"

THE PRIEST. "It is not necessary for us to tell how much we have gathered; we have made our estimate of our damages, and we wish you to carry that estimate to Washington. It is very surprising that these dams should be commenced without the consent of any of our chiefs. We wish it to be known everywhere that our consent was not obtained to the commencement of these dams. There is not a single person here who wishes these dams completed, because it will destroy everything that has heretofore supported us. We don't think any more of the amount we ask than we do the damage to be done us. We wish this matter of damage to the Indians to be faithfully represented to the Great Father. I wish you to use my words in representing our case to the Great Father. I use the same words again what I think these people will be saved only by giving them what they ask, \$250,000 every six months."

Adjourned to Monday, November 12, at 9 o'clock a. m.

MONDAY, November 12, 1883.

The commission met at 9 o'clock a. m.; present R. Blakely and Rev. J. A. Gilfillan. The council-room was filled with Indians, and after notice that the commission were ready to proceed, FLAT MOUTH said: "We would like to hear a few words from the president of the commission."

Captain BLAKELY. "We would like to hear what the thought of all the bands is first."

WAY-GE-MAH-NE-SKIG, chief of the Cass Lake bands, said: "My words are the same as those spoken by the Leech Lake Indians on Saturday. I was not present, but I know what was said. For my part I have nothing more to say. I favor what was said the day before yesterday."

Captain BLAKELY, addressing the council, said: "I asked you on Saturday what quantity of hay and what quantity of wild rice was gathered by the bands. I did so because the Hon. Secretary of the Interior had asked me to do so. We know how much land will be covered by water, but we do not know what injury it will be to the bands until we know what they get off this land to live on. It is very difficult for us to say to the Great Father for you what we think should be paid for the land taken unless we know what is taken from your means of living. The commission are of the opinion that the price set upon the damages is entirely out of the question. If I was asked how much I would give for the entire reservation, I would not give what the bands think they ought to have for one year, much less to pay that much while the dams are kept up."

THE PRIEST. "The Great Father should have asked the consent of the Indians before he began the construction of the dams. The Great Father has acted like a dog in this matter, snatching at something that does not belong to him, and such actions are not very commendable. We lay the blame to others, not the Great Father, who should have been notified about all this; that is all I have to say."

FLAT MOUTH. "I wish to speak to my people" (spoke to them), then to the commission: "I spoke of this matter last spring when I went down to Saint Paul, the same questions you are asking me now. I should understand from your talk that you want to make a sale of the reservation. We did not know anything about the building of the dams and we are startled by it. What we understand now is apparent to us that the matter will not be taken to the Great Father; what we have said is our own mind and the mixed bloods should not be held responsible therefor. What we understood from these proceedings is that we are to be served by the Great Father just as he wishes. We don't wish this; as this is our property we will not accept a small price from the Government. I repeat again that this matter is of the greatest importance to us. We know this ourselves because our forefathers have lived here before. No one that comes here and stops for a while can know how important this is to us. When our lands were given to us by the Great Father we could do something, but if these dams are made we will all be destroyed."

STURGEON MAN. "I wish to speak for the Pillager Indians as they have requested me to do. The will of the Pillager Indians you will take with you. You know that one of the animals you have, the sheep, is a very mild one, a quiet animal. We have with our Indians amongst us kind of the same disposition, the rabbit; this also is a peaceable animal. That is the reason we ask \$250,000, so that we will be quiet, so that we can live in peace. We think that amount very small. If there were 200 of us went away and carried \$1,000, it would not last very long, because we would not make very good bargains. For my part I never buy anything from the traders or any white person, but what I get from this lake every six months is worth \$1,000 to me; that is what we wish; we just wish that amount. We want to get it; we do not wish to have any white man, and we wish the amount to be given us as we request. We still wish to appoint some one of understanding to manage our affairs; we do not wish to let the man go we already have, William Bonga. If the amount is given us there will be no more trouble about it, nor as much trouble as was had in the warehouse here at one time on account of our annuity goods. For our part we do not wish the interpreter here should be employed any longer; he is quarreling all the time. I have a few words to say afterwards."

