

SEED FOR TURTLE MOUNTAIN CHIPPEWA INDIANS.

L E T T E R

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

An estimate from the Secretary of the Interior of an appropriation for the purchase of seed for the Turtle Mountain band of Chippewa Indians.

JANUARY 9, 1889.—Referred to the Committee on Indian Affairs and ordered to be printed.

TREASURY DEPARTMENT,
January 8, 1889.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Secretary of the Interior, of the 5th instant, submitting an estimate for an appropriation of \$6,000 for the purchase of seed for the Turtle Mountain band of Chippewa Indians, to be immediately available.

Respectfully, yours,

C. S. FAIRCHILD,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
Washington, January 5, 1889.

SIR: I have the honor to inclose herewith, for presentation to Congress in accordance with the provisions of section 2 of the act of July 7, 1884 (23 Stats. 254), copy of a communication of the 4th instant from the Commissioner of Indian Affairs, and copy of a letter from United States Indian Agent J. W. Cramsie, of the Devil's Lake Agency, Dak., submitting an estimate in the sum of \$5,939.25 for the purchase of seed wheat, seed potatoes, and turnip seed required for planting purposes by the Turtle Mountain band of Chippewa Indians under his charge.

The Commissioner, in view of the impoverished condition of this band, and the urgent need of a supply of seed to enable them to farm

and produce subsistence for their support, recommends a special appropriation in the sum of \$6,000, to be expended in open market in the purchase of seed as estimated for by the agent, and to be immediately available for said expenditure.

The status and present condition of the Turtle Mountain band of Chippewa Indians is stated in the last annual report of this Department, from which the accompanying extract is taken.

I have the honor to be, very respectfully,

WILLIAM F. VILAS,
Secretary.

The SECRETARY OF THE TREASURY.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., January 4, 1889.

SIR: I inclose herewith, in duplicate, a communication from John W. Cramsie, Indian agent at Devil's Lake Agency, Dak., dated the 16th day of November, submitting an estimate of seeds required for the Turtle Mountain band of Chippewa Indians under his charge, aggregating the sum of \$5,939.25. The estimate is for—

2,465 bushels of wheat, at \$1.25 per bushel.....	\$3,081.25
2,813 bushels of potatoes, at \$1 per bushel.....	2,813.00
75 pounds ruta-bagas, at 60 cents per pound.....	45.00
Total.....	5,939.25

The agent states that—

The nearest market to the reservation where good seed can be purchased is at Devil's Lake, distant about 80 miles. That no seeds can be purchased from the Indians of his agency, as they need all they have raised this year for their own consumption; in fact nearly all growing crops were totally destroyed and others badly damaged by frost, so badly that very little if any grain raised in the vicinity of Turtle Mountain would answer for seed. The seed should be advertised for and delivered at Saint John not later than April 1, 1889.

In connection with this estimate I have the honor to state that the Turtle Mountain band, from census report of August 31, 1887, number two hundred and thirty-six families or eleven hundred and twenty-six souls, and are located in Rolette County, Dak., in township 162 north, range 170 west, and in township 162 north, range 171 west, which contains 46,080 acres, divided into farming, grazing, and timberlands. The agent states, in his report for 1887, that these Indians have all had some experience in farming and are handy in the care and driving of animals, and those who have good teams to work will apply them to improving their claims. That these people are almost entirely dependent on the Government ration for their existence and will continue to be so unless they are furnished with proper teams and tools. They have no treaty relations with the Government, but are assisted annually by a small gratuity appropriation of \$7,000. This amount is entirely inadequate to render such assistance as they need, and this office was compelled this fiscal year to obtain the diversion of \$5,000 of other funds, by Executive order, to prevent starvation among said people.

In view of the impoverished condition of this band and the urgent need of a supply of seed to enable them to farm and produce subsistence for their support, I respectfully recommend that the Congress be requested to provide a special appropriation in the Indian bill for the

next fiscal year, in the sum of \$6,000, to be expended in open market in the purchase of seed, as per the agent's estimate herewith, and to be immediately available for said expenditure.

