

FOND DU LAC CHIPPEWA INDIANS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

An estimate submitted by the Secretary of the Interior for an appropriation for the Fond du Lac Chippewa Indians.

JANUARY 20, 1892.—Referred to the Committee on Indian Affairs and ordered to be printed.

TREASURY DEPARTMENT,
January 19, 1892.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate submitted by the Secretary of the Interior, under date of the 12th instant, for an appropriation of \$20,446.52 for the Fond du Lac Chippewa Indians.

Respectfully yours,

O. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 19, 1892.

SIR: In my annual report for the year 1889, I invited your attention to certain depredations that were committed during the season of 1888-'89 by Patrick Hines and Andrew Gowan upon the timber of the Fond du Lac Reservation, in Minnesota; also to the fact that suit had been instituted against Hines for over 6,000,000 feet of timber, valued at some \$43,000, and that a proposition from Mr. Hines to compromise the suit was then under consideration by the Solicitor of the Treasury, to whom it had been referred by the Attorney-General.

Communications from the Solicitor and Assistant Secretary of the Treasury to Mr. J. M. Vale, of this city, attorney for the Fond du Lac Indians (copies herewith), show that Mr. Hines's proposition was accepted by the Secretary of the Treasury June 8, 1891, and that in pursuance of

the compromise agreed upon Mr. Hines has paid the sum of \$20,446.52, which has been covered into the Treasury as a miscellaneous receipt derived from depredations on public lands.

As frequently expressed in reports on the subject of depredations upon timber on this reservation, this office maintains that the Indians located thereon have an equitable right to receive the benefit of all moneys recovered from the parties committing such depredations. This view is strengthened by the action taken by the Government in providing for the sale of the timber standing on the lands recently ceded by the Chippewas of Minnesota and the use of the proceeds for their benefit, which is a recognition of the rights of the Indians. In view of the fact that they would have received the value of this timber had it not been unlawfully cut and removed, I believe that the rule of law which gives the Government absolute property in the timber, upon its being unlawfully severed, should not be permitted to stand in the way of devoting the proceeds to the benefit of the Indians, especially as it does not appear that they were in any manner responsible for the depredations.

I therefore submit herewith, in duplicate, a proposed amendment to the Indian appropriation bill for the fiscal year ending June 30, 1893, providing for an appropriation of the sum of \$20,446.52, to be expended under the direction of the Secretary of the Interior for the benefit of the Fond du Lac Chippewa Indians in Minnesota, with the recommendation that the same be referred to the honorable Secretary of the Treasury for transmittal to Congress.

Very respectfully, your obedient servant,

T. J. MORGAN,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
January 12, 1892.

Respectfully forwarded to the honorable Secretary of the Treasury with the recommendation that the within amendment be inserted in the Indian appropriation bill for the fiscal year ending June 30, 1893.

JOHN W. NOBLE,
Secretary.

DEPARTMENT OF JUSTICE,
OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., August 18, 1891.

SIR: I am in receipt of your communication of the 15th instant, relating to the offer of Patrick Hines to pay \$20,446.52 in compromise of a suit commenced against proponent in the circuit court for the district of Minnesota to recover value of certain timber cut upon the Fond du Lac Indian Reservation.

You ask whether or not said offer was accepted, and if so, what disposition was made of the money. I have to inform you that the offer above referred to was accepted by the honorable Secretary of the Treasury on the 8th of June last.

The records of this office do not show what disposition was made of the money paid in compromise of said claim.

You can obtain the desired information in this regard from the United States Treasurer.

Very respectfully,

F. A. REEVE,
Acting solicitor.

J. M. VALE, Esq.,
Attorney at law, Washington, D. C.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., September 14, 1891.

SIR: In reply to your reference of the 19th ultimo, of the communication to you from the Solicitor of the Treasury of the 18th ultimo, in relation to the disposition of the sum of \$20,446.52 paid by Patrick Hines to the United States in compromise of a suit commenced against him to recover the value of certain timber cut upon the Fond du Lac Reservation, I have to inform you that said money was covered into the Treasury as a miscellaneous receipt derived from depredations on public lands, and can only be taken therefrom by the authority of Congress.

The letter of the Solicitor of the Treasury referred to above, is herewith returned as you requested.

Respectfully yours,

A. B. NETTLETON,
Assistant Secretary.

J. M. VALE, Esq.,
Attorney at law, Washington, D. C.

Proposed amendment to the bill making appropriations for the Indian Department for the fiscal year ending June 30, 1893.

RELIEF OF FOND DU LAC CHIPPEWA INDIANS.

This amount to be expended under the direction of the Secretary of the Interior for the benefit of the Fond du Lac Chippewa Indians, of the State of Minnesota, being the sum recovered by the United States in compromise of suits against certain parties for timber depredations upon the Fond du Lac Reservation, in Minnesota, and which sum has been deposited in the United States Treasury as a miscellaneous receipt..... \$20,446.52