Captain BLAKELY. "The words of the chief and the men who have spoken here have not changed the minds of the commission. We feel quite sure that if we were to report to the Great Father what you ask, he would not pay it; consequently you would be left just as you are, without having any adjustment of the matter. We should regret very much that this should be the case; so will the Great Father. We understand the Great Father has been very well pleased with the conduct of the Pillager Indians for some years past, and he feels very anxious that this matter should be settled and is willing to pay all the commission can justly say ought to be paid. The commission do not think that by raising the water 5 or 6 feet in the lake, it will destroy your fish. We think you can catch just as many fish every day in the year after the dams are built as you do now. The destruction of your rice we want to consider and the destruction of your hay fields we are instructed to consider. The tim-

ber that is cut off your lands we are directed to consider and report to the Great Father how much it is worth and how much the damage to the Indians. These are the things the Great Father especially directs us to do. The amount of land that will be covered by the water is a very small part of your reservation; all the land that would be covered by water by the Winibigoshish and Leech Lake dams would not be more than six miles square. If you desire the man who made the survey to speak to you and hear his words, we will have him speak to you.

"The chief spoke about our wanting to make a treaty; we have no authority to make a treaty; we do not come for that purpose. We are instructed to tell the Great Father what the damage is and would be pleased to know what the damage is before we go away, for if we go away without the Indians being satisfied with what we shall say we feel it will be a good while before the Great Father will send another commission; consequently we wish to have an understanding with the Indians before we go away."

Mr. GILFILLAN addressed the council in their own language and in much the same language as Captain Blakeley.

FLAT MOUTH. "In regard to what damage will be done I want to say I gave the list last spring. It appears that the words I then spoke are now in question. I infer from your questions that what was then spoken has been cast aside. In speaking of the fish a short time ago, you must know something about the habits of fish. I want to know who catches the fish—from whom you get your information?"

Captain BLAKELEY. "Do you catch the fish in summer?"

FLAT MOUTH. "Not only in the summer but in all seasons."

Captain BLAKELEY. "Sometimes in the summer when you catch the fish the water is 5 feet higher than it is now; we do not think it makes much difference whether the water is 4 feet higher or not. In the fall when you catch your fish for the winter, the lakes will be just at the same height as they are now; the water will all be run out of the dams and it will be low water as it is now. We think the fish will come to the shores then just as they do now. If we are mistaken we would be very glad to hear the chiefs tell us what they know about the habits of the fish. It may make some difference in our thoughts about the question of the fish. The probabilities are that the water will not be more than it is in your high-water seasons for the reason we do not see how it makes much difference. If the chief will explain to us what he thinks we would be very glad. That's all."

FLAT MOUTH. "I only give an answer in reference to the fish. In the matter of fish everything will be destroyed by having high water. The young will go off in the woods in high water and when the water is let out the young fish will be caught in the woods. We could not tell the fish to go into deep water because the water is to be let off."

STURGEON MAN. "These are all chiefs that are present sitting down; also there are some braves and young men and children. I see the white people work not only for themselves but for their children, for the future. For two years Bishop Whipple and Ex-Senator Rice have been advising us to remain quiet. We have been told by these parties to consider these questions because this injury is not only to us but to all of us, and this advice to us to remain quiet is to give them the means to consider these questions, and it is ourselves who have commenced to consider these questions we expect you to take on to Washington. It is no mixed blood that have advised us to do so. They are afraid of the white persons who are here. That man there; you see him; he is an Indian; he is a leader in one of our councils. The reason we take William Bonga is because we wish him to put down our words, not to give us advice. Whenever we are of one mind we give it to him when he has paper by his side. This is one thing we speak about; we want to have a council by ourselves."

Captain BLAKELEY said that the Indians said would be transmitted to Washington.

THE PRIEST. "You say that you will send our words to the Great Father; what you have heard the Pillagers say is what they believe; we are very much pleased that our words will be carried to Washington. The white man has not been told to make this dam to spoil what has supported us; does not the Great Father expect to pay what damage he will do by building these dams? The Indians will not feel injured if they get what they ask for. When the Great Father has satisfied the Indians, then he will be allowed to build the dams. If the Great Father does not do as we wish we will all die. You must have noticed on your visit down the lake the tamarack swamps. If the lake is raised the fish will go into the swamps and be lost when the water is let out. We want justice from the Government so that the Indians will be able to live. We wish this matter to be settled as soon as possible, and to have some settlement arrived at as soon as can be. The Great Spirit is listening to me talk now, and if the Great Father carries out what he proposes to do, will the Great Spirit approve of it?"

