CONDITION OF INDIAN AFFAIRS IN WISCONSIN

HEARINGS

BEFORE THE

COMMITTEE ON INDIAN AFFAIRS UNITED STATES SENATE

ON

SENATE RESOLUTION NO. 263

WASHINGTON
GOVERNMENT PRINTING OFFICE
1910

COMMITTEE

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INDIANS IN WISCONSIN.

COMMITTEE ON INDIAN AFFAIRS,
UNITED STATES SENATE,
Shell Lake, Wis., September 20, 1909.

A subcommittee of the Committee on Indian Affairs, United States Senate, consisting of Senators Clapp (chairman), La Follette, and Page, met at Shell Lake, Wis., September 20, 1909. There were also present Hon. A. W. Sanborn, of Ashland, Wis., who appeared in opposition to the claims of the St. Croix Indians; Maj. S. W. Campbell, United States Indian agent, Ashland, Wis.; E. P. Holcombe, esq., chief supervisor, Indian Service, and Judge L. H. Mead.

The subcommittee met pursuant to the following resolution of the Senate (S. Res. No. 263):

Resolved, That the Committee on Indian Affairs be, and it is hereby, authorized to investigate the affairs of all the Indians of Wisconsin. Said committee is authorized to send for persons and papers, to administer oaths, and to sit during the session of Congress or during recess, at Washington or elsewhere, and to have the testimony taken printed, the expense of such investigation to be paid out of the contingent fund of the Senate.

And be it further resolved, That pending the final report of such committee and action thereon by Congress the Secretary of the Interior be requested to suspend the approval of any roll, the making of allotments, and the making of timber contracts for Indian allottees in the State of Wisconsin.

BAD RIVER RESERVATION—ST. CROIX INDIANS.

The CHAIRMAN. It appears that there are about 150 Chippewa Indians scattered along the west side of the St. Croix River in Wisconsin who claim right to allotment in the Bad River Reservation. For brevity's sake said Indians will be designated as the St. Croix Indians. In the treaty with the Chippewas of 1854, negotiated at La Pointe in the State of Wisconsin, section 2 of article 2, contains the following language:

For the La Pointe band and such other Indians as may see fit to settle with them, a tract of land bounded as follows:

The description being what is now known as the Bad River Reservation. On June 30, 1905, a list was prepared by Major Downs, known as the "Downs list," or roll, with the following heading: "List of allottees recommended with the La Pointe or Bad River band of Chippewa Indians."

In 1908 another list was made, which list is known as the "Allen list," and has the following heading: "Schedule of allottments of land to Chippewa Indians of Lake Superior on the Bad River Reservation, Wisconsin; made by Edgar A. Allen, special U. S. Indian agent, and S. W. Campbell, U. S. Indian agent of La Point Agency, Wis."

Said list contains one hundred and forty-odd names and was made pursuant to instructions issued by the Indian Department, as per Exhibit A, as follows:

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
382	1A	Akin, John	M.	46	NE. ¼ SW. ¼ sec. 30 and SE. ¼ NE. ¼.	31	48	3	80	....
.....	2A	A-ki-nok	F.	60	SW. ¼ NW. ¼	6	47	2	.....	....
					Lot 3	1	47	3	76.70	1
.....	3A	An-gi-gi-sis	M.	30	SW. ¼ SE. ¼ and NW. ¼ SW. ¼.	5	47	1	80	2
.....	4A	A-ni-moon-ee	F.	40	SW. ¼ NE. ¼ and SW. ¼ NW. ¼.	29	48	2	80	3
187	5A	Antoine, Mary	F.	6	W. ½ NW. ¼	13	47	3	93.62	....
.....	6A	Arbuckle, Mrs. William, (A-bud).	F.	38	SE. ¼ NE. ¼ and SW. ¼ SE. ¼	8	47	1	80	4
305	7A	Auge, Francis J	M	7	SW. ¼ NE. ¼ sec. 27 and SE. ¼ NW. ¼.	33	47	3	80	....
174	8A	Bachand, Dayton	M.	13	Lots 2 and 3	27	48	2	79.65	....
208	9A	Bachand, Georgiana	F.	31	NE. ¼ NE. ¼ sec. 18 and NE. ¼ NE. ¼.	13	46	3	80	....
400	10A	Bachand, Mary	F.	15	Lot 1 and SE. ¼ NE. ¼	5	46	3	86.57	....
383	11A	Baker, Francis	M.	5	SW. ¼ SE. ¼ sec. 18 and SE. ¼ SW. ¼.	21	48	3	80	....
.....	12A	Baker, Henry (Kwi-wi-sa-gons).	M.	24	SW. ¼ NW. ¼ and NE. ¼ SE. ¼.	8	47	3	80	5
.....	13A	Baptiste, Jane (Ka-je-wak).	F.	28	E. ½ NE. ¼ NW. ¼ sec. 7 and NE. ¼ SW. ¼.	8	47	3	60	6
.....	14A	Baptiste, Jim (Wa-na-ko-gee-zick).	M.	30	W. ½ NE. ¼ NW. ¼ sec. 7 and NW. ¼ SW. ¼.	8	47	3	60	7
.....	15A	Baptiste, Hattie (O-nah-gwa-inee).	F.	38	NW. ¼ SE. ¼ sec. 16 and SE. ¼ SE. ¼.	26	46	3	80	8
.....	16A	Baptiste, Morrin (Moyah)	F.	70	E. ½ NW. ¼ NE. ¼	2	47	2	.....	....
					NE. ¼ SW. ¼	33	47	3	57.80	9
.....	17A	Bearhart, Joe	M.	32	W. ½ SW. ¼ NW. ¼ sec. 12 and lot 3 and NW. ¼ SE. ¼.	26	47	3	84.25	10
.....	18A	Bearhart, John (Na-zho-be-ta).	M.	39	SW. ¼ SE. ¼ sec. 19 and SE. ¼ SE. ¼.	20	47	3	80	11
.....	19A	Bearhart, Lizzie (Nay-wa-ta-konse).	F.	37	NW. ¼ SE. ¼ sec. 33 and E. ½ SE. ¼ SW. ¼.	26	47	3	60	12
.....	20A	Bearhart (Muk-i-day)	M.	54	N. ½ NE. ¼ SW. ¼ sec. 11 and SW. ¼ NW. ¼.	16	47	3	60	13
57	21A	Beauregard, Bennie	M.	10	S. ½ SE. ¼	15	46	2	80	....
228	22A	Beauregard, Bernard	M.	8	NE. ¼ SW. ¼ sec. 7 and SE. ¼ SE. ¼.	23	46	3	80	....
143	23A	Beauregard, Maggie	F.	16	SW. ¼ SE. ¼ sec. 6 and NW. ¼ SW. ¼.	7	47	2	76.50	....
350	24A	Beauregard, Mary	F.	14	SE. ¼ SE. ¼ sec. 19 and NE. ¼ SE. ¼.	20	48	3	80	....
98	25A	Beauregard, William	M.	12	NE. ¼ NE. ¼ sec. 26 and NW. ¼ NE. ¼.	29	46	2	80	....
.....	26A	Be-da-di-go-kwe	F.	55	S. ½ NE. ¼ SW. ¼ sec. 11 and SE. ¼ NW. ¼.	10	47	3	60	14
105	27A	Bede, Julia	F.	23	S. ½ SW. ¼	20	48	2	80	....
102	28A	Bede, Lizzie	F.	21	N. ½ SE. ¼	20	46	2	80	....
329	29A	Bell, Alfred	M.	63	N. ½ NW. ¼	30	48	3	80.00	....
28	30A	Belonger, Cecilia	F.	48	SW. ¼ SW. ¼ sec. 15 and SE. ¼ SE. ¼.	15	48	3	80	....
129	31A	....do	F.	19	NW. ¼ SW. ¼ and lots 2 and 3	6	47	2	73.53	....
359	32A	Belonger, Elizabeth	F.	45	SW. ¼ SW. ¼ sec. 29 and NE. ¼ NW. ¼.	31	48	3	80	....
55	33A	Be-mesay, Maggie C.	F.	21	SW. ¼ SW. ¼ sec. 13 and SE. ¼ SE. ¼.	14	46	2	80	....
7	34A	Benashe, Mary	F.	48	NW. ¼ SE. ¼ and NE. ¼ SW. ¼.	5	47	1	80	....
265	35A	Bender, Billy	M.	29	SW. ¼ NE. ¼ sec. 19 and SE. ¼ SW. ¼.	18	47	3	80	....
.....	36A	Be-shi-gwan	F.	23	E. ½ SE. ¼ NW. ¼ and SE. ¼ NE. ¼.	29	47	3	60	15
2	37A	Beson, William	M.	36	Lots 2 and 3	5	47	1	78.09	....
54	38A	Bigboy, George	M.	3	W. ½ SE. ¼	14	46	2	80	....
165	39A	Bigboy, John, jr.	M.	9	NE. ¼ NW. ¼	30	47	2	.....	....
					SW. ¼ NE. ¼	32	47	3	80	....
99	40A	Bigboy, Mary J. S.	F.	39	SE. ¼ SW. ¼ sec. 25 and SE. ¼ SE. ¼.	27	46	2	80	....
300	41A	Blackbird, Frank	M.	14	W. ½ SW. ¼ SW. ¼ sec. 22 and NW. ¼ SE. ¼.	31	48	3	80	....

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1906.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
.....	42A	Blackburn, Kate	F.	32	SE. ¼ SE. ¼ and NE. ¼ SW. ¼	6	47	1	80	16
14	43A	Blanchard, William	M.	33	NE. ¼ SE. ¼ sec. 8 and NE. ¼ SE. ¼	17	47	1	80	....
368	44A	Bondine, George	M.	7	N. ½ SW. ¼	5	46	2	80	....
364	45A	Bondine, Sophia	F.	4	S. ½ SW. ¼	5	46	2	80	....
.....	46A	Bonnash, Angeline (O-zah-kwi-ne-n-kway).	F.	52	S. ½ SW. ¼	23	46	3	80	17
170	47A	Bongo, Bessie	F.	8	SE. ¼ SE. ¼ sec. 27 and NE. ¼ NE. ¼	25	46	3	80	....
274	48A	Bongo, Kate	F.	16	Lot 2	5	46	2		....
					W. ½ NE. ¼ NE. ¼	9	47	3	66.62	....
					Lot 7	6	46	3		....
149	49A	Bongo, Louise	F.	5	Lot 7 and NE. ¼ SW. ¼ sec. 12 and lot 2	14	47	3	77.48	....
271	50A	Bongo, Madeline	F.	19	SE. ¼ SE. ¼ sec. 7 and E. ½ NE. ¼ NE. ¼	9	47	3	60	....
258	51A	Bongo, Mary S.	F.	24	NW. ¼ NW. ¼ sec. 7 and NE. ¼ SW. ¼	18	47	3	83.70	....
.....	52A	Bos-ke-an	F.	30	SW. ¼ NE. ¼ and S. ½ SE. ¼ NW. ¼ sec. 16 and N. ½ NE. ¼ NE. ¼	28	48	3	80	18
245	53A	Bresette, Alex H.	M.	40	SE. ¼ SE. ¼ sec. 32 and SE. ¼ NW. ¼	33	46	3	80	....
155	54A	Bresette, Anna C.	F.	6	NW. ¼ SE. ¼	16	47	2		....
93	55A	Bresette, Charlotte D.	F.	9	NW. ¼ SW. ¼	28	47	3	80	....
					NE. ¼ SW. ¼ sec. 26 and SW. ¼ NE. ¼	28	46	2	80	....
391	56A	Bresette, Charles, jr.[a]	M.	60	Lot 8	35	48	3	26.80	....
247	57A	Bresette, Cora	F.	15	NE. ¼ SE. ¼ sec. 6 and NE. ¼ SW. ¼	10	46	3	80	....
112	58A	Bresette, Dominic H.	M.	9	NE. ¼ NE. ¼ sec. 33 and NE. ¼ NE. ¼	34	46	2	80	....
148	59A	Bresette, Emily V.	F.	4	SW. ¼ SE. ¼	6	46	3		....
					NE. ¼ SW. ¼	14	47	2	80	....
246	60A	Bresette, Francis	M.	13	Lot 1 sec. 7 and NE. ¼ SW. ¼	33	46	3	73.04	....
92	61A	Bresette, George	M.	6	SE. ¼ NW. ¼ sec. 22 and NW. ¼ NE. ¼	25	46	2	80	....
156	62A	Bresette, John C.	M.	11	SE. ¼ SE. ¼	16	47	2		....
					NE. ¼ NE. ¼	31	48	2	80	....
377	63A	Bresette, Madeline	F.	39	SW. ¼ NE. ¼	29	48	3		....
					NE. ¼ SW. ¼	36	48	4	80	....
.....	64A	Bresette, Madeline G.	F.	12	N. ½ NE. ¼	21	46	2	80	19
25	65A	Bresette, Maggie	F.	8	SW. ¼ NE. ¼ sec. 19 and NW. ¼ SW. ¼	24	46	2	80	....
15	66A	Bresette, Michel	M.	6	NW. ¼ SE. ¼ sec. 8 and SE. ¼ SW. ¼	16	47	1	80	....
8	67A	Bresette, Michel B., jr.	M.	50	S. ½ SW. ¼	5	47	1	80	....
132	68A	Bresette, Simon	M.	44	SE. ¼ NE. ¼ and NE. ¼ NW. ¼	1	47	2		....
337	69A	Bresette, Simon F.	M.	4	Lot 1	36	48	2	79.85	....
					NW. ¼ NE. ¼ sec. 10 and NE. ¼ SW. ¼	24	46	2	80	....
21	70A	Bresette, Susie	F.	4	NE. ¼ SW. ¼	16	47	1		....
					SE. ¼ NE. ¼	13	47	2	80	....
.....	71A	Buck, Elias (Ke-way-ance).	F.	24	N. ½ NE. ¼ NW. ¼ sec. 27 and SW. ¼ SW. ¼	31	47	3	80	20
144	72A	Buck, George (Ay-ni-ba-shee-kunk).	M.	40	NW. ¼ SE. ¼ sec. 33 and lot 2	36	48	2		....
					Lot 1	1	47	2	82.90	21
327	73A	Buck, Jim (Me-sha-bo-sho-ne).	M.	36	E. ½ SW. ¼ SW. ¼ sec. 11 and SE. ¼ SW. ¼	10	47	3	80	22
326	74A	Buck, John	M.	31	S. ½ NE. ¼ NW. ¼ sec. 27 and NW. ¼ SW. ¼	31	47	3	80	23
.....	75A	Buck, Katie	F.	28	E. ½ NW. ¼ SW. ¼ sec. 11 and NW. ¼ SW. ¼	10	47	3	80	24
385	76A	Butterfield, Charley	M.	16	N. ½ NW. ¼	32	48	3	80	....
386	77A	Butterfield, Mike	M.	18	S. ½ NW. ¼	32	48	3	80	....
26	78A	Butterfield, Kate	F.	24	Lot 1	5	47	1		....
					Lot 1	33	48	1	65.53	....
110	79A	Cadotte, Cecilia F.	F.	5	N. ½ NW. ¼	32	46	2	80	....
160	80A	Cadotte, Charlotte I.	F.	8	S. ½ SW. ¼ SW. ¼	33	47	2		....
					SE. ¼ NE. ¼	15	46	2	60	....
159	81A	Cadotte, Theresa M., heirs of.[b]	.....	.....	NW. ¼ NE. ¼ sec. 9 and SW. ¼ SW. ¼	16	47	2	80	....
332	82A	Cadotte, Theresa	F.	4	Lot 3 and NW. ¼ SE. ¼	3	48	3	79.60	....