Very respectfully,

JOHN J. ENRIGHT,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

UNITED STATES INDIAN SERVICE,
DEVIL'S LAKE AGENCY, FORT TOTTEN, DAK.,
November 16, 1888.

SIR: I have the honor to acknowledge the receipt of your letter of November 1, 1888, requesting estimates for garden and field seeds.

The following is my estimate for the Turtle Mountain Reservation:

2,465 bushels wheat, at \$1.25 per bushel.....	\$3,081.25
2,813 bushels potatoes, at \$1 per bushel.....	2,813.00
75 pounds rutabagas, at 60 cents per pound.....	45.00
Total.....	5,939.25

The nearest market to the reservation where good seed can be purchased is Devil's Lake, distant about 80 miles.

No seed can be purchased from the Indians, as they need all they have raised this year for their own consumption; in fact, nearly all growing crops were totally destroyed and others badly damaged by frost, so badly that very little, if any, grain raised in the vicinity of Turtle Mountain would answer for seed.

The seed should be advertised for and delivered at Saint John's not later than April 1, 1889.

I am, sir, very respectfully, your obedient servant,

JOHN W. CRAMSIE,
United States Indian Agent.

Hon. JOHN H. OBERLY,
Commissioner of Indian Affairs, Washington, D. C.

[Extract from the annual report of the Secretary of the Interior for the fiscal year ended June 30, 1888.]

TURTLE MOUNTAIN BAND OF CHIPPEWAS.

A band of Indians, known as the Turtle Mountain band of Pembina Chippewas is now located in the extreme northern part of Dakota Territory, where a reservation of two townships was, by Executive order of June 3, 1884, set apart for their occupancy. They claim the unceded Indian right to a large tract of land lying north and northwest of Devil's Lake, estimated to contain between 9,000,000 and 10,000,000 acres, which they insist has been continuously possessed and occupied by them and their ancestors for many generations. By the treaty of 1825 (7 Stat. L., 272) the extreme northern portion of the boundary line agreed upon as dividing the respective countries of the Sioux and Chippewas is described as from the mouth of Buffalo River "to Red River;" thence descending Red River "to the mouth of Outard or Goose Creek."

Provision was made in the act of September 30, 1850 (9 Stat. L., 556), "for expenses of treating with the Indians and half-breeds for the extinguishment of the title to their lands on the Red River of the North, in the Territory of Minnesota," under which a treaty was negotiated with the Chippewas whereby they agreed to cede certain lands in Minnesota, the western boundary of which is described by a line drawn from the westerly source of the South Branch of Goose River northwardly in a direct line to the British line. This treaty was never ratified by Congress. One of the commissioners who negotiated the treaty reported at the time that "not more than 300 Chippewas roam beyond the western boundary of the present purchase, and it is thought it would not be difficult to induce them to unite with the rest of the tribe whenever it is concentrated in the manner proposed."

By the treaty of 1863 (13 Stat L., 667) the Red Lake and Pembina bands of Chippewas ceded certain territory to the United States, the southwestern and western boundary of which is along the Cheyenne River from its mouth to where it approaches the southeast point of Devil's Lake, thence bearing northeasterly and northerly to the British line; leaving for their use and occupancy the present Red Lake Reservation, containing about 3,200,000 acres. This treaty, like the unratified one of 1851, though

to a greater extent, embraced within the cession lands lying west of the Red River of the North and shows that the Chippewas occupied land at that time west of that river. The Pembina Chippewas under Little Chief (or Little Shell) and Red Bear were parties to that treaty and were reported as numbering as follows: Little Chief, 27 Indians, 442 half-breeds; total 469; Red Bear, 325 Indians, 221 half-breeds; total 546.