THE TEMPERANCE CHIEF. "I have a few words to say. I want to speak about the flooding of the lands. From what you say we infer there won't be any great damage to the fishing; that when the water is let out there will be the same fishing as before, and that the hay would sprout again; if the water is let out the grass won't grow again. The rice would also be the same where there had been rice; none

would again be found. Where we generally make sugar that would also be flooded. This also is a matter of great importance to us."

KAY-SHE-AUSH (chief). "I do not wish to make a speech, only to approve what was said."

Captain BLAKELEY. "We know that the wild rice will not grow where the water is too deep; we expect that to be destroyed where the water has flowed so deep that it can't grow; we know that the hay won't grow in the marshes where the water stands until July and August. That is the reason the Great Father asked us to make this investigation. The man who made the survey to construct the dams tells us there will be very few if any of the sugar trees overflowed. If there is any of it that will be injured in any way we want to award a compensation for it. If we could know where the Indians think their sugar bushes will be destroyed, we will investigate and see whether it is so or not. Every other interest of the Indians we would like to know definitely what it is that is injured; a general statement does not give us an understanding of what they think are their damages; we believe that the water goes up into the tamarack swamp in the high-water season now; if the water is raised higher it will go farther up, but it is so small an addition we think it can't make a great difference."

MAY-DWAY-WE-NIND. "I shake hands with the Great Father in shaking hands with you."

Captain BLAKELEY. "We are very glad to hear the young men speak their minds."

MAY-DWAY-WE-NIND. "I now wish to say something to you of what I think; what the commission has spoken of is what is our own here; we don't want to relinquish anything of what we have said on this subject of damages; we go to the assistance of our chief and our braves. If I understand you that the Great Father has not sufficient money to give what we ask, we wish him to have the young men stop the work at the dam, who are about to destroy us. The white man never sets a price on his goods and we do not wish to set a price to ours. If the Great Father does not wish to give what we have asked for, the Great Father will put aside the work on his dams. No one asked him to begin it. This is all I have to say."

Captain BLAKELEY. "We think we ought to say to you what we said on Saturday; that the Great Father never asks his whitechildren their permission to build dams or cut timber. He always appoints a commission to say how much the Great Father shall pay the white children when he takes their property for dams or anything else, and that they have to take, and no complaint. He wants to do a little different with the Indians. He sent us to consult with you and see if we can come to some agreement as to what should be satisfactory for the land and property he takes from you. He wants the Indians' consent, but he never asks a white man to say whether he likes it or not. He has to take what the commission say. It is the wish of this commission to pay the last dollar that they can conscientiously for your property. We know that the Great Father is more friendly to the Indians in such a case as this than he would be to the white children if they owned the country. This is all I have to say."

FLAT MOUTH. "I want to say a few words about the ways of the white people. It is a matter of much surprise to me what the Great Father is doing with property we own. I want to speak of lands just outside of this reservation. I once went out there to hunt rats and was driven away by the white man, and I came right back. If we were able we would arrest the Great Father for doing what he is doing. If we should go to Saint Paul and trespass on any property there we would be arrested. I would arrest the Great Father for trespassing here. In making this comparison, I should make a payment for any harm that I might do, if I determined to take any other man's property, and I want the Great Father to do the same now. We don't want you to take anything as expressed in ill-will, but we want a correct representation made to Washington. It is for our interest now that we are speaking in this matter of damages to the Great Father; we want to tell the Great Father to hold on. I don't tell him to go away; I wish to have some understanding. You must have misunderstood me on Saturday; we see that the Great Father does not pay much heed to this question; we see that the work still goes on and grows larger; we see also some transactions of old on the part of our Great Father that we don't like, in the money that went back to the Treasury in some matters in which our old men were interested."

Captain BLAKELEY stated that the commission would be very glad if the Indians could arrive at some conclusion as to the amount of hay and rice gathered annually, and stated if the Indians wished to counsel further among themselves he would adjourn the session until 4 o'clock p. m., which was done.

AFTERNOON SESSION, *Monday, November, 12.*

The commission met at 4 o'clock p. m. pursuant to adjournment.