[a] Previously allotted 40 acres.

[b] See I. O. letter, land 76597-06, September 28, 1906.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
278	83A	Cajune, Charlotte	F.	45	NW. ¼ NE. ¼ sec. 18 and NW. ¼ SW. ¼.	18	47	3	87.70	....
340	84A	Cameron, Emma	F.	53	S. ½ NW. ¼	27	48	3	80	....
355	85A	Cameron, Daniel	M.	32	S. ½ SW. ¼	19	48	3	79.30	....
81	86A	Carpenter, Katie	F.	23	E. ½ SE. ¼	31	46	3	80	....
347	87A	Carpenter, Lizzie	F.	34	NE. ¼ NE. ¼ and E. ½ NW. ¼ NE. ¼.	21	48	3	60	....
388	88A	Carroll, Angelique Belonger.	F.	80	SE. ¼ NE. ¼ sec. 36 and SW. ¼ SW. ¼.	26	48	3	80	....
.....	89A	Cemetery	....	....	NE. ¼ NE. ¼	34	48	3	40	....
24	90A	Charette, Alex.	M.	41	Lot 2	18	47	1	.....	....
					NW. ¼ SE. ¼	13	47	2	94.47	....
392	91A	Charette, Julia	F.	48	W. ½ SE. ¼	25	48	4	80	....
118	92A	Charette, Naomi	F.	4	SE. ¼ NW. ¼ sec. 30 and SW. ¼ SW. ¼.	34	46	2	80	....
262	93A	Charlow, Angelique	F.	47	N. ½ SE. ¼	7	47	3	80	....
146	94A	Charlow, Edward	M.	68	SW. ¼ SE. ¼ sec. 7 and W. ½ NE. ¼ SE. ¼.	10	47	2	60	....
13	95A	Charlow, Frank	M.	33	NE. ¼ NE. ¼ and SE. ¼ SE. ¼.	8	47	1	80	....
399	96A	Charlow, Mary	F.	70	NW. ¼ NE. ¼ sec. 7 and E. ½ NE. ¼ SE. ¼	10	47	2	60	....
197	97A	Chingway, Agnes	F.	6	SE. ¼ NW. ¼ sec. 30 and NE. ¼ SE. ¼.	33	48	2	80	....
19	98A	Chingway, Anna J.	F.	23	W. ½ NW. ¼	17	47	1	80	....
218	99A	Chingway, Emma	F.	4	SW. ¼ SE. ¼ sec. 16 and SW. ¼ NW. ¼ (Lot 2).	18	46	3	68.38	....
357	100A	Chingway, Mike A.	M.	17	E. ½ SW. ¼	30	48	3	80	....
.....	101A	Chi-cog, John (Me-dwe-wah).	M.	44	S. ½ SE. ¼	28	46	2	80	25
.....	102A	Chi-cog, Jack (Wah-say-gi-lig).	M.	23	E. ½ SW. ¼	9	47	3	80	26
210	103A	Chosa, Frank	M.	38	SW. ¼ NE. ¼ sec. 18 and NW. ¼ NE. ¼.	18	46	3	80	....
232	104A	Church, Lizzie Starr	F.	28	Lots 2 and 4	3	48	3	75.75	....
191	105A	Cloud, Delia Vanderventer.	F.	24	E. ½ SW. ¼	25	48	4	80	....
10	106A	Cloud, Lizzie F.	F.	24	Lots 4 and 5	0	47	1	98.77	....
330	107A	Cloud, O-zho-gay	F.	10	SE. ¼ NE. ¼ sec. 16 and NE. ¼ NE. ¼.	27	48	3	80	....
257	108A	Coleman, Susie	F.	24	S. ½ NE. ¼	7	47	3	80	....
153	109A	Condecon, Caroline	F.	16	SE. ¼ NW. ¼	18	47	2	.....	....
					SW. ¼ SE. ¼	28	47	3	80	....
212	110A	Connors, Agnes Mary	F.	4	SE. ¼ NW. ¼ sec. 7 and NW. ¼ NW. ¼.	10	46	3	80	....
39	111A	Connors, Lizzie Rabideaux.	F.	24	W. ½ SE. ¼	7	46	2	80	....
407	112A	Connors, Maggie Rabideaux.	F.	16	E. ½ SE. ¼	36	48	4	80	....
.....	113A	Coon, Henry	M.	39	NW. ¼ SW. ¼ sec. 3 and SE. ¼ NW. ¼.	4	46	3	80	27
.....	114A	Coon, Tom	M.	28	Lot 7 sec. 1 and lot 3	4	46	3	64.48	28
61	115A	Corbine, Charlotte	F.	24	NW. ¼ NE. ¼ sec. 16 and SE. ¼ SE. ¼.	21	46	3	80	....
52	116A	Covio, Gust.	M.	31	E. ½ NW. ¼	14	46	2	80	....
.....	117A	Covio, Kate	F.	30	SE. ¼ SW. ¼ and NW. ¼ SW. ¼.	14	47	2	80	29
369	118A	Couture, Carrie	F.	46	NE. ¼ SW. ¼ and E. ½ SW. ¼ SW. ¼.	22	48	3	60	....
341	119A	Crow, Alex.	M.	4	NE. ¼ SE. ¼ sec. 4 and NW. ¼ NE. ¼.	10	48	3	80	....
296	120A	Crow, Peter	M.	6	W. ½ SW. ¼	19	47	3	97.23	....
.....	121A	Cudliffe, Joe, Mrs. (A-be-zis).	F.	38	N. ½ NE. ¼	30	48	4	80	30
356	122A	Dacotah, Julia Johnson	F.	5	NE. ¼ NE. ¼ sec. 20 and W. ½ NW. ¼ NE. ¼.	21	48	3	60	....
375	123A	Dacotah, Louis	M.	12	NE. ¼ NE. ¼ sec. 16 and NW. ¼ SE. ¼.	28	48	3	80	....
180	124A	Dacotah, Mary N.	F.	43	SW. ¼ SW. ¼ sec. 27 and SE. ¼ SW. ¼.	28	48	2	80	....
182	125A	Davidson, Gwe-go-gi-jig.	M.	7	S. ½ NE. ¼	30	48	2	80	....
183	126A	Davidson, Maria	F.	4	NW. ¼ SE. ¼ sec. 23 and NW. ¼ SW. ¼.	34	48	2	80	....
59	127A	Day, Ervin G.	M.	15	W. ½ SW. ¼	15	48	2	80	....
200	128A	Day, George[a]	M.	63	Lot 3	1	48	3	22	....
69	129A	Day, George J., jr	M.	26	NE. ¼ NW. ¼ and E. ½ NW. ¼ NW. ¼.	17	48	2	80	....

[a] Allotted 53.92 acres in 1899.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
404	130A	Day, Julia, sr.	F.	56	W. ½ SE. ¼	27	48	3	80	....
56	131A	Day, Julia O.	F.	44	E. ½ NE. ¼ NE. ¼ and NW. ¼ NE. ¼.	15	46	2	60	....
44	132A	Day, Josephine	F.	30	S. ½ NE. ¼	13	46	2	80	....
68	133A	Day, Mamie G.	F.	21	E. ½ NE. ¼	30	46	2	80	....
94	134A	Defoe, James	M.	27	W. ½ SW. ¼	16	47	1	80	....
227	135A	Defoe, Mike	M.	39	N. ½ NE. ¼	22	46	3	80	....
12	136A	Defoe, Pauline	F.	46	SE. ¼ SE. ¼ sec. 7 and SE. ¼ SW. ¼.	17	47	1	80	....
5	137A	Delonoy, Charlotte	F.	46	Lot 4 sec. 5 and lots 3 and 4	10	47	1	80.43	....
232	138A	Delonoy, Ellen	F.	78	NE. ¼ NE. ¼ sec. 29 and NE. ¼ NE. ¼.	30	46	3	80	....
178	139A	Delonoy, Susan	F.	42	NW. ¼ SW. ¼ sec. 28 and SW. ¼ NE. ¼.	31	48	2	80	....
.....	140A	Denesha, Julia (Sa-gi-ma-kwe).	F.	42	S. ½ SW. ¼	21	46	3	80	31
64	141A	Dennis, Cecilia	F.	24	SW. ¼ NW. ¼ and SW. ¼ SE. ¼.	16	46	2	80	....
236	142A	Dennis, Lizzie, sr.	F.	88	SW. ¼ NE. ¼ and lot 4	30	46	2	65.42	....
158	143A	Dennis, Louisa	F.	5	SW. ¼ NW. ¼ sec. 1 and NW. ¼ SW. ¼.	16	47	2	80	....
67	144A	Dennis, Mary I.	F.	4	Lots 1, 2, 3, 4, and 5 and NW. ¼ SE. ¼.	2	48	2	78.30	....
362	145A	Dennis, Theresa	F.	57	SW. ¼ NW. ¼ sec. 20 and SE. ¼ SE. ¼.	21	48	3	80	....
367	146A	Denomie, Anna Clara	F.	24	W. ½ NE. ¼ SE. ¼ sec. 30 and SW. ¼ NE. ¼.	21	48	3	60	....
29	147A	Denomie, Casilda C.	F.	11	W. ½ lot 4 sec. 1 and NE. ¼ NE. ¼.	22	46	2	63.67	....
241	148A	Denomie, Delia	F.	5	N. ½ NE. ¼	22	48	3	80	....
.....	149A	Denomie, Delia S.	F.	26	W. ½ NE. ¼	34	48	3	80	....
31	150A	Denomie, Edward S.	M.	12	NW. ¼ NW. ¼ sec. 8 and NW. ¼ NE. ¼.	23	47	3	80	....
79	151A	Denomie, Frances Agnes	F.	11	N. ½ SE. ¼	20	46	2	80	....
264	152A	Denomie, Girard J.	M.	17	NW. ¼ SW. ¼ sec. 9 and SE. ¼ NW. ¼.	21	47	3	80	....
372	153A	Denomie, Henry J.	M.	18	SE. ¼ SE. ¼ sec. 24 and NW. ¼ NE. ¼.	27	48	3	80	....
373	154A	Denomie, Henry W.	M.	20	SW. ¼ NW. ¼ sec. 9 and NE. ¼ SW. ¼.	24	47	3	80	....
242	155A	Denomie, Julia M.	F.	14	NW. ¼ NW. ¼ sec. 8 and SW. ¼ NW. ¼.	32	46	3	80	....
317	156A	Denomie, Lawrence	M.	8	NE. ¼ SW. ¼ sec. 28 and NE. ¼ SW. ¼.	29	47	3	80	....
408	157A	Denomie, Lillian	F.	6	S. 40 A. lot 1 sec. 10 and SW. ¼ NE. ¼.	27	48	3	80	....
209	158A	Denomie, Lizzie A.	F.	13	Lot 4 and SW. ¼ NW. ¼	4	46	3	86.15	....
226	159A	Denomie, Lucy A.	F.	16	NW. ¼ SE. ¼ sec. 7 and NW. ¼ SW. ¼.	21	46	3	80	....
32	160A	Denomie, Lucy M.	F.	8	E. ½ lot 4 sec. 1 and SE. ¼ SE. ¼.	22	46	2	63.08	....
224	161A	Denomie, William J.	M.	5	NE. ¼ NE. ¼ sec. 18 and NW. ¼ NE. ¼.	21	48	3	80	....
42	162A	Deragon, Joseph	M.	35	S. ½ SE. ¼	12	48	2	80	....
307	163A	Deragon, Maggie B.	F.	38	SE. ¼ NE. ¼ and NW. ¼ SE. ¼.	28	47	3	80	....
378	164A	Doherty, Beatrix F.	F.	4	Lot 7 sec. 25 and SW. ¼ NE. ¼.	30	48	3	65.75	....
123	165A	Doherty, Charles L.	M.	7	Lot 4 or SW. ¼ SW. ¼	31	48	2	.....	....
					NE. ¼ SE. ¼	24	48	3	81.60	....
206	166A	Ducato, Mary	F.	56	Lots 9, 10, and 11	12	45	3	68.90	....
190	167A	Forcia, John	M.	31	Lots 10 and 12	1	46	3	.....	....
					SW. ¼ NE. ¼	21	47	3	73.90	....
.....	168A	Ga-che-wab	M.	54	SW. ¼ NE. ¼ and NE. ¼ SE. ¼.	14	46	2	80	32
336	169A	Gheon, Mary J.	F.	49	NE. ¼ SE. ¼ sec. 27 and NE. ¼ SW. ¼.	29	48	3	80	....
173	170A	Gishgak, Joseph	M.	6	N. 39.82 A. lot 1 sec. 16 and NE. ¼ SW. ¼.	31	48	3	79.82	....
333	171A	Gishgak, Josephine F.	F.	4	NE. ¼ SE. ¼ sec. 18 and SW. ¼ SE. ¼.	28	48	3	80	....
.....	172A	Gi-ji-gan-an-go-kwa	F.	38	NE. ¼ NE. ¼ sec. 21 and W. ½ NW. ¼ NW. ¼.	22	46	3	60	33
406	173A	Gokee, John B.	M.	78	NW. ¼ NW. ¼ and SE. ¼ SE. ¼.	29	48	3	80	....
300	174A	Gordon, Angelique	F.	75	W. ½ SW. ¼	20	47	3	80	....
9	175A	Gordon, Francis A.	M.	11	Lot 1	6	47	1	.....	....
					SW. ¼ SW. ¼	16	48	3	87.40	....
27	176A	Gordon, Joseph, sr.	M.	75	Lots 1, 2, and 3	32	48	1	72.60	....
310	177A	Gordon, Julia	F.	29	NE. ¼ NW. ¼ and SW. ¼ NW. ¼.	28	47	3	80	....