In the proceedings of the council, furnished by the commission who negotiated this treaty of 1863, it is stated with reference to the Pembina Chippewas that "they proposed to reserve all the country west of a line running from Poplar Grove to the head of Salt River, and thence due north to the British boundary, as a hunting ground." And the commission reported that "the Pembina bands who subsist by buffalo hunting also retain for themselves a tract of country claimed by them, embracing some of the present favorite pastures of that animal north and northwest of Devil's Lake." This is the first evidence of definite character that has been found of any claim asserted by or on the part of the Chippewas to the country north and northwest of Devil's Lake, where theretofore the Sioux, and also the Chippewas, had roamed and hunted. If the Sioux had any title or claim to that portion of the country—and no such claim has been set up by them—they surrendered it by the treaty of 1863, whereby they "relinquish all claim or right in and to any portion of the United States or Territories except such as is embraced within the limits" of the reservation established for them by that treaty (15 Stat., 636).

The Red Lake and Pembina half-breeds, who far outnumbered the full-blood Indians, were not made a party to the treaty of 1863, except that by Article VIII thereof the mixed blood relatives of the Chippewas, who were citizens and had adopted the habits and customs of civilized life, were permitted to take a homestead of 160 acres, or script therefor, as provided by supplemental articles of April 12, 1864, to that treaty (13 Stat., 689), to be located within the ceded territory, and to "be accepted in lieu of all future claims for annuities." They received, under this treaty, 464 pieces of script for 160 acres each, entitling them to 74,240 acres of land.

A board of visitors, appointed to the Red Lake and Pembina Indians, it is presumed under the sixth article of the treaty of 1863, reported in 1871 that they found the Pembinas in a deplorable and almost hopeless condition, but on account of unfriendly feelings existing between them and the Red Lake Indians were not disposed to live on the Red Lake Reserve, where they have rights, but were anxious to have a reservation made for them in the Turtle Mountain country, "which had long been their hunting grounds, and have never been ceded by them to the United States." The board, while recognizing the justice of their request, did not feel that the interests of the Indians would thus be permanently secured, and consequently suggested that they be separated from the multitude of half-breeds having no claims whatever to Government annuities, many of them residents of Manitoba, and be removed to the White Earth Reservation.

The agent for the White Earth Agency, in the following year, reporting upon their condition, urged "that the Department either recognize their right to all the territory on Turtle Mountain, and give them the means to farm there, or purchase a right on the White Earth Reservation, and order them to remove." An item of appropriation of \$25,000 for purchase of one township of land on the White Earth Reservation for use and benefit of the Pembina band of Chippewas, and \$10,000 for removing them to, and establishing them thereon, was made in the deficiency appropriation act of March 3, 1873 (17 Stats., 539). The Department that year required that the Indians should come to the township selected under this law to receive their annuities. The agent reported the failure of many of them to do this, because of extreme poverty, destitution, the long distance required to travel, and evil influences of men who hoped to be benefited by payment at Pembina, and stated that "the Turtle Mountain band have virtually abandoned that distant field to the Sioux, and live, as do others, upon forbidden soil, without hope."

In view of the alleged title claimed by the Turtle Mountain band of Chippewas to the land "north and west of Devil's Lake," the Commissioner of the General Land Office directed the surveyor-general of Dakota, on September 6, 1880, to contract for no surveys within the limits of the land thus claimed.

In the first session of the Forty-seventh Congress, measures were pending before both Houses for extinguishment of the title claimed by these Indians to the land in and about Turtle Mountain, over which they were roaming, and the Commissioner of Indian Affairs in his report thereon expressed the opinion that their claims were entitled to consideration and should receive examination.

Mr. Secretary Teller did not submit the report to Congress. He expressed the opinion that the claim of these Chippewas, not exceeding 300 in number, to nearly 10,000,000 acres of land, already largely occupied by settlers, was not well founded; but if, upon careful examination, a claim should be found to exist, it would be the duty of the Government to make proper compensation to them, and he directed the General Land Office on October 4, 1882, to take steps to revoke the action by which said lands were withheld from the practical operation of the laws granting settle-

ment rights, and to restore them to the mass of the public domain, protecting such of the Indians as have made improvements or are attempting to make permanent locations, and assisting them in securing title to their selections. At the same time a tract of the country, 32 by 24 miles, was temporarily reserved from settlement by executive order of December 21, 1882, until a suitable smaller tract within its lines could be selected for the use and occupancy of these Indians, and by executive order of June 3, 1884, all of that tract, except two townships selected for that purpose, was restored to the public domain.