Captain BLAKELEY. "I want to say to the chiefs and bands that the commission have been very sensibly impressed by what we have heard from you all in regard to

the damages likely to occur to you by the building of the dams. We believe from what we know ourselves and from what you have told us that your rice fields will be destroyed; we believe that your hay grounds also will be destroyed; we know it is a very serious matter to you; we feel that we should have been very glad if you could have told us how much rice and hay you gather in a year. In that way we should have been able to know how much to recommend the Great Father to pay you for their destruction. We think it is a very considerable amount. We are satisfied of that; we have heard what you have said in relation to the fish and what you fear will be the result in regard to them; we know if the fish are driven away and you lose your rice and hay that your subsistence will be taken from you. We are sure that if we were to say to the Great Father that you would not take less than \$250,000 every six months, that he would not pay that amount of money. Still, we will send your words as you have spoken them, as they have been taken down by the secretary, and say to the Great Father that it is indispensably necessary to make some provision for you in place of your present means of subsistence.

"We cannot well form an opinion of what it will be, because we have not been able to get from you your opinion or your knowledge of what it is. It will be necessary for the Great Council to make provision for you. The Great Council meets the first Monday in next month, December 3d; we shall make our report to the Great Father of what you have said to us, and very earnestly urge that some provision be made at a very early day. It is necessary to say a word about what you have said about your interpreter and agent, and your schoolmaster. We believe it would only be trouble to you for us to take any part in the question between you and them. We are not instructed to do that. Our instructions are very direct and carefully written down as to what we are to say and what we are to do. I can only say that I want you to feel that the commission are your friends and will do the best they can to help you. We think it would be a great mistake on the part of the Indians to interfere with the workmen at the dams; it would only bring you trouble, and put the opportunity to fix this matter satisfactorily to you and us beyond our reach. I believe this commission was appointed to come and see you because they are your friends, and we are very much obliged and pleased that you have been frank and candid in expressing your views to us, although not quite as full as we wished to hear them. We are sure that there has no damage occurred to any of you, and even if the gates are shut down it will be some time before anything serious can occur to you. In the mean time the men in charge of the works will send their reports to Major Allen, at Saint Paul, and I live within 20 rods of Major Allen and shall know from day to day the circumstances as they occur and are reported by Mr. Cullen and Mr. Wanser. I expect to be in Washington this winter, and shall have a talk with the honorable Secretary and the Great Father, in relation to what I have heard from you. I am sure that you need not be alarmed that you are going to be driven or starved out of the country. I believe I have given you all the words of assurance I can under the circumstances. If there is anything in addition you would like to say we shall be glad to hear you."

FLAT MOUTH. "Is the Leech Lake dam on Government land? One part is on the White Earth Reservation, the other on Government land. Why do they wish to close both shores?"

Captain BLAKELEY. "Because it is necessary to close both shores to build the dam."

FLAT MOUTH. "What I spoke of Saturday is what I mean to-day; I don't want the awards made by the Government forced on us. We have given you our minds and we still adhere to it. We have told you this all day; what we spoke of day before yesterday you thought it a big price. It comes not out of your pockets; you are here to take to the Great Father what we have to say. We don't want to have trouble with the Great Father on account of having his marshals come up here. It is for our interest and the interest of those to come we are speaking for. When you speak of the liquor cases, you ought to commence with those cases below where whisky is sold. I am not in favor of whisky myself, but the Great Father should close those places where it comes from. I want to say about myself being an Ojibway living as I do in the forest and thickets. I have always been a friend of the white people; although we are very friendly to the white people, it seems to me we are being placed down very low by the white people. Look at those Indians who are living on the prairies; they are spilling a great deal of blood, yet they are assisted by the Great Father. As for us, he don't assist us any, but seems to assist us less and less every year. I mention these people out west not because I want to follow their example."

STURGEON MAN. "We won't say any different from what we have already said. We are very much surprised. Ever since the white people discovered this country their exchanges were made fairly. That's the reason we tell you and Mr. Gilfillan we wish the exchange now should be well made, since you are sent here for that purpose. Last winter at Winibigoshish, and also beyond, a great many people died, and it was all occasioned by the building of these dams. We ask that our words be carried peaceably; we don't wish to be talked to in any rough manner. Why is it we listen to the Big Priest (Bishop Wipple)? It is because we like him and we listen to him."



If 6 feet of water are raised by the dams all this plain here will be in water. We have taken a long time in considering about this matter, and we have been chosen to speak. If the Great Father is not willing to give what we ask, we don't want him to come and speak crossly to us or to strike us. We have no charges to make; this we always say. If this work is carried on and we are not given what we wish, we will all scatter and will die. A fair exchange will be well listened to, and well thought of by all who are around here and by the white people. If they come to arrest us, we should not stop here; we would run away. That's the way we look at it. If we are to be taken for our selfishness, for loving our land, the white people would hear there was trouble and run away, and that would damage the whole country."