* See I. O. letter, land 66337–1905. August 30, 1905.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
384	178A	Gordon, Maggie Butterfield.	F.	24	W. ½ SW. ¼	31	48	3	85.86	....
365	179A	Goslin, Antoine, jr	M.	20	S. ½ NW. ¼	16	47	1	80	....
362	180A	Goslin, Antoine, sr	M.	54	S. ½ NW. ¼	31	48	3	82.24	....
361	181A	Goslin, James	M.	24	N. ½ SE. ¼	21	48	3	80	....
348	182A	Goslin, Madeline	F.	14	E. ½ SE. ¼	17	48	3	80	....
51	183A	Goslin, Peter	M.	30	SE. ¼ NE. ¼ and NE. ¼ SE. ¼	31	46	2	80	....
97	184A	Greeley, Mary	F.	4	SW. ¼ SE. ¼ sec. 26 and NE. ¼ NE. ¼	28	46	2	80	....
63	185A	Greeley, Sophia	F.	6	NW. ¼ SE. ¼ NW. ¼ SW. ¼	28 33	47 47	2 3	 80	....
89	186A	Green, Mary E.	F.	28	S. ½ SE. ¼	24	46	2	80	....
297	187A	Gurnoe, Kate Day	F.	22	SE. ¼ SE. ¼ sec. 19 and SE. ¼ NW. ¼	20	47	3	80	....
233	188A	Guyette, Antoine	M.	38	E. ½ SE. ¼ SW. ¼ and SW. ¼ SE. ¼ 33 and W. ½ SE. ¼ SW. ¼	36	47	3	80	....
388	189A	Halliday, Joe	M.	31	Lot 2 and NE. ¼ SE. ¼	19	48	3	85.40	....
225	190A	Hall, Mary Deragon	F.	33	SE. ¼ NW. ¼ and NE. ¼ SE. ¼	21	46	3	80	....
397	191A	Hamlin, Esther G.	F.	11	W. ½ SW. ¼	25	48	4	80	....
160	192A	Hammond, Harold W.	M.	14	NW. ¼ NE. ¼	23	47	2	a40	....
402	193A	Hanley, Francis	M.	10	N. ½ NW. ¼	30	47	3	80	....
.....	194A	Hart, Be-dwe	F.	26	S. ½ NW. ¼ SW. ¼ and SE. ¼ SW. ¼	34	46	3	60	34
.....	195A	Hart, Billy (Be-sa-ne-gee-zick).	M.	43	S. ½ SW. ¼	36	46	3	80	35
.....	196A	Hart, Charles (May-ya-wa-gee-zick).	M.	70	NW. ¼ SE. ¼ and SE. ¼ SE. ¼	22	46	3	80	36
.....	197A	Hart, Ellen (O-ga-bens).	F.	20	S. ½ SE. ¼	36	46	3	80	37
.....	198A	Hart, Frank (Kah-gius).	M.	37	S. ½ NE. ¼	21	46	3	80	38
.....	199A	Hart, George (Ne-bug-jig).	M.	75	N. ½ SW. ¼	35	46	3	80	39
.....	200A	Hart, George (Ay-a-be-ta).	M.	37	Lots 3 and 4 sec. 19 and W. ½ NE. ¼ NW. ¼	20	46	3	69.60	40
.....	201A	Hart, George, Mrs. (O-dah-min).	F.	46	SE. ¼ SW. ¼ sec. 19 and E. ½ NE. ¼ NW. ¼	20	46	3	60	41
.....	202A	Hart, George, Mrs. (I-yon-ji-ko-nay-yay-kway).	F.	70	N. ½ NW. ¼ SW. ¼ 36 and NE. ¼ SE. ¼	35	46	3	60	42
.....	203A	Hart, Hattie (Na-ji-na-kwe).	F.	27	SW. ¼ NW. ¼ sec. 18 and SE. ¼ NW. ¼	18	46	3	80	43
.....	204A	Hart, James (Ta-pas-ke-gee-zick).	M.	23	W. ½ SE. ¼	21	46	3	80	44
63	205A	Hart, Jim (Odawa Ke-che-wub).	M.	30	NW. ¼ SE. ¼ sec. 6 and W. ½ NW. ¼ SW. ¼	11	47	2	60	45
.....	206A	Hart, Jim, Mrs. (Bi-ji-kins).	F.	24	E. ½ NW. ¼ SW. ¼ sec. 11 and SE. ¼ SW. ¼	27	47	2	60	46
.....	207A	Hart, Joe (Son-ga-ko-mig).	M.	50	N. ½ SW. ¼	32	46	2	80	47
.....	208A	Hart, Joe, Mrs. (Qua-di-mon-se).	F.	45	SW. ¼ SE. ¼ sec. 7 and SW. ¼ SE. ¼	32	46	2	80	48
.....	209A	Hart, Tom (Ah-be-toons)	M.	35	N. ½ SE. ¼	28	46	2	80	49
109	210A	Hartow, Verna H.	F.	5	NW. ¼ NE. ¼ sec. 17 and NE. ¼ NE. ¼	31	47	3	80	....
270	211A	Haskins, Eva	F.	5	E. ½ SW. ¼ NW. ¼ sec. 12 and SW. ¼ SE. ¼	18	47	3	60	....
243	212A	Haskins, William B.	M.	4	NW. ¼ NW. ¼	27	47	3	a40	....
.....	213A	Hirschheimer, Helen W.	F.	.....	Lots 4 and 5	6	46	2	92.46	50
142	214A	Holliday, Henry E.	M.	27	SW. ¼ NW. ¼ and NW. ¼ SE. ¼	20	47	3	80	....
390	215A	Holliday, Sarah	F.	43	Lots 1 and 2	36	48	3	78.22	....
131	216A	Holmes, Anna	F.	24	S. ½ SW. ¼	36	46	2	80	....
322	217A	Holmes, Fred	M.	24	S. ½ SE. ¼	30	47	3	80	....
325	218A	Holmes, Mary Ann	F.	11	SW. ¼ NE. ¼ and SE. ¼ NW. ¼	31	47	3	80	....
308	219A	Holmes, Susan	F.	16	NW. ¼ NE. ¼ and NE. ¼ NW. ¼	31	47	3	80	....
323	220A	Holmes, William	M.	30	N. ½ SW. ¼	30	47	3	80	....
334	221A	Houle, Mary B.	F.	20	SE. ¼ NW. ¼ sec. 5 and SW. ¼ SE. ¼	10	47	2	80	....
.....	222A	Jack, John (O-da-wa)	M.	36	N. ½ SW. ¼ NW. ¼ and lot 3	1	46	2	68.73	51
.....	223A	Jack, Maggie	F.	38	S. ½ SW. ¼ NW. ¼ and NE. ¼ SE. ¼	1	46	2	60	52
122	224A	Jackson, Charlotte	F.	24	N. ½ NW. ¼	35	46	2	80	....
119	225A	Jackson, John	M.	27	N. ½ NE. ¼	35	46	2	80	....
46	226A	Jocko, Henry	M.	7	NW. ¼ SE. ¼ sec. 13 and SW. ¼ SW. ¼	14	46	2	80	....

a Good timber. b Heavy timber.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
98	227A	Jocko, Jane C.	F.	6	NE. ¼ SW. ¼ sec. 13 and SW. ¼ NE. ¼.	16	46	2	80	....
33	228A	Jocko, John, jr.	M.	24	SE. ¼ NW. ¼ and SE. ¼ SE. ¼.	1	46	2	80	....
45	229A	Jocko, Manido	M.	9	NE. ¼ SE. ¼ sec. 13 and SW. ¼ NE. ¼.	21	46	2	80	....
47	230A	Jocko, Mary	F.	16	NW. ¼ SW. ¼ sec. 13 and NW. ¼ NW. ¼.	21	46	2	80	....
35	231A	Jocko, O-gi-ma-kwe	F.	56	W. ½ SE. ¼	1	46	2	80	....
203	232A	Jocko, Susan	F.	24	NE. ¼ NE. ¼ and SW. ¼ SE. ¼.	36	47	2	80	....
387	233A	Johnson, Theresa Dazotah.	F.	4	N. ½ NE. ¼	31	46	3	80	....
309	234A	Ka-gan-dish Bonia*	M.	7	S. 33.20 A. lot 12 sec. 25 and NE. ¼ NW. ¼.	33	47	3	73.20	....
.....	235A	Ka-gwa-na-kwa-ge	F.	70	SE. ¼ SE. ¼ sec. 7 and SE. ¼ NE. ¼.	20	46	3	80	53
.....	236A	Ka-sa-bin, John	M.	40	SE. ¼ SE. ¼ and lot 3	7	46	2	83.30	54
.....	237A	Ka-sa-bin, John (Bu-ne-gui-osh).	M.	70	W. ½ NE. ¼	18	46	2	80	55
.....	238A	Ka-sa-bin, Pat (A-ke-wen-se).	M.	21	E. ½ SW. ¼ NW. ¼ sec. 21 and SE. ¼ SW. ¼ and E. ½ NE. ¼ SW. ¼.	22	46	3	80	56
.....	239A	Ka-sa-bin, Pat, Mrs. (Ne-gah-nah-bin).	F.	21	W. ½ SW. ¼ NW. ¼ sec. 21 and SW. ¼ SW. ¼ and W. ½ NE. ¼ SW. ¼.	22	46	3	80	57
.....	240A	Ka-sa-bin, William (Ba-zon-a-gee-jig).	M.	25	NE. ¼ NE. ¼ and NE. ¼ SE. ¼.	18	46	2	80	58
284	241A	Kawindi, Charlotte M.	F.	6	NE. ¼ NE. ¼ sec. 17 and SE. ¼ NE. ¼.	31	47	3	80	....
96	242A	Kekek, Charley	M.	60	SW. ¼ NW. ¼ and NW. ¼ SW. ¼.	26	46	2	80	....
.....	243A	Kennabee, Joe (A-gwe-ta-we-ker-shick).	M.	42	SE. ¼ NW. ¼ and lot 8	1	47	3	77.38	59
.....	244A	Kennabee, John (Shah-gaysh).	M.	32	N. ½ SW. ¼ NW. ¼ sec. 11 and NE. ¼ NE. ¼ and E. ½ NW. ¼ NE. ¼.	19	47	3	80	60
.....	245A	Kennabee, John, Mrs. (Ne-ga-na-abe-kway).	F.	36	S. ½ SW. ¼ NW. ¼ sec. 11 and W. ½ NW. ¼ NE. ¼ sec. 19 and SE. ¼ SW. ¼.	30	47	3	80	61
.....	246A	Ko-no-sha	M.	70	NE. ¼ NW. ¼ sec. 23 and SW. ¼ NE. ¼.	24	47	2	80	62
.....	247A	Ko-no-sha, Frank	M.	21	NE. ¼ NW. ¼ sec. 21 and NW. ¼ SW. ¼.	22	46	3	80	63
.....	248A	King, Sam (O-sha-wah-sko-kay-ohs-kway-ge).	M.	48	SE. ¼ NW. ¼ and lot 2 sec. 19 and E. ½ NW. ¼ NW. ¼.	21	46	3	85.92	64
.....	249A	King, Sophia Winn (Na-shuk).	F.	40	NE. ¼ NW. ¼ sec. 19 and W. ½ NW. ¼ NW. ¼.	21	46	3	60	65
277	250A	Knight, William, jr.	M.	6	NE. ¼ NE. ¼ sec. 16 and SW. ¼ SW. ¼.	28	47	3	80	....
.....	251A	Knox, Frank	M.	33	W. ½ SE. ¼	14	47	2	80	66
101	252A	La Fernia, Frank	M.	37	SE. ¼ NE. ¼ and NE. ¼ NW. ¼	25	46	2	80	....
96	253A	La Fernia, James	M.	40	NW. ¼ SW. ¼ sec. 29 and SE. ¼ NW. ¼.	30	47	3	80	....
100	254A	La Fernia, Joseph	M.	6	NW. ¼ NE. ¼ sec. 25 and SE. ¼ NW. ¼.	34	46	2	80	....
206	255A	La Fernia, Louis	M.	4	NW. ¼ NE. ¼ sec. 7 and lot 6	12	46	3	78.60	....
.....	256A	La Grow, Gus, Mrs. (Gwan-i-she).	F.	60	SW. ¼ NE. ¼ and lot 3	31	46	3	71.92	67
120	257A	Lamorie, Frank	M.	55	NW. ¼ NW. ¼ and SE. ¼ NW. ¼.	36	46	2	80	....
4	258A	Lamorie, Maggie	F.	61	W. ½ NW. ¼	8	47	1	80	....
234	259A	La Pointe, Frances A.	F.	4	NW. ¼ SE. ¼ sec. 16 and SE. ¼ NW. ¼.	30	48	3	80	....
185	260A	La Pointe, Francis C.	M.	7	E. ½ SW. ¼	30	48	2	80	....
102	261A	La Pointe, Margaret	F.	66	SE. ¼ NW. ¼ and NE. ¼ SW. ¼.	31	48	2	80	....
213	262A	La Rock, John	M.	33	SE. ¼ NW. ¼ sec. 16 and SE. ¼ SE. ¼.	18	46	3	80	....
282	263A	Lemieux, Agnes	F.	7	NW. ¼ SE. ¼ and SE. ¼ SE. ¼.	16	47	3	80	....
77	264A	Lemieux, Eli	M.	41	Lots 3 and 4 sec. 13 and lots 1 and 5.	24	46	3	82.40	....
184	265A	Lemieux, Walter W.	M.	4	W. ½ SE. ¼	30	48	2	80	....
302	266A	Less, Madeline	F.	84	S. ½ SW. ¼	29	47	3	80	....
.....	267A	Livingston, Ben	M.	32	(NE. ¼ NW. ¼	16	47	2	.....	....
					(Lot 1 NW. ¼	31	48	2	79.20	68
.....	268A	Lochlin, John (Ga-ga-ge-way-gwun).	M.	45	S. ½ NE. ¼. NW. ¼ and SE. ¼ NW. ¼.	16	46	2	80	69
.....	269A	Lochlin, John, Mrs. (O-kway-gon).	F.	42	N. ½ NE. ¼ NW. ¼ and NE. ¼ SW. ¼.	16	46	2	80	70