Congress appropriated \$10,000 in the Indian appropriation act of March 1, 1883 (22 Stats., 449), "to enable the Secretary of the Interior to establish the Turtle Mountain band of Indians in permanent homes on homesteads upon the public lands, and to purchase stock, implements, and other necessaries," and to defray the expenses of such of them as were then in Washington City. For each of the following two years \$5,000 were appropriated for their support and civilization, and for each subsequent year \$7,000 have been appropriated for that purpose. Owing to their destitute condition and to relieve suffering and prevent starvation and death among them, it became necessary in 1886 to use for their relief \$3,000 from the Indian distress fund (23 Stats., 379). A like sum from the same fund was used in 1887, and this year it is urged by the agent at the Devil's Lake Agency, under whose jurisdiction they are, that \$5,000 in addition to the \$7,000 appropriated for them are necessary to prevent starvation among them.

Since 1863, when they were reported as Little Chief's band of 27 Indians with 442 mixed-blood followers, their numbers having been increased, according to the report of the agent for 1888, to 346 full-bloods with a following of 1,020 mixed-bloods. But recent communications from persons in the locality who are interesting themselves in behalf of these people report that the number now on the reservation is about 3,700 persons, with enough belonging thereon, now absent hunting, to swell the total to about 5,200 souls. There can be no question that the great increase of the number of these people is due to large accessions of their relations and friends from the British Possessions, who go there to share in the very limited food supplies furnished for the Indians on the reservation.

There are reported to be at this time 263 Pembina Chippewas on the White Earth Reservation. The native-born full-blood Indians of the Turtle Mountain band of Pembina Chippewas seem to have rights in common with the other Chippewas to the land within the Red Lake Reservation, and also rights in common with the other Pembina Chippewas to the township of land purchased for them on the White Earth Reservation. Their half-breed and mixed-blood relatives and followers have not, so far as I can discern, any claims to the soil which are entitled to consideration from the Government in dealing with these Indians. It has been observed that the bill now pending in Congress (H. R. 7935), "for the relief and civilization of the Chippewa Indians in the State of Minnesota," provides that the contemplated cession of land within the Red Lake Reservation shall be assented to "by two-thirds of the male adults of all of the Chippewa Indians in Minnesota."

Why should not the Turtle Mountain Chippewas be included not only in the requirement for assent to cession of Red Lake lands, but also in the requirement for removal and settlement upon the White Earth Reservation, after making cession of whatever rights, if any, they have to the two townships now occupied by them in Dakota. The prospects for their civilization on their present reservation, located within 9 miles of the international boundary line, are very discouraging. So long as they remain there humanity demands that they shall not be suffered to die from starvation and exposure, and in providing food and other necessaries for them there the liberality of the Government will be imposed upon to feed and care for a large number of people not entitled to its consideration and bounty. They are in this situation also but little amenable to discipline. A short journey carries one across the border beyond reach of the authority of the Government; and their proximity to Canadian Indians exposes them to various agitations and excitement to disorder. There has even been some reason to apprehend serious trouble from this cause, combined with their distresses and some complaint of injustice in their treatment by the local authority, especially in the imposition of taxation on their lands.

I therefore earnestly urge upon Congress an early and careful consideration of the affairs and condition of the Turtle Mountain Chippewa Indians, and prompt measures to provide for the removal of such of them as are entitled to governmental care to the White Earth or the Red Lake Reservation, and their support and civilization in such new homes. It is, in my opinion, inexpedient to leave any body of unreclaimed Indians near the border. And it is inhumane and unwise to suffer any to remain beyond the influences of reclamation anywhere. Special reasons in the circumstances of these people add much to the general sanction of these principles.