FLAT MOUTH. "This is my opinion why the Great Father has sent you to the reservation to find out what's been done, and after you report what damage has been done he will make the award without reference to your report. This is my land and I wish to set my price also."

TEMPERANCE CHIEF. "It is now evident that the intention is to put the arrester in the foremost place that the marshal will come here and arrest the people. Whenever a white man kills an Indian we remain quiet. I want to hear your opinion now of what the damages are. That is what we would like to understand. It has been for some time. We have remained quiet and faithful and not done anything when we have been harmed by the white people. I know the Indians have remained quiet because we have been promised that these questions shall be settled. You ought to be more rapid in the prosecution of your work and tell the Indians what you think. We wish to hear what reply you have to make. We wish to know what your opinion of the damages will be every year in reference to the rice and the hay and the fish."

Captain BLAKELEY. "We have said since we came in this afternoon that we were unable to know how much rice you gather or how much hay you cut, consequently we are unable to say how much damage it will be to you. We believe it will destroy your rice and hay, but we don't believe it is worth \$250,000 every six months. We don't know how much rice you gather or how much hay you cut. How can we tell you what the Government ought to pay? Under the circumstances we find it a very hard question to answer when you ask us what we think ought to be paid."

TEMPERANCE CHIEF. "Why were these questions not discussed before you were sent here? The damage was known as to the trees that were cut off the Indians' land, also the rocks that go to make the dam were taken off of Indian lands."

Captain BLAKELEY. "We have a full account of the timber that was cut, also an account of the rock; but that is a small part of the damage. It is when we destroy the rice and hay and sugar-bush, and what injury it will do to the fish."

THE PRIEST. "It is now very evident that the white man, although he appears to be great he is foolish. That is one of the greatest harms that is being done, to commence the dams in the manner they have been. From your words now it seems you are making much sport of what work you are sent on. We see now very plainly that we are to be served as if we were stones and thrown in the lake. It was the resolution and this was the amount, \$250,000, we thought sufficient and that would support ourselves and children. It appears to us that it was not the work of the Great Father, the commencement of these dams. We tell the Great Father that he has made a mistake in commencing these dams and using his name in connection with it. The Great Father should have let the Indians have an understanding before the dams were commenced. It is very probable the Great Father had the intention to pay the damages when he commenced these dams. It is not necessary for us to specify each article that will be damaged, because all our living will be taken from us. This is a matter of a great deal of importance to us, and one that is very wrong in the Great Father to have done us. If the Great Father fulfills what we request, there will be no hard feeling or ill-will."

FLAT MOUTH. "The Great Father must think a very small matter, this matter of your visit. I have listened to his white people when they spoke of important matters. It seems what I will tell you now has not been mentioned to you. We think a great deal of this subject we spoke about; you wished to see all the Indians; they were gathered at different points; a great many are not here present. In seeing us you do not see the whole of us; a great many have left their homes and have gone off. It has been the custom when parties have met this way to furnish some tobacco. It has been through our means that the parties who have come have been fed; that which I speak of has been the custom. This is a matter of great importance, but the Great Father don't think so; I don't speak of it on account of being in want, for I have got accustomed to being in want."

Captain BLAKELEY. "The agent will issue to you five sacks of flour, and the commission will present you with twenty pounds of tobacco. The commission was not given money to buy provision with, as they expected to be here on payment day when we should have seen all your people, but we have been disappointed. I hoped to have had the agent and Mr. Warren, the interpreter, here present at our talk. I explained why the payment was deferred and the agent was not here. We would like

to shake hands with all the chiefs who would like to come; we shall go home tomorrow morning."

FLAT MOUTH. "We would all like to sign a paper to the Secretary of the Interior to appoint a day for the payment of our annuities."

Rev. Mr. Gilfillan prepared such a paper as the chief indicated, which was signed. The council then adjourned *sine die*.

*Evidence taken by the Commission while at Leech Lake in relation to the damages sustained by the Indians by the construction of the dams.*

H. J. KING, overseer in charge of Indians at Leech Lake and Winibigoshish, examined:

Question. What is the number of Indians living around Leech Lake?—Answer. About 1,147.