* Ka-kaw-tosh on census roll.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1905.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
.....	270A	Lonestar, John	M.	36	NW. ¼ NW. ¼ and SW. ¼ SW. ¼	12	47	3	80	71
50	271A	Lord, Louisa	F.	45	SE. ¼ SW. ¼ sec. 13 and SE. ¼ NE. ¼.	14	46	2	80	....
41	272A	Manypenny, Charlotte F.	F.	15	SW. ¼ NW. ¼ and SW. ¼ SE. ¼	31	47	3	80	....
311	273A	Marksman, Dora Holmes	F.	26	SE. ¼ NW. ¼ and SE. ¼ SW. ¼	28	47	3	80	....
115	274A	Marksman, Sam P.	M.	27	W. ½ SE. ¼	34	46	2	80	....
280	275A	Martin, Rosa G.	F.	5	S. ½ NE. ¼	19	47	3	80	....
319	276A	Mayotte, Antoine J.	M.	6	NE. ¼ SW. ¼ sec. 16 and N. ½ SE. ¼ NE. ¼.	30	46	3	60	....
321	277A	Mayotte, Francis	M.	9	N. ½ SE. ¼	30	47	3	80	....
376	278A	Mayotte, Julia	F.	23	SE. ¼ SW. ¼ sec. 16 and NW. ¼ SW. ¼.	28	46	3	80	....
272	279A	Mayotte, Kate Deion	F.	30	SW. ¼ SE. ¼ sec. 8 and SW. ¼ NE. ¼.	9	47	3	80	....
394	280A	McBride, George	M.	18	E. ½ SE. ¼ SE. ¼	29	47	3	.....	....
					Lot 3	24	46	4	81.75	....
361	281A	Me-dwe-gwan, Madeline	F.	54	SE. ¼ SE. ¼ sec. 17 and N. ½ NE. ¼ SE. ¼.	20	47	3	60	....
71	282A	Me-dwe-i-ash, Angeline C.	F.	24	NE. ¼ NW. ¼ and lot 1	18	46	2	65.12	....
262	283A	Me-dwe-i-ash, Edward	M.	26	N. ½ SE. ¼	19	47	3	80	....
292	284A	Me-dwe-i-ash, Joseph	M.	24	S. ½ NW. ¼	19	47	3	88.50	....
.....	285A	Me-dwe-ash, Alex, Mrs. (Pi-ne-e-a-kwa).	F.	58	W. ½ NW. ¼ NE. ¼	2	47	2	.....	....
					W. ½ SE. ¼ SW. ¼ and SW. ¼ SW. ¼	33	47	3	77.70	72
.....	286A	Me-dwe-ash, Annie (Me-shi-sha-wans).	F.	23	N. ½ NE. ¼	16	47	1	80	73
.....	287A	Me-dwe-ash, George (O-be-gang).	M.	37	W. ½ SE. ¼ SW. ¼	28	47	2	.....	....
					SW. ¼ SW. ¼	30	47	3	80	74
.....	288A	Me-dwe-ash, Jack (Gwe-we-sen-se).	M.	27	NW. ¼ SE. ¼	16	46	2	.....	....
					N. ½ SW. ¼ SW. ¼	33	47	2	80	75
.....	289A	Me-dwe-ash, Jack, Mrs. (Be-zo-ka-as).	F.	24	W. ½ NE. ¼	34	46	2	80	76
.....	290A	Me-dwe-ash, John	M.	45	E. ½ NE. ¼ NW. ¼ sec. 22 and NW. ¼ NW. ¼.	27	46	3	60	77
.....	291A	Me-dwe-ash, John B.	M.	61	S. ½ SE. ¼	18	46	2	80	78
.....	292A	Me-dwe-ash, Mary (Shay-ahinz).	F.	49	N. ½ NE. ¼	24	46	2	80	79
.....	293A	Me-dwe-ash, Mary Ann (Sang-way-way-ka-mi-go-kwe).	F.	46	N. ½ NE. ¼	23	46	2	80	80
.....	294A	Me-ga-sa-ba-go-k we	F.	60	N. ½ NE. ¼	13	46	2	80	81
111	295A	Me-sa-ba, Alex	M.	14	SE. ¼ NW. ¼ and NE. ¼ SW. ¼	32	46	2	80	....
72	296A	Me-sa-ba, John	M.	17	NE. ¼ SW. ¼ and lot 8	18	46	2	84.37	....
104	297A	Me-sa-ba, Lucy	F.	12	NW. ¼ SW. ¼ sec. 20 and NE. ¼ NW. ¼.	28	46	2	80	....
172	298A	Me-sa-ba, Manido	F.	42	E. ½ SE. ¼	36	47	2	80	....
123	299A	Miller, George	M.	39	S. ½ NW. ¼	35	46	2	80	....
196	300A	Miller, Mary, sr.	F.	53	SW. ¼ SE. ¼ and NE. ¼ SW. ¼	33	46	2	80	....
295	301A	Miller, Mary S.	F.	24	SE. ¼ SE. ¼ sec. 8 and SW. ¼ SW. ¼.	9	47	3	80	....
318	302A	Mish-a-wa-ka-mi-go-kwe.	F.	53	W. ½ SE. ¼ NW. ¼ and NW. ¼ SE. ¼.	29	47	3	80	....
298	303A	Moore, Mary L.	F.	20	NW. ¼ NE. ¼ and SE. ¼ NE. ¼	21	47	3	80	....
.....	304A	Moose, Be-dwe (Be-dwe)	F.	35	S. ½ NE. ¼	24	46	2	80	82
113	305A	Morrin, John M.	M.	0	SE. ¼ SW. ¼ and lot 1	27	48	2	84	....
6	306A	Morrin, Robert, sr.	M.	64	S. ½ NW. ¼	6	47	1	80	....
196	307A	Morrison, Charlotte D.	F.	24	NE. ¼ NW. ¼ sec. 31 and NE. ¼ NE. ¼.	33	46	2	80	....
194	308A	Morrison, Clara M.	F.	5	SW. ¼ NE. ¼	3	46	3	a40	....
249	309A	Morrison, Daniel D.	M.	4	SW. ¼ NW. ¼ sec. 8 and SW. ¼ SW. ¼.	34	46	3	80	....
134	310A	Morrison, E. C.	M.	5	SW. ¼ SE. ¼	2	47	2	.....	....
					NE. ¼ NW. ¼	8	46	3	80	....
251	311A	Morrison, George J.	M.	6	SW. ¼ NW. ¼ and NE. ¼ SW. ¼	35	46	3	80	....
230	312A	Morrison, Ida A.	F.	5	SW. ¼ NE. ¼ sec. 7 and SW. ¼ NW. ¼.	20	46	3	80	....
379	313A	Morrison, John J.	M.	4	Lot 8 sec. 24 and SW. ¼ SW. ¼	30	46	3	68.72	....
16	314A	Morrow, Mary	F.	30	NW. ¼ SE. ¼ and NE. ¼ SW. ¼	17	47	1	80	....
73	315A	Morrow, Mike	M.	60	Lots 1 and 2	19	46	2	85.44	....
314	316A	Moses, Jane	F.	24	N. ½ NW. ¼	29	47	3	80	....
.....	317A	Murgaw, Ellen	F.	36	SW. ¼ SE. ¼ sec. 34 and SW. ¼ NE. ¼.	35	46	3	80	83
370	318A	Na-ma-a-bias, Wa-sa-gi-jig.	M.	44	E. ½ NW. ¼	15	47	1	80	....
.....	319A	Na-sbuk	F.	24	NE. ¼ NE. ¼ sec. 7 and SW. ¼ NW. ¼.	15	46	2	80	84

a Heavily timbered.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
.....	320A	Na-ta-wash-e	M.	32	E. ½ SE. ¼	34	46	2	80	85
.....	321A	Nay-ga-wad-ji-kwe	F.	32	W. ½ NE. ¼ NW. ¼ sec. 22 and NE. ¼ SE. ¼.	28	46	3	60	86
.....	322A	Na-wa-doo-co-mig	M.	34	NE. ¼ NW. ¼ and N. ½ SE. ¼ NW. ¼ sec. 16 and S. ½ NE. ¼ NE. ¼.	28	48	3	80	87
175	323A	Neveaux, Charlotte	F.	31	Lot 2 sec. 18 and E. ½ NW. ¼ NW. ¼ and SW. ¼ NW. ¼.	22	46	3	67.83	....
130	324A	Neveaux, Eliza	F.	11	SW. ¼ NE. ¼ sec. 29 and SE. ¼ NE. ¼.	34	46	2	80	....
106	325A	Neveaux, Joseph A	M.	65	SE. ¼ SW. ¼ sec. 29 and SE. ¼ SE. ¼.	31	46	2	80	....
150	326A	Neveaux, Joseph E	M.	11	SW. ¼ SW. ¼	14	47	2	.....	....
					SE. ¼ NE. ¼	32	47	3	80	....
147	327A	Neveaux, Maggie C	F.	13	SE. ¼ SE. ¼	19	46	2	.....	....
					SE. ¼ NW. ¼	26	47	2	80	....
30	328A	Neveaux, Robert	M.	10	S. ½ NE. ¼	1	46	2	80	....
.....	329A	Ne-wa-da-ka-mig	M.	45	NE. ¼ NE. ¼ sec. 30 and lot 4	31	46	2	88.72	89
120	330A	Ney, Aggie	F.	19	SE. ¼ SW. ¼ sec. 29 and SE. ¼ NE. ¼.	35	46	2	80	....
127	331A	Ney, Fred	M.	4	NE. ¼ SE. ¼ sec. 19 and NW. ¼ SW. ¼.	35	46	2	80	....
124	332A	Ney, Louisa	F.	13	NE. ¼ SW. ¼ sec. 30 and NE. ¼ SE. ¼.	35	46	2	80	....
125	333A	Ney, Mary, jr	F.	15	SE. ¼ NW. ¼ sec. 17 and NE. ¼ SW. ¼.	35	46	2	80	....
126	334A	Ney, Stella	F.	10	SW. ¼ SW. ¼ sec. 17 and SE. ¼ SW. ¼.	35	46	2	80	....
256	335A	Ney, William	M.	12	NE. ¼ SE. ¼ sec. 16 and SW. ¼ SW. ¼.	35	46	2	80	....
.....	336A	O-bay-gi-gay-do-kwe	F.	24	S. ½ lot 6 sec. 6 and SW. ¼ SW. ¼.	16	46	2	60.38	89
223	337A	Oberu, Bernard	M.	6	Lot 6	6	46	3	.....	....
					SW. ¼ SE. ¼	6	47	3	78.52	....
329	338A	Oberu, Delia	F.	17	NE. ¼ NE. ¼ sec. 32 and NE. ¼ NW. ¼.	35	47	3	80	....
36	339A	Oberu, Francis	M.	13	E. ½ lot 1 sec. 5 and NW. ¼ SE. ¼	16	46	2	82.39	....
162	340A	Oberu, Lawrence	M.	10	SW. ¼ NE. ¼	25	47	2	.....	....
					NE. ¼ SW. ¼	33	47	3	80	....
275	341A	Oberu, Lizzie	F.	15	W. ½ SW. ¼ SW. ¼ 11 and NE. ¼ NW. ¼.	15	47	3	80	....
.....	342A	O-bi-son-i-gi-jig	M.	29	N. ½ lot 6 sec. 6 and SE. ¼ SW. ¼.	16	46	2	80.37	90
.....	343A	O-ga-ma-kwe	F.	70	S. ½ SW. ¼ SW. ¼ 29 and NE. ¼ NE. ¼.	34	46	3	80	91
364	344A	O-ka-wa-bik	M.	76	S. ½ NW. ¼	24	46	2	80	92
.....	345A	O-ne-na-wa-ge-jig	M.	29	S. ½ SE. ¼	11	46	2	80	93
.....	346A	O-na-wuk	F.	60	E. ½ SE. ¼ NW. ¼ 8 and N. ½ NW. ¼ NW. ¼ 26 and NE. ¼ NW. ¼.	27	46	3	80	94
20	347A	Oslos, Albert	M.	24	E. ½ NE. ¼ SE. ¼ and SE. ¼ SE. ¼.	30	48	3	80	....
299	348A	Oslos, Alex	M.	33	S. ½ NE. ¼ SE. ¼ 20 and W. ½ SE. ¼ SE. ¼ and SW. ¼ SE. ¼.	29	47	3	80	....
211	349A	Oslos, Nellie	F.	4	E. ½ NE. ¼ NW. ¼ 10 and NE. ¼ NW. ¼.	15	46	3	60	....
126	350A	Oslos, Olive Julia	F.	4	NW. ¼ NW. ¼	6	47	2	.....	....
					SE. ¼ SE. ¼	32	47	3	80.52	....
60	351A	Pennock, Elmer E	M.	4	W. ½ NE. ¼ NW. ¼ 15 and NW. ¼ NW. ¼ (lot 1).	15	46	3	48.33	....
62	352A	Pennock, Susan	F.	25	N. ½ NW. ¼	24	46	2	80	....
228	353A	Pero, Maggie	F.	6	W. ½ SE. ¼	15	47	1	80	....
196	354A	Petite, Esther Gokee	F.	58	SE. ¼ NE. ¼ sec. 31 and NW. ¼ NW. ¼.	33	46	2	80	....
405	355A	Pine, Mary	F.	49	N. ½ NW. ¼	15	47	1	80	....
390	356A	Pond, Angeline	F.	42	NW. ¼ SW. ¼ sec. 15 and NE. ¼ SW. ¼.	27	48	3	80	....
231	357A	Poupart, Cordelia	F.	14	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	35	46	3	80	....
189	358A	Poupart, Helen	F.	10	SW. ¼ NW. ¼ and NW. ¼ SE. ¼.	31	48	2	79.43	....
138	359A	Poupart, Kate	F.	39	SE. ¼ SW. ¼ sec. 5 and SW. ¼ NW. ¼.	7	47	2	77.40	....
305	360A	Poupart, Sylvester	M.	13	NE. ¼ NE. ¼ and SW. ¼ NE. ¼	28	47	3	80	....
313	361A	Poupart, Vincent	M.	12	SW. ¼ SW. ¼	5	47	3	.....	....
					SE. ¼ SE. ¼ or lot 1	36	48	3	80	....
.....	362A	Que-yash, Charlotte (Que-she-se).	F.	43	NW. ¼ NW. ¼ and NE. ¼ SW. ¼.	27	47	2	80	95
214	363A	Rabideaux, Anna Mary	F.	11	NE. ¼ SE. ¼ sec. 7 and SE. ¼ SE. ¼.	16	46	3	80	....

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Sex. Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
37	364A	Rabideaux, Charlotte G., jr.	F.	9	N. ½ lot 5	6	46	3	.....	....
					Lots 6 and 7	13	46	3	54.82	....
240	365A	Rabideaux, Frank	M.	8	Lot 4 sec. 7 and NE. ¼ SE. ¼	31	46	3	69.75	....
238	366A	Rabideaux, Henry	M.	13	Lot 3 sec. 7 and lots 1 and 2	30	46	3	79.88	....
179	367A	Rabideaux, John, jr.	M.	11	SE. ¼ NE. ¼ sec. 29 and NW. ¼ NW. ¼	30	46	2	77.78	....
34	368A	Rabideaux, John, sr.	M.	39	S. ½ SE. ¼	17	47	1	80	...
229	369A	Rabideaux, John Bresette.	M.	24	NW. ¼ NW. ¼ and SW. ¼ SW. ¼	23	46	3	80	....
219	370A	Rabideaux, Lawrence A.	M.	9	NE. ¼ NE. ¼ sec. 7 and SE. ¼ SE. ¼	19	46	3	80	....
176	371A	Rabideaux, Mary	F.	33	SW. ¼ NE. ¼ and SE. ¼ NW. ¼	28	48	2	80	....
39	372A	Rabideaux, Mary J.	F.	7	SE. ¼ SW. ¼ sec. 11 and NW. ¼ NW. ¼	20	46	2	80	...
237	373A	Rabideaux, Paul	M.	20	SE. ¼ NW. ¼ and NW. ¼ NE. ¼	20	46	3	80	....
316	374A	Rabideaux, Stella M.	F.	4	S. ½ NW. ¼	29	46	2	80	....
.....	375A	Rateklin, Angeline (Nashe-nay-kway).	F.	65	N. ½ SW. ¼	36	46	2	80	96
128	376A	Rateklin, Jim (Ay-gwe-wa-day).	M.	70	NE. ¼ NE. ¼ and SW. ¼ NW. ¼	36	46	2	80	97
255	377A	Reil, Louis	M.	26	Lot 1	2	47	3	.....	....
					S. ½ SE. ¼ NE. ¼ sec. 30 and lot 3	35	46	3	74.78	....
2	378A	Reil, Thomas	M.	41	SE. ¼ SW. ¼ sec. 4, and SW. ¼ NE. ¼	5	47	1	80	....
.....	379A	Revoir, Catherine (Negu-na-ne-kway).	F.	26	N. ½ NW. ¼	25	46	2	80	98
.....	380A	Reynolds, Mary (Miskwab-in-o-kway).	F.	28	S. ½ NE. ¼	23	46	2	80	99
349	381A	Richards, Alex.	M.	41	Lot 1	18	48	3	73.80	....
244	382A	Richter, Edgar Genery	M.	17	Lot 4 and SW. ¼ NW. ¼	6	46	3	57.06	....
1	383A	Rolfs, William	M.	5	W. ½ SE. ¼	4	47	1	80	....
.....	384A	Sang-way-way	F.	30	S. ½ SE. ¼ NE. ¼ sec. 34 and SE. ¼ NE. ¼	36	47	2	80	100
82	385A	Santarnow, Mary	F.	18	SE. ¼ SW. ¼ sec. 7 and SE. ¼ SW. ¼	29	46	3	80	....
235	386A	Santarnow, Theodore	M.	59	E. ½ SE. ¼	33	46	2	80	....
352	387A	Sevalier, Esther	F.	47	NW. ¼ SE. ¼ and N. ½ SW. ¼ SE. ¼	19	48	3	60	....
279	388A	Sevalier, Louis	M.	37	W. ½ NW. ¼ SW. ¼ sec. 11 and SW. ¼ SW. ¼	16	47	3	60	....
220	389A	Sevalier, Manuel E.	M.	4	SE. ¼ NE. ¼ sec. 7 and NW. ¼ SE. ¼	19	46	3	80	....
169	390A	Shafer, Susan Obern	F.	42	NE. ¼ SW. ¼	7	46	2	.....	....
					E. ½ SE. ¼ SW. ¼	28	47	2	60	....
80	391A	Shaw, Mary J.	F.	21	W. ½ NE. ¼ NE. ¼ sec. 15 and NE. ¼ NW. ¼	21	46	2	60	....
.....	392A	Shin-a-way, John	M.	40	NE. ¼ SE. ¼ sec. 28 and N. ½ SE. ¼ NE. ¼	34	47	2	60	101
.....	393A	Sig-i-nok Bearhart (Sig-i-nok).	M.	22	E. ½ NE. ¼	28	47	2	80	102
.....	394A	Si-zi-kish	F.	55	N. ½ SE. ¼	24	46	2	80	103
141	395A	Sky, Dan	M.	34	N. ½ NW. ¼	7	47	2	77.80	....
320	396A	Sky, Lizzie	F.	5	N. ½ NE. ¼	30	47	3	80	....
108	397A	Smart, Francis J.	M.	5	NE. ¼ NW. ¼	32	47	3	.....	....
					NW. ¼ NW. ¼	34	46	2	80	....
336	398A	Smart, Margaret M.	F.	4	N. ½ SW. ¼	3	46	3	80	....
270	399A	Smart, Samuel	M.	5	S. ½ SW. ¼	6	47	3	80	....
252	400A	Smith, Francis	M.	6	Lot 5 and NE. ¼ NW. ¼	2	47	3	57.75	....
.....	401A	Song-a-day, or Me-ge-swe-wa-da-kunk.	M.	70	W. ½ SE. ¼	35	46	2	80	104
.....	402A	Song-a-day, Charlotte (Na-got).	F.	28	S. ½ lot 5	6	46	2	.....	....
					Lots 9, 10, and 13	13	46	3	83.06	105
.....	403A	Song-a-day, Martin (Ma-nau-e-gah-ne).	M.	38	SW. ¼ SW. ¼ sec. 30 and NE. ¼ SE. ¼	32	48	2	78.82	106
140	404A	Soulier, Antoine	M.	a36	N. ½ NW. ¼	20	47	3	80	....
286	405A	Soulier, Frank C.	M.	36	SE. ¼ NE. ¼ and NE. ¼ SE. ¼	18	47	3	80	....
228	407A	Soulier, Joseph C.	M.	31	NE. ¼ SE. ¼ sec. 17 and NE. ¼ SW. ¼	18	47	3	80	....
395	408A	Soulier, Peter	M.	28	W. ½ NE. ¼	25	48	4	80	....
343	409A	Soulier, William, jr.	M.	24	E. ½ SE. ¼	10	47	1	80	....
268	410A	Soulier, William, sr.	M.	54	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	17	47	3	88	....
163	411A	Sprink, Maggie Green	F.	24	S. ½ NE. ¼	27	47	2	80	....
.....	412A	Squa-on	F.	60	S. ½ SW. ¼	24	46	2	80	107
66	413A	Steen, Madeline	F.	54	SE. ¼ NW. ¼ and SE. ¼ SE. ¼	18	48	2	80	108
260	414A	Stoddard, Frank	M.	6	S. ½ NE. ¼	30	47	3	80	....

[a] Age 22 on old list by error.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment. 1904.	No. of allotment. 1908.	Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
401	415A	Stoddard, George	M.	24	S. 32 A. Lot 10 and lot 13 sec. 25 and SW. ¼ NE. ¼.	33	47	3	74	....
268	416A	Stoddard, Julia	F.	5	E. ½ SE. ¼	5	47	3	80	....
.....	417A	Stone, Archie (Da-mooo)	M.	47	Lots 8 and 9 sec. 25 and E. ½ SW. ¼ SE. ¼.	35	48	3	75.54	109
289	418A	Stone, Isaac	M.	29	S. ½ SW. ¼	18	47	3	88.37	....
342	419A	Stone, John	M.	4	SE. ¼ SW. ¼ and lot 4	18	46	2	83.99	....
.....	420A	Stone, Mancah	F.	60	E. ½ SE. ¼	25	46	2	80	110
.....	421A	Stone, Mary	F.	25	SE. ¼ NE. ¼ sec. 34 and W. ½ SW. ¼ SE. ¼.	35	46	3	60	111
.....	422A	Stone, Mrs. Tom (Penna).	F.	48	N. ½ NE. ¼ SE. ¼ and SE. ¼ NW. ¼.	25	46	4	60	112
.....	423A	Stone, Mrs. William (So-nook-us).	F.	37	W. ½ NE. ¼	13	47	2	80	113
389	424A	Sweet, Mary	F.	60	NW. ¼ SE. ¼ sec. 35 and NE. ¼ SE. ¼.	36	46	3	80	....
22	425A	Taylor, Arthur	M.	9	S. ½ NE. ¼	16	47	1	80	....
.....	426A	Taylor, Asbot (O-shi-kiss).	F.	23	Lot 1 S. ½ NW. ¼ NW. ¼	1 35	46 47	2 2	66.35	114
40	427A	Taylor, Frank R.	M.	38	NE. ¼ NW. ¼ sec. 10 and NE. ¼ SW. ¼.	19	47	3	80	....
.....	428A	Taylor, Herman	M.	24	NE. ¼ SE. ¼ NW. ¼ NE. ¼	16 31	47 46	2 2	80	115
.....	429A	Taylor, Maggie (Wa-key-dens).	F.	45	Lot 2 N. ½ NW. ¼ NW. ¼	1 35	46 47	2 2	66.56	116
.....	430A	Taylor, Mrs. Otis (I-kwe-wen-se).	F.	25	SW. ¼ SE. ¼ sec. 19 and NE. ¼ SW. ¼.	30	46	3	80	117
.....	431A	Taylor, Mrs. William (Ke-wa-ka-mi-go-kwe).	F.	35	NE. ¼ SW. ¼ sec. 19 and SE. ¼ SW. ¼.	30	46	3	80	118
177	432A	Terreo, Julia Vasseur	F.	15	SW. ¼ NW. ¼.	28	48	2	*40	....
.....	433A	Thomas, Mary (Ma-do-ka-mi-go-kwe).	F.	54	S. ½ NE. ¼	16	47	1	80	119
190	434A	Twobirds, John E., jr.	M.	6	SE. ¼ NE. ¼ sec. 8 and NE. ¼ NW. ¼.	19	47	3	80	....
289	435A	Van Buren, Hazel D.	F.	5	SE. ¼ NE. ¼ NW. ¼ NW. ¼	31 22	46 47	3 3	80	....
49	436A	Van Buren, John	M.	31	N. ½ NE. ¼	14	46	2	80	....
340	437A	Vanderventer, Bernard C.	M.	5	Lot 2 sec. 7 and NE. ¼ SE. ¼	32	46	3	71.75	....
107	438A	Vanderventer, Bert	M.	52	NW. ¼ SE. ¼ sec. 30 and lot 3	31	46	2	83.80	....
300	439A	Vanderventer, Delia M.	F.	28	NW. ¼ NW. ¼ sec. 28 and NE. ¼ NE. ¼.	29	47	3	80	....
393	440A	Vanderventer, Elmer E.	M.	4	SW. ¼ NE. ¼ and NW. ¼ SE. ¼	36	48	4	80	....
263	441A	Vanderventer, George	M.	8	NW. ¼ SE. ¼ SW. ¼ SE. ¼	6 3	46 47	3 3	80	....
281	442A	Vanderventer, Joseph	M.	11	NW. ¼ NW. ¼ sec. 16 and NW. ¼ NE. ¼.	28	47	3	80	....
254	443A	Vanderventer, Mary M.	F.	33	N. ½ SE. ¼	3	47	3	80	....
338	444A	Vanderventer, Susie Belonger.	F.	24	NW. ¼ SW. ¼ sec. 20 and NW. ¼ NW. ¼.	31	46	3	82.02	....
304	445A	Varette, Anna L.	F.	8	E. ½ SW. ¼	21	47	3	80	....
.....	446A	Wa-buri	F.	50	NW. ¼ SE. ¼ sec. 28 and N. ½ SW. ¼ SW. ¼.	29	46	3	60	120
.....	447A	Wab-na-i-ance	M.	30	E. ½ SW. ¼	34	46	2	80	121
.....	448A	Wake-nie-up, George	M.	36	NE. ¼ SW. ¼ sec. 29 and NW. ¼ SE. ¼.	35	46	3	80	122
.....	449A	Wake-me-up, George, Mrs. (O-bah-gwa-i-ance).	F.	33	W. ½ SE. ¼ NW. ¼ sec. 3 and S. ½ NW. ¼ NW. ¼ 26 and SE. ¼ SE. ¼.	35	46	3	80	123
.....	450A	Wake-me-up, John	M.	33	NW. ¼ SE. ¼ and lot 4	31	46	3	74.45	124
.....	451A	Washman, Mary	F.	70	NE. ¼ NW. ¼ sec. 7 and NE. ¼ SW. ¼.	21	46	3	80	125
103	452A	Wau-ban-ne-no-din, August.	M.	12	NE. ¼ NW. ¼ sec. 22 and SW. ¼ SE. ¼.	22	46	2	80	....
83	453A	Wau-ban-ne-no-din, John.	M.	10	SE. ¼ SW. ¼ sec. 21 and NW. ¼ SE. ¼.	23	46	2	80	....
75	454A	Wau-ke-chon, Maggie	F.	31	W. ½ NW. ¼ NW. ¼ sec. 17 and NE. ¼ NE. ¼.	19	46	2	80	....
287	455A	Webster, Mary	F.	37	SW. ¼ NE. ¼ and NW. ¼ SE. ¼	8	47	3	80	....
315	456A	Webster, O-mon-dwa	F.	27	SW. ¼ NW. ¼ and NE. ¼ SE. ¼	20	47	3	80	....
135	457A	Whitebird, Julia	F.	30	N. Fr. ½ NW. ¼ NE. ¼ SE. ¼	5 29	47 47	2 3	..... 92.90	....
285	458A	Whitebird, Peter	M.	4	NE. ¼ NW. ¼ sec. 17 and NW. ¼ NE. ¼.	18	47	3	80	....

* Heavily timbered.

Schedule of allotments of land to Chippewa Indians of Lake Superior, on the Bad River Reservation, Wis., made by Edgar A. Allen, special United States Indian agent, and S. W. Campbell, United States Indian agent, of the La Pointe Agency, Wis.—Cont'd.

No. of allotment.		Name of allottee.	Male or female.	Age.	Subdivision.	Section.	Town.	Range.	Acres.	Application No.
1904.	1908.									
328	459A	Wiggins, Edward	M.	29	Lot 4 and S. ½ SW. ¼ SE. ¼ and NW. ¼ SW. ¼.	19	48	3	62.30	....
363	460A	Wiggins, Frances	F.	5	SE. ¼ SE. ¼ sec. 9 and NW. ¼ SW. ¼.	21	48	3	80	....
345	461A	Wiggins, Mamie	F.	27	W. ½ lot 1	5	46	2	.....	....
					Lot 3	13	40	3	62.30	....
121	462A	Willard, Kate (dead)[a]	F.	73	SW. ¼ NE. ¼ and SE. ¼ SE. ¼	36	40	2	80	....
263	463A	Williams, Maggie Dersgoo.	F.	39	N. ½ SW. ¼	7	47	3	85.29	....
.....	464A	Winn, Dan (Nay-ton-ga-boo).	M.	62	NW. ¼ NE. ¼ sec. 33 and W. ½ SE. ¼ NW. ¼.	35	47	3	60	120
.....	465A	Winn, Dan, Mrs. (Bosh-king).	F.	60	SW. ¼ SE. ¼ sec. 26 and E. ½ SE. ¼ NW. ¼.	35	47	3	60	127
.....	466A	Winn, Edwin	M.	22	NW. ¼ NW. ¼ sec. 1 and NW. ¼ NE. ¼.	12	47	2	76.85	128
.....	467A	Wood, An-ji-no-kwa	F.	50	S. ½ NE. ¼ SE. ¼ and SE. ¼ SE. ¼.	25	48	4	60	129

[a] See 13832 and 13876-1908. Died January 25, 1906.

We hereby certify that the foregoing schedule of allotments, numbered from 1 to 467, inclusive, is just and correct; that all persons allotted are entitled to the lands set opposite their names; and that the allotments were made under instructions from the Commissioner of Indian Affairs, "Land 30314-1907," dated June 14, 1907.

EDGAR A. ALLEN,
Special United States Indian Agent.

S. W. CAMPBELL,
United States Indian Agent.

February 6, 1908. 9739-08.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 11, 1908.

The foregoing schedule, embracing twelve sheets of allotments in severalty to Indians on the Bad River Reservation, Wis., numbered from 1A to 467A, inclusive, made by Special United States Indian Agent Edgar A. Allen and United States Indian Agent J. W. Campbell, in accordance with the provisions of the treaty of September 30, 1854 (10 Stat. L., 1109), and the acts of February 11, 1901 (31 Stat. L., 766), and March 2, 1907 (34 Stat. L., 1217), is respectfully submitted to the Secretary of the Interior with the recommendation that it be laid before the President for his approval and authority for the issuance of patents, as provided by the treaty of September 30, 1854, supra, except the allotments to the Indians shown on this schedule under the following numbers:

4A	71A	122A	179A	286A	363A
8A	73A	125A	211A	287A	367A
20A	74A	134A	218A	288A	388A
26A	75A	141A	219A	313A	405A
30A	80A	143A	221A	336A	407A
41A	81A	144A	227A	341A	409A
54A	109A	153A	263A	342A	413A
62A	110A	165A	267A	353A	428A
66A	118A	173A	272A	355A	433A
70A	119A	175A			

It is recommended, further, that the original copy of the schedule be returned to the Indian Office and that the duplicate be forwarded to the Commissioner of the General Land Office with instructions to issue patents to the allottees shown thereon, except those enumerated in the foregoing as suspended, and except also the allotment No. 406A, to whom a patent has been already issued under date of December 16, 1907, for the lands shown hereon. The patents issued to these allottees should be in accordance with the provisions of the third article of the treaty of September 30, 1854, supra, and should contain a restriction against alienation similar to that inserted in patents heretofore issued to the allottees under said treaty, to wit:

"That said allottee shall not sell, lease, or in any manner alienate said tract without the consent of the President of the United States."