Q. How many live about Winibigoshish?—A. 148.

Q. What is the number of Cass Lake Indians?—A. 290.

Q. What portion of the living of the Leech Lake Indians is from the Lake, including wild rice, fish, and other sources of supply?—A. About two-fifths. The same is true of those living at Cass and Winibigoshish Lakes.

Q. How much wild rice is the average gathered on Leech, Cass, and Winibigoshish Lakes?—A. I cannot answer this question.

Q. How many families are there belonging to this agency?—About 350.

Q. What do you think would be their average gathering of wild rice per family?—A. I cannot answer this question.

Q. What is the annual catch of fish in the lakes affected by the dams?—A. I don't know.

Q. What is the annual cut of hay on Leech Lake?—A. 150 tons.

Q. Do you know the annual cut of hay on Winibigoshish and Cass Lakes?—A. I do not.

Q. How much hay could be cut on Leech Lake if not flooded?—A. I don't know.

Q. Where else can the Leech, Winibigoshish and Cass Lake Indians obtain rice if the present locations are flooded?—A. I don't know.

Q. What is the value of wild rice per pound?—A. Ten cents.

Q. What will be the effect on fishing by damming the lakes?—A. I don't know.

Q. About how many horses and cattle have the Leech Lake Indians?—A. Horses 80, cattle 30.

GEO. BARCLAY, hotel-keeper, Pine River, examined November 14, 1883:

Question. How much do you think pine stumpage would be worth per 100 feet?—Answer. It ought to be worth \$2 per 1,000 feet, I suppose, if it is good lumber. Extra nice white pine will bring \$3.

Q. What is Norway pine cut at the Winibigoshish dam west side, within a radius of one mile from west end of the dam, worth?—A. About \$2 per M.

Q. What would be the worth of the oak cut at Winibigoshish?—A. I don't know exactly, but oak would be worth more than pine.

Q. What do you think the Norway pine cut for piling would be worth?—A. I should rate it with the other Norway pine; as to Leech Lake, would rate the Leech Lake Norway same as the other.

Q. For what could hay be delivered at Leech Lake per ton, to the amount of, say 400 tons?—A. I should think \$20 would be as reasonable as it could possibly be done for, and I would not like to take the contract for that. It would have to be bought at Brainerd on the railroad.

Q. What could you deliver hay for per ton on the farther shore of Leech Lake or Winibigoshish?—A. It would cost additional transportation, which would at least be twenty cents per ton.

Q. How long have you been up here?—A. Ten years.

Q. Are you a practical lumberman?—A. I am; I have lumbered here for nine years.

Q. Have you also been engaged in freighting, and such business?—A. Yes.

Q. Do you think anything like three or four hundred tons of hay could be found outside of Brainerd, between it and the reservation?—A. I think not.

JAMES BONGA (half-breed) examined:

Question. How much rice does each family gather?—A. I don't know.

Q. How much of their living is rice?—A. I don't know. Some live on rice entirely; some get ten or fifteen sacks and store it.

Q. How much is a sack?—A. Eighty or ninety pounds.

Q. How much of their living is fish?—A. Some live on it altogether; some not so

much; some catch two thousand or three thousand in the fall; some have now only ten or one hundred.

Q. What effect will the damming have on fishing?—A. At Winibigoshish it will spoil it; here I don't think it will hurt the "tulabys" much.

Q. How many fish on an average does a family catch every morning?—A. I don't know.

Q. If the rice is all destroyed where will they get any?—A. At Duck Lake, head of Willow River, and at Tamarack Lake. Duck Lake is 35 miles from here; Tamarack Lake is 30 miles.

Q. Is there enough there to do them all?—A. No. At Shell Lake, beyond, there is rice, and at two or three lakes beyond Crow Wing.

Q. In all these lakes could they get enough?—A. Yes, if they all work; but the trouble is they cannot all go there.

Q. How much rice could be gathered in all about Leech Lake?—A. I could not say.

Q. How much hay is cut about Leech Lake?—A. I don't know; some years they cut more, some less.

Q. How much each year on an average?—A. I don't know.

Q. How many horses do they have?—A. I don't know. They used to have twice as many as now, three or four years ago.

Q. How many ponies at Winibigoshish?—A. I don't know; some years more, some less.

Q. Is there any place the Winibigoshish Indians could get rice?—A. Yes; at Bowstring; there are four or five places around there.