_____,
Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
December —, 1908.

The foregoing schedule is respectfully laid before the President for his approval and authority to issue patents, as provided by the third article of the treaty of September 30, 1854 (10 Stat. L., 1109), as recommended by the Acting Commissioner of Indian Affairs.

_____,
Assistant Secretary.

Approved and the issuance of patents authorized, as recommended in the foregoing indorsements.

THE WHITE HOUSE,
December —, 1908.

STATEMENT OF S. W. CAMPBELL, UNITED STATES INDIAN AGENT, ASHLAND, WIS.

S. W. CAMPBELL, having been first duly sworn, testified as follows:

The CHAIRMAN. Please state your present relation to the Indian Service.

Mr. CAMPBELL. I am now superintendent and special disbursing agent.

The CHAIRMAN. And located where?

Mr. CAMPBELL. At Ashland.

The CHAIRMAN. How long have you been there?

Mr. CAMPBELL. Eleven years last July.

The CHAIRMAN. The Bad River Reservation is in your jurisdiction, is it not?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. About how far from Ashland?

Mr. CAMPBELL. The village of Odanah is about 9½ miles. Bad River runs up to the city limits; the reservation is up to the city limits of Ashland.

The CHAIRMAN. Bad River Reservation was originally the La Pointe Reservation, was it not?

Mr. CAMPBELL. I think so; I think it was so called, although I am not sure about that. I think it was always called Bad River; it was designated as the Bad River Reservation. The La Pointe Agency consisted of seven reservations when I went there, three in Minnesota and four in Wisconsin.

The CHAIRMAN. The Bad River Reservation is the territory described in section 2 of article 2 of the treaty of 1854, is it not?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Now what, if anything, do you know of Indians having been allotted on the Bad River Reservation from points outside of that reservation?

Mr. CAMPBELL. Pertaining to the St. Croix, contained in this particular list, or generally?

The CHAIRMAN. Any, either St. Croix, or anywhere else.

Mr. CAMPBELL. The band has accepted and taken—a great many outside of the reservation.

The CHAIRMAN. Where from?

Mr. CAMPBELL. From Michigan and also from Bayfield, and around Bayfield.

The CHAIRMAN. Do you know whether they have taken in any of what we have designated in these proceedings as the St. Croix Indians?

Mr. CAMPBELL. They have, some.

The CHAIRMAN. How many, generally speaking?

Mr. CAMPBELL. I could not tell you without looking over the list and looking them up. I know of one family.

The CHAIRMAN. What family is that?

Mr. CAMPBELL. John Medweosh and his wife live on the St. Croix. They have an allotment on the Bad River Reservation, and two of his daughters have also.

The CHAIRMAN. Where do they live on the St. Croix, as near as you can describe it?

Mr. CAMPBELL. At the mouth of the Yellow River. John Medweosh used to live there. He lives now near the post-office named Pansy.

The CHAIRMAN. Where is that?

Mr. CAMPBELL. Pansy is in Burnett County, I think.

The CHAIRMAN. How long have you known that family?

Mr. CAMPBELL. I have known John Medweosh ever since I have been agent.

The CHAIRMAN. Do you know when he was taken in?

Mr. CAMPBELL. No; I can not tell you that.

The CHAIRMAN. Was it before you assumed charge of the agency?

Mr. CAMPBELL. Yes, sir. So were his two daughters.

The CHAIRMAN. Have any of those been taken in since you have been in charge?

Mr. CAMPBELL. I think there were some taken in—I know from Bayfield—since I have had charge, on what is called the "Women and Children's List." There has been only one list approved since I have been agent on the Bad River Reservation.

The CHAIRMAN. When was that list approved?

Mr. CAMPBELL. I can not tell you from memory.

The CHAIRMAN. You do not know of any of these so-called "St. Croix Indians" that have been taken in since you were agent?

Mr. CAMPBELL. No, I do not know of any.

The CHAIRMAN. You spoke of some from Michigan. Was that before or after you became agent?

Mr. CAMPBELL. That was before I became agent.

The CHAIRMAN. Those that were taken in from Bayfield—was that after you became agent?

Mr. CAMPBELL. Some of them, yes sir, on this list—on the "Women and Children's List."

The CHAIRMAN. What were the proceedings of the Indians at Bad River with reference to taking them in?

Mr. CAMPBELL. This list that was made was made up by a committee appointed by the council of the Bad River Indians and when the list was completed they notified me and I went down and read off the list in open council to hear any objections that might be made, and it was approved.

The CHAIRMAN. By the council?

Mr. CAMPBELL. By the council, yes sir.

The CHAIRMAN. Do you know of a list known as the "Downs list?"

Mr. CAMPBELL. I know of it.

The CHAIRMAN. That list was prepared in 1894, was it not?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. That was before you were agent?

Mr. CAMPBELL. No, sir; 1904.

The CHAIRMAN. After you were agent?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. What, if any, proceedings were had or taken by the Bad River Indians prior to the preparation of that list?

Mr. CAMPBELL. That list was made up at first by a committee appointed by a council, the same as the list that was approved, and then there were objections raised to that list by the Indians of the

Bad River Reservation, and the commissioner sent Major Downs to revise that list and to put it in shape, and to knock off those that were not entitled.

The CHAIRMAN. When you speak of a committee you mean a committee of Bad River Indians, do you not?

Mr. CAMPBELL. Bad River Indians; yes, sir.

The CHAIRMAN. Were you personally cognizant of the action of Major Downs?

Mr. CAMPBELL. No, sir.

The CHAIRMAN. What knowledge have you on your part of the approval by the Indians of the Downs selections?

Mr. CAMPBELL. I have not any; I was not present.

The CHAIRMAN. What is your understanding of the relation of the St. Croix Indians, at any prior time, to the La Pointe band?

Mr. CAMPBELL. I have no knowledge in regard to it, except just what they told me with reference to their drawing rations in the earlier days; their fathers and grandfathers coming to Bayfield and La Pointe on Madeline Island when they issued rations there, and also on Bad River. They used to come up there and draw rations, and were on that list.

The CHAIRMAN. How long have these St. Croix Indians been talking with you of their fathers and grandfathers having previously drawn rations; I mean as to whether it is a recent matter?

Mr. CAMPBELL. No, sir; it commenced way back seven or eight years ago. I think it must have been six or seven years ago that I met a delegation of them here; it was during Commissioner Jones's time. They had me come to Shell Lake to investigate these St. Croix Indians. They had been writing to Washington in regard to their claims. I met eight or ten of them here who represented one hundred and thirty some odd of them and talked with them. That was seven or eight years ago, long before these lists were made.

The CHAIRMAN. How general did this claim appear to be among them as to their ancestors, their fathers and grandfathers?

Mr. CAMPBELL. No more than to talk with me through an interpreter.

The CHAIRMAN. The agency at La Pointe was first at Madeline Island, was it not?

Mr. CAMPBELL. I do not know as to that; I could not say. It used to be at Bayfield.

The CHAIRMAN. At one time the agency was at Bayfield, was it not?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. And at one time at Madeline Island?

Mr. CAMPBELL. I could not say as to that.

The CHAIRMAN. At one time it was, was it not, Mr. Sanborn?

Mr. SANBORN. I think not. It was at Bayfield, just across.

The CHAIRMAN. At one time it was at La Pointe, was it not?

Mr. CAMPBELL. They used to issue rations over at La Pointe, but I do not know whether the agency was situated definitely at La Pointe or not.

The CHAIRMAN. The Bad River Indians during all this time have been subject to this one agency?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Did they claim that their fathers and grandfathers or their ancestors, had drawn rations at Bad River?

Mr. CAMPBELL. I could not say for certain with regard to that. I think they did; at least some of them have told me that when they issued any rations at Bad River they used to come up there in the early days, a long while ago. I do not know that any of these ever have, but they claimed that their fathers and their grandfathers did. There have not been any rations of that description issued for years; it was a long while ago. During the last eleven years, since I have been agent, these St. Croix Indians have got nothing except the small payment of, I think, $5.44. That was some back claim, of which I spoke to you, if you remember, when you were first elected Senator, and which you helped me to get for them—a claim that two lawyers in Washington had. That is all that these St. Croix Indians ever participated in since I have been agent here. They were enrolled.

The CHAIRMAN. There is no tribal Indian land where these St. Croix Indians live at present, is there?

Mr. CAMPBELL. They live in colonies through here.

The CHAIRMAN. Yes, but they are simply squatters?

Mr. CAMPBELL. That is all.

The CHAIRMAN. And all the land through the St. Croix region has passed into government ownership?

Mr. CAMPBELL. Practically government ownership.

The CHAIRMAN. And some of it from government ownership to individual ownership?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. I presume the major portion has now passed to individuals, has it not?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. What do you know as to the facilities which these St. Croix Indians now have for hunting?

Mr. CAMPBELL. They are subject to the white man's law. They cannot hunt except at the same time as the white man, and they have to obtain a license. They can not trap; they can not pick berries even without paying the white man for stumpage on their berries; we will put it that way, stumpage.

The CHAIRMAN. You say they can not hunt without a license. Is there much territory, the title remaining in the Government, where these people are located where they could hunt without going onto private land?

Mr. CAMPBELL. No, sir; there is none; no place. It is settled and owned by white men.

The CHAIRMAN. And the same would be true of their opportunity for trapping?

Mr. CAMPBELL. It is the same; they would be subject to the white man.

The CHAIRMAN. And as respects berrying?

Mr. CAMPBELL. Yes, sir. They can not even make maple sugar any more because the white man is not going to allow them to tap their sugar trees.

The CHAIRMAN. I assume that most of them live in tents, as a rule?

Mr. CAMPBELL. Well, I guess most of them live in little log shanties. Those down at the mouth of the Yellow River do. I spent a night down there when I went down to look after some land that they wanted to buy, or rather that John Medweosh's daughter wanted to buy, and they were squatting on other people's land.

The CHAIRMAN. Now, so far as you know, is there any difference in the relation to Bad River, or the Bad River Indians, of those St. Croix Indians who have been received by the Bad River Indians, and those whom they have not received?

Mr. CAMPBELL. No, sir; I think the same relations exist. They have taken in some. They are Chippewa Indians, belonging to Lake Superior. Where they have taken in one the others have the same rights as that one has. I think they have more rights than those from Michigan.

The CHAIRMAN. But you do not know of anything in the relation of those Indians to the Bad River Agency, or the Bad River Indians, that would be any reason for taking in some of those and not taking in others of them; that is, so far as you know?

Mr. CAMPBELL. So far as I know I can not see any difference.

The CHAIRMAN. Have you any idea what band these people were originally with, or a part of?

Mr. CAMPBELL. No, sir, I could not speak as to that. They are in colonies. Some of them have told me that they have lived here for years and years.

The CHAIRMAN. On the St. Croix?

Mr. CAMPBELL. Yes, sir, along the St. Croix River, working in the woods, and some went on the drive; the Indians are good drivers—driving logs, I mean, in the river, and that is all gone, so that they have not even that to fall back on.

The CHAIRMAN. About what opportunity would there be for the younger ones to get work where they are at present located; I suppose there would be some farm work that they could get employment from?

Mr. CAMPBELL. Yes, sir; I suppose so.

The CHAIRMAN. Is it anywhere enough to go around among them if they wanted to work?

Mr. CAMPBELL. No, sir; I do not think so.

The CHAIRMAN. What is the character of the farms through which these Indians are scattered?

Mr. CAMPBELL. Those homesteads are taken up by the white men and foreigners have gone in there and cut over the land. Most of it is cut-over land.

The CHAIRMAN. And small clearings, I suppose, as a rule?

Mr. CAMPBELL. Yes, sir; and some good farms.

The CHAIRMAN. What I was endeavoring to ascertain was whether the farming was of a character that these people could, if they wanted to, work easily and get their living by working for farmers?

Mr. CAMPBELL. I do not think they would have sufficient to keep them comfortable, because the farmer only has work at certain times of the year. It is not like in the city where men work in a manufactory.

The CHAIRMAN. Do you know anything of the manner in which Mr. Allen made up his roll?

Mr. CAMPBELL. Yes, sir; I know something of it; I have a kind of general idea of it because he consulted me some with respect to it. He did all the detail work on it. I was first ordered to make the roll up and I wrote to the commissioner that I did not have time to attend to it. And another thing, I did not want to make up a roll; I would rather an outsider, who had nothing else to do, should make up the roll. He came down here to Shell Lake and spent quite awhile

here taking the testimony of all those who were put on the roll, as far as I know.

The CHAIRMAN. Approximately how long was he here?

Mr. CAMPBELL. He must have been here two months. He was here off and on. He went to Duluth and left the stenographer here to take testimony for him. He went to ship some coal. He was up there off and on and came back here, so that he must have been here altogether two months, or nearly that.

The CHAIRMAN. What do you know of his having gone out among them?

Mr. CAMPBELL. He made this his headquarters, and they came in here. Then I think he went to Ballston Lake, in Polk County; whether he went to Grantsburg I do not know, although I do not think he did. But he was at Ballston Lake. I do not know whether he was at Cumberland or not, but I know for a certainty that he was here and at Ballston Lake.

The CHAIRMAN. During this time was he more or less consulting with you?

Mr. CAMPBELL. No, sir; I visited here myself once when he was here to see how he was doing and how he was taking the evidence, etc.

The CHAIRMAN. Now, as to the Downs list, after Downs made it up the Bad River Indians still protested against it, did they?

Mr. CAMPBELL. They are here to-day and can say for themselves—a great many of those who were on that committee. They can give you better information in regard to that than I, because I did not take any part in it.

The CHAIRMAN. Except that you know that the Downs list never was carried out and the Allen list was subsequently made?

Mr. CAMPBELL. That is all.

The CHAIRMAN. What was your understanding of why it was not approved?

Mr. CAMPBELL. Because there were objections made to it, I think; that is, as far as I know. I never took any part in the revision under Major Downs; he did that himself entirely. He was at Odanah all the while he was doing it, and then went off and I believe came back. There are several of the chiefs here who know about that.

The CHAIRMAN. Do you know whether the names on the Downs list were submitted to the council—each name?

Mr. CAMPBELL. It was before Downs had anything to do with it. There was an open council held in Odanah and the list was read of the names of the Indians. I read the names of the Indians and the description of their allotments, and then asked in open council if anyone had any objections to offer.

The CHAIRMAN. You say that was before Downs had revised it?

Mr. CAMPBELL. Before Downs revised it; yes, sir; and then afterwards it was sent in.

The CHAIRMAN. One minute. Were any names afterwards put on by Downs that were not on the list originally?

Mr. CAMPBELL. I could not say as to that, because I do not know what Downs did in the revision of that list, but there are parties here who can state as to that.

The CHAIRMAN. After the Downs list was made up could you say whether it was approved by the council or not?

Mr. CAMPBELL. I could not.

The CHAIRMAN. In making the selections, as they appear on the Allen list, do you know whether these St. Croix Indians, or any of them, employed anyone to make those selections?

Mr. CAMPBELL. No, sir; those selections were made by Allen himself.

Senator LA FOLLETTE. Do you mean that they did not employ anyone, or that you do not know whether they did or not?

Mr. CAMPBELL. I do not know that they employed anyone. As to the unallotted land on Bad River, we had some cruisers to go on and estimate the amount of timber that was left, and from that estimate I think Mr. Allen obtained his information in dividing up the allotment among them all.