Q. Is there enough for the Winibigoshish Indians?—A. Yes, for what is left of them; there are not many left. There is another lake between Cass and Winibigoshish Lakes where they make rice.

Q. Is there much in that lake?—A. I don't know; there is only a little in Lake Winibigoshish and none in Cass. They never make it there in Winibigoshish. There is only a little next the dam; just what you see.

Q. Will their fishing in Winibigoshish be destroyed by the water being raised so very high?—A. Yes; I think that will destroy a good deal of fish.

Q. How much hay could be cut on Leech Lake?—A. I could not say.

Q. Will this flooding destroy any of their sugar bushes?—A. Not any; there may be four or five camps.

Q. Will the cranberry marshes be destroyed?—A. Course the water will run in there.

Q. How much money do they make by cranberries?—A. I don't know. They will tell.

JAMES TAYLOR, Government interpreter, examined:

Question. How many ponies are there at Leech Lake?—Answer. Over 100.

Q. How much hay for each pony per year?—A. Three tons.

Q. How many cows and oxen?—A. Government has 19 head; other parties 7 oxen; about 390 tons of hay consumed a year.

Q. How much is hay worth a ton at Leech Lake?—A. Three dollars.

Q. Could there be much more cut?—A. Yes; about as much again.

Q. Will the hay all be destroyed if Leech Lake is dammed?—A. Yes.

Q. Where will they go to get hay?—A. I don't know.

Q. Do you know how much hay is cut on Winibigoshish and Cass Lakes?—A. I do not; there could be more cut on those two places than on Leech Lake.

Q. How long have you lived at Leech Lake?—A. About twenty-seven years.

Q. You are the Government interpreter at Leech Lake, are you not?—A. Yes.

Q. How much wild rice does each family gather on an average?—A. There are about five hundred families at the three lakes; they will average about five sacks each every year, each sack weighing about sixty pounds, worth ten cents per pound.

Q. Will the rice all be destroyed if the water is raised?—A. Yes; there will be no rice.

Q. Where then can the Indians go for it in that case?—A. Nowhere that I know of.

Q. What effect will this damming have on the fish?—A. The fishing will be badly injured; the fish go towards the shore in warm weather, and when the water is raised they will get in among the woods, and when the water is drawn off in August the fish will be left in ponds and holes, and will die there. But principally when the water is raised the fish will get under the nets and cannot be taken.

Q. If they set nets nearer the shore in the proper depth, what then?—A. They could not set the nets among the bushes.

Q. How much fish does each family catch in the spring and summer on an average?—A. Each family catches daily say ten fish, called "tulabys;" they kill more in the fall for winter use; some families kill one thousand in the fall for winter use; some two thousand. I think the fish will keep dying off.

Q. Do they catch any in the winter?—A. Yes; those who did not catch any in the fall; but if the water is raised by the dams the water will boil up through the cracks

in the ice, and the ice will keep getting thicker until it gets 6 or 7 feet thick, so that they can no longer cut the ice to fish in winter.

Q. How much are the fish worth on an average?—A. The ten fish are a meal for the day for the whole family.

Q. What part of an Indian's family living is the fish and rice?—A. I think they live more on the fish than the rice.

Q. Do you think the Indians can continue to live on those lakes if they are dammed?—A. They can live on a high place; they cannot get any hay; they cannot raise any stock.

Q. Could they gather wild rice on Mud Lake?—A. No; for it will be dry, the water being shut off from it.

Q. Will the Indians be injured in other ways by the dams besides in their rice, hay, and fish?—A. Yes; lots of land will be flooded; the paths and roads will be destroyed.

Q. Will the Winibigoshish Indians be as bad off as those of Leech Lake?—A. Yes; worse; for there will be more land flooded—the dam will be higher.

Testimony of SIMEON WEAVER (white), hotel-keeper, married to an Indian woman; was a soldier in the war of 1861.

Question. How long have you been at Leech Lake?—Answer. Ten years.

Q. How much hay is cut every year at Leech Lake?—A. Probably 300 tons; this is a low estimate.

Q. How much could be cut if all was cut?—A. I have been all over the whole of the hay country; there could be 2,000 tons cut on Leech Lake and its tributaries.

Q. Will there be any hay land left if the dam is built?—A. Not one foot.

Q. Where will they get hay from?—A. I have been all through the country, and I don't know of any place.

Q. Then you think Leech Lake village will be broken up on that account?—A. Yes; they can't keep stock; there will be no hay got short of 25 or 30 miles, and that hay is all claimed by the whites; they will need it all.