The CHAIRMAN. Approximately how much unallotted land is there now on Bad River?

Mr. CAMPBELL. I can not tell you from memory.

The CHAIRMAN. Have you no idea?

Mr. CAMPBELL. I could not tell you. There must be four or five hundred eighties—between four and five hundred, I think, that is unallotted now. That is on the list; it is all on the list pretty much except some little swamp land.

The CHAIRMAN. Then there would be at least enough to allow an eighty to each name on the Allen list?

Mr. CAMPBELL. No, sir; there is not; not to all of them.

The CHAIRMAN. I thought there were about 400 names on the list.

Mr. CAMPBELL. There are five hundred and some names on the Allen list. Some only received 40 acres. If it was heavily timbered, he divided up the forties and eighties and gave them some timber and then gave them some land that had no timber.

The CHAIRMAN. I was trying to get at the area to meet this.

Mr. CAMPBELL. No, sir; I do not think they all had an eighty.

The CHAIRMAN. All the Indians that are classed as Bad River Indians have their allotments, have they not?

Mr. CAMPBELL. I think the majority of the adults—in fact all the adults have. There may be some children born since which, under the new law, would give them an allotment.

The CHAIRMAN. What I was endeavoring to ascertain was about how much land there was, and how many there were left unprovided for.

Senator LA FOLLETTE. Do you recall what time Mr. Allen came here to make his investigation?

Mr. CAMPBELL. Of these St. Croix Indians?

Senator LA FOLLETTE. Preparatory to making this roll; do you recollect the date?

Mr. CAMPBELL. No, sir; I can not tell you.

Senator LA FOLLETTE. Do you remember the year?

Mr. CAMPBELL. No, sir; I can not state that without referring to the roll.

Senator LA FOLLETTE. Do you remember about what time in the year it was?

Mr. CAMPBELL. Yes, sir; it was in the fall of the year.

Senator LA FOLLETTE. He made this his headquarters and took testimony here?

Mr. CAMPBELL. Yes, sir; and in Polk County—two places that I know of.

Senator LA FOLLETTE. How much time did he spend here, in so far as you personally know?

Mr. CAMPBELL. He must have been here nearly a month, I think, at Shell Lake; or his stenographer was here.

Senator LA FOLLETTE. I am speaking of Mr. Allen himself.

Mr. CAMPBELL. I could not tell what time it was.

Senator LA FOLLETTE. I wanted to know what personal supervision he gave to this work.

Mr. CAMPBELL. He was here two or three weeks, I should think.

Senator LA FOLLETTE. Do you know how much of the time he was away?

Mr. CAMPBELL. No, sir; I could not tell you.

Senator LA FOLLETTE. You were not here yourself?

Mr. CAMPBELL. No, sir; I was not.

Senator LA FOLLETTE. You visited him once while he was doing that work, I understand?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How long did you remain?

Mr. CAMPBELL. Just one day. He was not here at that time; he was at Duluth shipping coal at that time. I came down to see if the stenographer was doing what was right in securing the evidence, and to see her. She was from my office.

Senator LA FOLLETTE. In what form was the evidence taken by Mr. Allen; was it through examination of individual Indians who appeared here, and their statements taken by the stenographer?

Mr. CAMPBELL. I believe so—affidavits and everything.

Senator LA FOLLETTE. Was it in the form of an affidavit or was it taken in the form of questions and answers?

Mr. CAMPBELL. It was questions and answers, I think, and it was then sworn to. I think that was the way.

Senator LA FOLLETTE. If Mr. Allen was absent during any of the time that this investigation was being made, this work was done by the stenographer instead, was it?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. So that whatever was done, was done by Mr. Allen or this stenographer?

Mr. CAMPBELL. Yes, sir; and the affidavits, or a good many of the affidavits, I think, were taken by Judge Mead when Mr. Allen was absent. I think Judge Mead administered the oath in each case; I think so—I am very certain of it, because the Judge told me he had in a communication to me. He is here and can testify in regard to that himself.

Senator LA FOLLETTE. My attention was diverted during a portion of the time you have been testifying. Were you asked whether these Indians employed some one to make selections for them?

Mr. CAMPBELL. Yes, sir; I think I was asked that.

The CHAIRMAN. Yes; he was asked that.

Senator LA FOLLETTE. What was your answer?

Mr. CAMPBELL. My answer was that I did not think there was; I do not think they employed anybody. They may have done it.

Senator LA FOLLETTE. May they have made such engagement with other people without your knowledge?

Mr. CAMPBELL. Yes, sir; they might have.

Senator LA FOLLETTE. And is it possible that they may have been defrauded in that way?

Mr. CAMPBELL. I could not tell you anything about that.

Senator LA FOLLETTE. Have you ever, directly or indirectly, heard that some of the Indians did pay money to some one to make selections for them, or some one who would aid them in making selections, and never got any selections?

Mr. CAMPBELL. Well, I have heard that rumored, but I could not tell you as to it.

Senator LA FOLLETTE. You have not investigated it yourself?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. And you do not know of your own knowledge anything about it?

Mr. CAMPBELL. No, sir. I have simply heard the rumors.

Senator LA FOLLETTE. Did you make any personal investigation yourself with respect to the eligibility of any of these Indians to this roll?

Mr. CAMPBELL. No, sir; not of the St. Croix.

Senator LA FOLLETTE. When you were asked to do it, you replied to the department that you were so burdened with other things that you could not undertake that work, and the department sent Mr. Allen to do the work?

Mr. CAMPBELL. Yes, sir; and he did all the detail work.

Senator LA FOLLETTE. He did all the detail work and you had no supervision over it, except that you did come here once, in his absence, to see whether the stenographer was doing the work properly?

Mr. CAMPBELL. Yes, sir; he consulted me. I would talk with him in a general way with regard to the way of taking the depositions.

Senator LA FOLLETTE. How often did you see him during the one or two months he was here at Shell Lake; you were here just one day, but did you see him elsewhere during that period of time?

Mr. CAMPBELL. I think not. I do not remember that I came here.

Senator LA FOLLETTE. Did you advise the department prior to Mr. Allen's being here that there were Shell Lake Indians here who had some rights with respect to enrollment and that they ought to be enrolled, or that there ought to be an investigation with reference to it?

Mr. CAMPBELL. Yes, sir; a long while before this list was ever talked of. The way it came up was that there were a great many of these Indians, especially among the half breeds, who had taken up forties and eighties off the reservation. They were canceling them, and I was fighting this matter with the department, asking them not to cancel them.

Senator LA FOLLETTE. That is, the department was canceling their selections?

Mr. CAMPBELL. Yes, sir; under the law that they had to cancel them, and under the ruling of the Secretary of the Interior. That was the way these St. Croix first became known to the department; it was through that, and not this list.

Senator LA FOLLETTE. That was all prior to Allen's doing his work?

Mr. CAMPBELL. Yes, sir; altogether; and that is the way the attention of the department was called to this matter.

The CHAIRMAN. Is it your understanding that there is any claim that the names on the Allen list are not properly there of people who are of Indian blood and of Chippewa stock?

Mr. CAMPBELL. No, sir.

The CHAIRMAN. I wanted to show that there was no issue on that point; that the people whose names appear on the Allen list are all people who are of Indian blood and of Chippewa stock.

Mr. CAMPBELL. I desire to state this before this committee that there is no controversy here in regard to the Bad River Indians keeping these Indians off. I want to bring the matter before this committee to show the condition of these St. Croix Indians. If they are not permitted to take allotments on the Bad River Reservation something should be done for those poor unfortunate creatures. That is all the interest I have in the whole matter.

Senator LA FOLLETTE. In your correspondence with the department prior to Mr. Allen's coming here, when you urged upon them the sending of some one else, was that solely because you were occupied with other matters and your time was fully taken up, or did you have other reasons for not wanting to do the work?

Mr. CAMPBELL. The principal reason was that I had sufficient work to occupy me, if I was to do it properly, without attending to this, because it took a great deal of work and a great deal of time. Then, too, I did not think an agent ought to be placed in the position of making up a list such as that was, where a controversy had arisen between Indians outside of his agency with Indians that he had control over. That was another reason. Those are the two principal reasons.

Senator LA FOLLETTE. Were there any other reasons?

Mr. CAMPBELL. Not that I can recall.

The CHAIRMAN. Mr. Holcombe, we would be pleased to have you, while you are with us, either here or elsewhere, ask any questions that you care to put in the record, and you can do so now or at a later time. I want you to feel that you are at perfect liberty in this respect.

Mr. HOLCOMBE. I thank you, Mr. Chairman. I do not care to ask any questions at this time.

The CHAIRMAN. Mr. Sanborn, you may ask any questions that you care to ask.

Mr. SANBORN. Major, I understand you to say that the first question that came up with the department about the St. Croix Indians was when they were canceling their homestead entries?

Mr. CAMPBELL. Not homestead; it was scrip entries. I do not know how they got them, but a few of them, half breeds, have scrip filed, but have not patents to some forties along through the country. They were public lands, and they were canceling those.

Mr. SANBORN. Do you think that was a scrip entry?

Mr. CAMPBELL. I do not know what it is; I do not know what the law is in that respect. It is not scrip—not what we call scrip.

Mr. SANBORN. It is not stone and timber land?

Mr. CAMPBELL. No, sir.

Mr. SANBORN. Nor homestead?

Mr. CAMPBELL. No, sir.

Mr. SANBORN. The only other scrip that we have, or were ever known to have, is scrip that we buy.

Mr. CAMPBELL. That is not it. There was a law—I think you will find it somewhere—passed by Congress by which an Indian who had no allotment on any reservation could take up 40 or 80 acres of land outside.

Mr. SANBORN. That is, he did not have to live on it?

Mr. CAMPBELL. No, sir; he ought to live on it; he could not use it for any other purpose except that of making it a home. He could not cut the timber for twenty-five years; there was a limit of twenty-five years. I think I have seen some of the patents that provided twenty-five years before they could cut it.

Mr. SANBORN. Have the St. Croix Indians been taking some of this land?

Mr. CAMPBELL. I do not know of any of these people who have.

Mr. SANBORN. But some in connection with these here have?

Mr. CAMPBELL. Some have. Some have been allotted.

Mr. SANBORN. And that was what first called the attention of the department to these St. Croix Indians?

Mr. CAMPBELL. Yes, sir. I called it to the attention of the department. I said I did not see any reason why they wanted to cancel it because there was a little bit of timber in it; the Government was no better off. The lumbermen skinned the timber off and let it go back with taxes and let the Indian keep it, and that satisfied that one Indian. That was my argument with respect to that. Then I would suggest the point that there are hundreds of these people on the St. Croix River who were having their living taken away—hunting, fishing, trapping, and berrying; they could not do anything; they were living on dead mush roots.

Mr. SANBORN. In that connection did you suggest to the department that they should have allotments on Bad River?

Mr. CAMPBELL. I do not know whether I did or not.

Mr. SANBORN. Is it not a fact that in the correspondence with the department, after this Downs roll was returned to the department, you called attention to the fact that there were a whole lot of full-blood Indians on the St. Croix Reservation who were not on that roll?

Mr. CAMPBELL. I should not wonder.

Mr. SANBORN. Is that not what caused the correspondence—that you were to make up a new roll and put them on, or they would send out a special agent?

Mr. CAMPBELL. It may be.

Mr. SANBORN. And it was for the purpose of putting these full bloods, so called, of the St. Croix on, that Allen was sent out here by the department, was it not?

Mr. CAMPBELL. No, sir; they were fighting over this Downs roll the same. I do not think it was especially for the purpose of putting these St. Croix Indians on.

Mr. SANBORN. Had not Major Downs settled all the difficulty as to that roll so that it was ratified by the council before it was returned to the department?

Mr. CAMPBELL. I can not tell you; I was not at the council.

Mr. SANBORN. Did you not call attention to the fact that there were full-blood St. Croix Indians who were not on this list that you thought ought to be on and that this Downs list was to extend practically to Bad River?

Mr. CAMPBELL. If I have written any such thing the records will show it.

Mr. SANBORN. Is that not your recollection of it?

Mr. CAMPBELL. I could not tell you.

Mr. SANBORN. You had been contending for some little time, had you not, that these full bloods out here should be on the Bad River roll?

Mr. CAMPBELL. Not on the Bad River roll; that same roll. I wanted to get them on before the Fond du Lac Reservation was thrown open. I wanted to get them over there and get them allotments there. That is in Minnesota. That is Chippewa, and they were throwing it open for the white men to settle, and I wanted all these St. Croix Indians to get an allotment over there before it was thrown open to the white men.

Mr. SANBORN. But you had been contending for some little time that they should go on to some allotment somewhere?

Mr. CAMPBELL. You bet I have. I do not go back on that. My sympathies are with them. I was looking after them.

Mr. SANBORN. You spoke of John Medweosh's family having been put on the Bad River roll. Do you know of any others that were put on?

Mr. CAMPBELL. I could not call them to memory.

Mr. SANBORN. Do you not know it to be a fact that the children of John Medweosh had lived up there at Odenah?

Mr. CAMPBELL. I can not tell you as to that.

Mr. SANBORN. Is it not a fact that they had gone to school there and married into that band?

Mr. CAMPBELL. They may have.

Mr. SANBORN. Is that not the reason they were taken on to that list?

Mr. CAMPBELL. I could not tell you, because it was all done before I came here.

Mr. SANBORN. Do you know how many lists have been made?

Mr. CAMPBELL. No, sir; not from memory.

Mr. SANBORN. You know, as a matter of fact, that nearly three-fourths of the reservation had been allotted before this Downs list was made, do you not?

Mr. CAMPBELL. Yes; I guess it must have been three-fourths. There have been 392, I think, allotted since I have been agent. I have just had one list made up since I have been agent.

Mr. SANBORN. That is what is known as the 1887 list?

Mr. CAMPBELL. Yes, sir; it is known as the "Women's and children's list," after that act was passed.

Mr. SANBORN. After the act of 1894 that allotted children that were born afterwards?

Mr. CAMPBELL. No, sir; February 11, 1901.

Mr. SANBORN. It was the 1901 list?

Mr. CAMPBELL. Yes, sir.

Mr. SANBORN. Now, I understood you to say that all of the adults you thought were allotted prior to the Downs list on Bad River Reservation?

Mr. CAMPBELL. No, sir; they would be on this list; they would have allotments on this list.

Mr. SANBORN. You do not mean to say that this is only the children's list here?

Mr. CAMPBELL. No, sir.

Mr. SANBORN. That is, there are adults on this list?

Mr. CAMPBELL. Yes, sir.

Mr. SANBORN. Do you know of any Bayfield Indians that are on the Downs list?

Mr. CAMPBELL. Yes, sir; I know of one; I can recall one name. I think his name is Robert Morrin. There are some people here from Bad River who can give you information in regard to that.

Mr. SANBORN. Do you know of any Michigan Indians on the Downs list?

Mr. CAMPBELL. I do not.

Mr. SANBORN. The Michigan Indians, as I understand, were put on some prior list?

Mr. CAMPBELL. Yes, sir; before I came here.

Mr. SANBORN. The best part of the timber on that reservation was allotted prior to the Downs list, was it not, with the exception of section 16?