Q. Do you know anything about hay at Winibigoshish or Cass Lakes, if the dams are built?—A. The hay there will be all spoiled; they will have to go 30 miles beyond Cass Lake, which would be a fearful distance.

Q. How much stock is there about Leech Lake?—A. About 75 ponies; and the Government and individuals have got 21 head of horses.

Q. What will be the effect of raising the water on the wild rice crop?—A. It will be all ruined; the Indians gather immense quantities, but not one-quarter of what grows. On Leech Lake, Sucker Brook, Aikin's Brook, Steamboat River, and Little Boy River there grows over 300,000 bushels.

Q. How much does each family gather on an average?—A. About 315 pounds.

Q. How much is it worth a pound?—A. About 10 cents.

Q. Is there any other place where they can get rice if this is destroyed?—A. Nowhere in this country; small quantities in Wild Rice Lake, one hundred and thirty miles off, and elsewhere; this wild-rice gathering is gone up.

Q. What effect will this damming have on the fishing?—A. It will hurt it more in the summer, but in the fall it will not when they let the water out.

Q. Cannot they make holes in the ice and fish in the winter?—A. It will spoil that.

Q. What part of their living is derived from the lakes?—A. The wild rice and fishing are over two-thirds of their living; they live on fish more than wild rice.

Q. How many fish do each family catch on an average daily?—A. They live almost wholly, from the opening of spring till the corn is ripe, on fish with what rice they have saved over.

Q. Will this damming be a damage to their sugar-making?—A. Yes, it will wipe out some sugar bushes on the Otter-Tail Point, north side, and on Big Point—the former the best sugar bush there is.

Q. Do you know of any damage this raise of water will do?—A. Yes; it will kill much tamarack and cedar timber on flooded land; there is much good cedar timber that will be killed.

Q. How much do you think the flooded land would be worth an acre?—A. One dollar and twenty-five cents an acre.

Testimony of C. G. FAIRBANKS, post-trader, Leech Lake Agency:

Question. How long have you lived at Leech Lake Agency?—Answer. Six years.

Q. Do you know the habits of the Indians?—A. Yes.

Q. What are their means of subsistence generally?—A. Fishing, hunting, and gathering rice.

Q. What, in your judgment, is the amount of rice they gather annually?—A. I could not say; it has never been weighed or measured. It is a very large amount of their subsistence.

Q. What is rice worth per pound?—A. Seven to eight cents.

Q. Is it equal to or better than the domestic rice?—A. Some like it better.

Q. Have you any knowledge as to how many ponies they have in the band?—A. I have not. Don't know how much hay is cut. From 20,000 to 30,000 pounds of sugar every year. Don't know whether any of their sugar-trees would be destroyed or not. All of the fish would be affected by the raising of the water; the fish would probably leave their present haunts if the water was raised. Their general subsistence is fish and wild rice.

Q. How much wild rice do they gather per family?—A. All the way from 500 to 1,000 pounds.

Q. What will they do if the hay-marshes are flooded?—A. That is the question. If these lands are flooded they can get no hay. In some places the land is adapted to agriculture, but in others not.

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#### EXHIBIT A.

The following statement is made at the request of Flat Mouth, chief of the Pillager Indians:

In 1847, when the Pillager Indians by treaty sold to the United States the Leaf River country for a nominal consideration, it was understood that the country ceded had been selected for the future residence of the Menomonee Indians, who were friendly to the Chippewas, and the country would remain Indian territory. Not only this, but the Menomonees would form a barrier between the Pillagers and Sioux Indians, who had for centuries been at war. The old men thought by having the region thus occupied peace would follow; hence their consent to yield to the request of the Government. They were sadly disappointed; for after the ratification of the treaty, other provisions were made for the Menomonees, and the Leaf River country thrown open to settlement, the game driven out, and the Pillagers exposed to all the evils that beset a frontier border. The country ceded contains about 1,000,000 acres; the price paid about 1½ cents per acre. The sale was positive. The Pillagers have no claim to the land, but morally have a claim upon the Government, and which claim I hope may at some suitable time be acknowledged by giving this poor band such aid as will improve the condition of the people.

HENRY M. RICE,  
*One of the Commissioners.*

SAINT PAUL, *October 4, 1880.*

H. Ex. 76—4