Mr. CAMPBELL. There are some good allotments there now. Some eighties will cut a million feet.

Mr. SANBORN. But the best allotments?

Mr. CAMPBELL. Oh, the very best of the timber is gone; that is, the very first. The cream was cut away years ago.

Mr. SANBORN. As you understand it, the La Pointe or Bad River band of Indians went to Bayfield to get their rations way back in the early days.

Mr. CAMPBELL. Whenever they issued them. That is my information.

Mr. SANBORN. Do you understand there were ever rations issued at Bad River or Odanah?

Mr. CAMPBELL. I have been informed that there have been some, and are some issued there now. These old chiefs will give you information about that better than I can.

Mr. SANBORN. Is there any settled or set point of issuing rations, that you know of?

Mr. CAMPBELL. I could not tell you.

Mr. SANBORN. As to these Indians here, do you know whether they have any chief or organization—the St. Croix?

Mr. CAMPBELL. I could not tell you. I suppose there is a headman among them—a colony. They generally look to one man. The tribal relation is strong among them, just as the others. They have a headman to look after them.

(The witness was thereupon temporarily excused.)

L. H. MEAD, county judge at Shell Lake, having been first duly sworn, by the chairman, testified as follows:

The CHAIRMAN. You live here in Shell Lake?

Mr. MEAD. I do; yes, sir.

The CHAIRMAN. How long have you lived here?

Mr. MEAD. I have lived here nearly twenty-seven years.

The CHAIRMAN. Do you recall the time that Mr. Allen was here making a roll of what we call the "St. Croix Indians?"

Mr. MEAD. I do.

The CHAIRMAN. You were here more or less at that time?

Mr. MEAD. I was here during all of that time.

The CHAIRMAN. You may state as to your observation of his participation in the work in connection with the roll.

Mr. MEAD. Mr. Allen first came here, but he had, before coming here, written to me and Mr. Lone Star also, I think, requesting us to have as many of the Indians congregated here as possible for the purpose of making applications and taking corroborative affidavits. There was an application and an affidavit appended to the bottom of each application, and there and then there were corroborative affi-

davits taken besides. He wrote us that he would like to have us send word to all the Indians to congregate as many as could here, others at Grantsburg, and others at Balsam Lake, and that he would meet them on certain days at different places for the purpose of making these applications and taking the corroborative affidavits appended to the applications. Word was sent out to all of them, and he came here. The first day he was here—he was here several days that time—and he had the town hall up here, and he examined the Indians there. I think his wife assisted him while he was here at first; she was of Indian blood.

The CHAIRMAN. Chippewa, do you know?

Mr. MEAD. I think not. I think she came from somewhere in Kansas. I think he had a young lady stenographer come here—she may have come with him at first—my remembrance is that she came down from Major Campbell's office and she did most of the work here, that is, did most of the taking of the affidavits and the filling out of the applications, with the aid of the interpreter; and she did it in the absence of Mr. Allen. He was here perhaps two or three days, I guess, altogether. He claimed I remember that he had a matter of distribution of coal to make—coal was shipped in to Superior, and he had to send it to several public institutions where Indians were congregated for schools and so forth, so that he was away for most of the time.

The CHAIRMAN. How long was this stenographer here?

Mr. MEAD. I should say she was here the better part of two months. She was away once or twice during the time.

The CHAIRMAN. How did she appear, capable?

Mr. MEAD. She appeared to me to be a very bright little woman, and I had an opportunity to see. She would examine ten or fifteen of the applicants with their witnesses and she would then bring them with the papers and documents and the interpreter—I think Mr. Lone Star here was the interpreter during all that time—to make their oaths, and I had to examine them as to the contents of the affidavits and applications through Mr. Lone Star—those who could not talk English. They were sent to me and I took the acknowledgments of nearly all of them when Mr. Allen was not there. One or two days I was away I think when Mr. Ryan took some of the acknowledgments and the affidavits.

The CHAIRMAN. How near here do any considerable number of these St. Croix Indians live?

Mr. MEAD. Well, some of them live right here, and they live all around through this country, everywhere—scattered throughout the country—at Grantsburg, out here at Hertel, in Burnett County; out in Polk County, and I think there are some at Turtle Lake and in and about Balsam Lake, and there is quite a settlement at St. Croix Falls; at the mouth of the St. Croix, and at what we call Ducktown, on the St. Croix—so they are scattered all through the country—a good many of them live right over here within five or six miles. One of the places of congregation is out here at a place owned by an Indian by the name of Augustus Lagrew—out here about five or six miles.

Senator LA FOLLETTE. State what, if anything, you know, Judge Mead, about the Indians having employed men to assist them in making locations and having paid for the service.

Mr. MEAD. Well, many of these Indians around here represented to me, principally through Mr. Lone Star—because they are mostly full blooded and illiterate—that they had gone, after these applications and affidavits had been taken, to Odanah, or had seen men who claimed to be interested there, and they had paid them anywhere from $50 to $15 to make selections for them, that their applications would attach to when allowed by the department.

Senator LA FOLLETTE. Lone Star told you that?

Mr. MEAD. Lone Star told me that.

Senator LA FOLLETTE. Is Lone Star here now?

Mr. MEAD. Lone Star sits right here by me. Mr. Lone Star is a full-blooded Chippewa Indian, educated at Carlisle, and he is the one we usually use as an interpreter. These Indians came to the office with him and made those statements. These Indians are very poor, and what they stated was that they had paid out their money, and they did not see now why they could not get something. You understand, there is nothing here for the Indians, as there was when I came here twenty-seven years ago. Practically all the blueberry fields are fenced in, the cranberry marshes are owned by other people, and a great many of the cranberry marshes are turned to use for hay meadows. The fishing that they had then has been taken charge of by the sporting element from the cities; and deer, duck, and game have all been driven farther west and north.

Senator PAGE. Generally speaking, what is their method of obtaining a livelihood?

Mr. MEAD. Now?

Senator PAGE. Yes.

Mr. MEAD. They do anything that they can get to do. These Indian boys could not go on to one of our farmers, generally speaking, and get work as quick as a white man could, though there is nothing about the Indian boys about here that need reflect upon one hiring them. I will say this of our Indian bands around here: I have known of very few cases of theft of any kind. I am sorry to say that some of them will steal whisky; but when it comes to taking a man's property, or anything of that kind, these Indians won't do it. They will not do as the white man will do—go from door to door and beg; they will come to you and tell you that they are starving, or that their families are starving, and ask if you will lend them a dollar or fifty cents, or if you will give them a slip of writing to some store where they can get some groceries, and, if it is possible for them to do it, they will pay it back. They aren't beggars; they are not paupers; they are honorable and honest. You can see that by the jail records and by the prison records. You do not find any per cent of them that are there.

Senator LA FOLLETTE. You did considerable work in connectic with this Allen roll?

Mr. MEAD. I did, sir; I did nearly all of it.

Senator LA FOLLETTE. In taking the affidavits of these Indians?

Mr. MEAD. Yes, sir.

Senator LA FOLLETTE. That extended over a period of some two months?

Mr. MEAD. I should think as long as that. Some days it took hours of my time examining the witnesses through an interpreter.

Senator LA FOLLETTE. Were you ever paid anything by either the Indians or by the department for doing any of that work?

Mr. MEAD. No, sir; the Indians had nothing to pay me with. They did not ask it. Mr. Allen asked it.

Senator LA FOLLETTE. Mr. Allen asked you to perform that service?

Mr. MEAD. Yes, sir.

Senator LA FOLLETTE. Have you written to the department?

Mr. MEAD. I have written to Mr. Allen and to Major Campbell. Major Campbell says he has no funds. Mr. Allen says he has not anything. The department says it doesn't know. These Indian people around here come to me. They have not anything to pay with, and I never charge them. Mr. Lone Star says he wants a statement made by me corrected—that these people had paid for having the selections made. It appears there that there was a complaint of the Odanah people through him to me that they were attempting to right.

Senator LA FOLLETTE. That is in regard to payments for selections?

Mr. MEAD. Yes, sir. Of course, I have no knowledge of where any of these people complained.

Senator LA FOLLETTE. That testimony would not relate to these Indians here, the St. Croix.

Mr. MEAD. No; not unless Mr. Lone Star can explain that.

The CHAIRMAN. Do you know yourself anything about Major Allen making assignments of lands?

Mr. MEAD. Not of making assignments. I only know of his methods of taking applications. If he made any assignments, he made them in his office.

Senator LA FOLLETTE. In what way was testimony taken as a basis for this enrollment—was it taken by question and answer and a record made of it, or was it by affidavit?

Mr. MEAD. There were printed-form affidavits—no, I think the affidavits, as I recall it, were all made on the typewriter by the stenographer, and they were made by this young lady that was here and brought to my office, and I went over the questions and answers. The questions were all the same on each blank and, as I remember it, it asked the names of the heads of the families and the names of their ancestors, and what blood they were; that is, what degree of Indian blood and of what tribe, whether or not they had allotments on any reservation or taken up any other, too, I think. You see they had taken allotments off the reservations sometimes. Those questions were asked of the applicants, and then the witnesses were asked questions in corroboration of that, and they were then brought to my office by the stenographer—that is, when Mr. Allen was not here—and they signed those in duplicate; that is, a copy was kept, and it may have been in triplicate, but nearly all that was done in my office. I compelled them to make them in duplicate—duplicate originals. I remember the stenographer saying she only wished a copy made of it; but I made them in duplicate, those that were made with me. The affidavits in corroboration of the applicants were in narrative, but I think it was all in typewritten form.

Senator LA FOLLETTE. Would that be reduced to narrative form or would there be typewritten answers to certain questions in the printed blank—or was it a printed blank? What I am trying to get at is whether the stenographer exercised any judgment or discretion

in the making of these records, whether she conducted an examination by questions and answers and then reduced it to narrative form.

Mr. MEAD. She conducted an examination by questions and answers.

Senator LA FOLLETTE. With questions of her own or prepared for her by Mr. Allen or the department?

Mr. MEAD. The questions, as I remember it now, were prepared for her and she either had printed blanks on which to fill out the answers to the questions or else she had a form that had been made by him at his dictation. I would not say which as to that. I did not pay particular attention.

Senator LA FOLLETTE. Did she pass upon the sufficiency of the record she made up as to whether an Indian in a given case should be enrolled?

Mr. MEAD. I don't think so.

Senator LA FOLLETTE. Who did that?

Mr. MEAD. That was done at some place other than here.

Senator LA FOLLETTE. Later?

Mr. MEAD. Yes, sir. I know the information was not given out to the Indians because they have been to my office hundreds of times since to ask me if they were on the roll and what land they were going to get and where they were going to get it.

Senator LA FOLLETTE. Can you tell approximately how many Indians were examined whose testimony was reduced to writing?

Mr. MEAD. I should say two or three hundred. I should say upward of 300 during all of that time. I may be radically wrong in my estimate.

Senator PAGE. As I understand you, these were stereotyped questions.

Mr. MEAD. Yes, sir; that is, so far as the young lady was concerned.

Senator PAGE. Was there any attempt made to go outside of these stereotyped questions?

Mr. MEAD. Not in my presence. I was up there while she was examining several times. They were the same questions over and over again.

Senator PAGE. You said something as to the heads of the families. Were questions and answers taken from husband and wife in each case, or simply from the male?

Mr. MEAD. Not in all cases. Sometimes from the male and sometimes from the female. Anyone that made application, as I remember it, called his or her two witnesses, as the case may be, to give testimony relative to his or her tribal relations. Those affidavits, of course, are in existence, and I presume you gentlemen have them.

Mr. HOLCOMBE. Were any of these applications sent out to the Indians to be filled in?

Mr. MEAD. Sent away to be filled in?

Mr. HOLCOMBE. And returned by mail, or given out so as to be made out outside of the office.

Mr. MEAD. Not to my remembrance. This young lady brought the Indians to me and had them sign right in my office.

Mr. HOLCOMBE. Were they all prepared by her?

Mr. MEAD. They were all prepared by her. There may have been an occasional question—in some of them it seems to me there was a question—and I filled out an answer after they came there by asking the question. If I would see anything I would do that.

Mr. HOLCOMBE. What is the objection to the employment of Indians?

Mr. MEAD. The only objection is this, that a farmer out here, for instance, would not hire an Indian to work for him as quickly as he would hire a white man, as a general proposition.

Mr. HOLCOMBE. And yet he will extend them aid.

Mr. MEAD. They are obliged to extend the aid, more or less. On the other hand, you will understand that you may go all through all of these towns here in Wisconsin—we have what we call the "Poor system," whereby any paupers or those needing immediate aid can be assisted by the town, paid out of what we call our "town poor fund;" some have a county poor fund and it is the same with the towns in some counties in the State—and you won't find in this whole northwest country a dozen families that have ever gone to the town and asked for aid. They don't do that. They eke out an existence in some way rather than do it; while a white man says, "Here, I want something for my family," and gets it from the poor fund. Of course, they don't train with the white people. Their methods of life and habits are different from the white people. They don't associate together very much. They don't associate any in a social way, and I suppose that is the principal reason why they don't. They aren't, as a rule, considered as good workers at all kinds of work. They are good drivers, and the young men, many of them, are our best drivers on the river; quick, sprightly, active.

Mr. SANBORN. No questions.

ADDITIONAL STATEMENT OF SAMUEL W. CAMPBELL.

SAMUEL W. CAMPBELL, having been recalled, testified as follows:

The CHAIRMAN. Do you know anything about some of these affidavits and applications being thrown out?

Mr. CAMPBELL. Yes; there were more Indians examined than ever was put on the roll.

The CHAIRMAN. After the examination made by Mr. Allen, were papers brought to your office?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Was a list made up there?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Have you any idea how many were thrown out?

Mr. CAMPBELL. I could not tell you that.

The CHAIRMAN. On what grounds do you understand they were thrown out?

Mr. CAMPBELL. He put in those, I think, that he thought were full bloods, more full bloods than any others—and in destitute condition and should have help—or three-quarter bloods. I think he took that into consideration.

The CHAIRMAN. Do you understand that he threw out any on the ground that they were not of Indian blood and not of Chippewa stock?

Mr. CAMPBELL. No. All the testimony he took was of Chippewas.

The CHAIRMAN. That is understood. What he threw out was on the ground that they were not so needy.

Mr. CAMPBELL. Not so needy, and he didn't want to put so many on the roll because he wanted to keep all on the roll that were on the Downs roll. He didn't want to throw any of those off except those

who had died in the interval; wanted to maintain and get them an allotment on that roll; and we could not put them on, because there were 600—I think there were 600 St. Croix Indians that participated in this extra payment that I was telling you about—I think there were about 600, so we could not do that. Out of that whole lot, only 132 or 133 were put on the roll. He took the evidence of double that number, I think. Mr. Allen could tell you that much better than I could. I could not tell you coming down to figures, because he had the details of it already.

The CHAIRMAN. Only you do know that more were thrown out than were retained on the roll?

Mr. CAMPBELL. More examined than were put on the roll.

The CHAIRMAN. And that they were thrown out simply on the ground that they were less needy than those who were retained?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Are these affidavits now in your office?

Mr. CAMPBELL. I couldn't tell you. I think we sent them to the department. The department has written to me two or three times, saying they could not find them.

Senator LA FOLLETTE. Have you made search for them?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. In your office?

Mr. CAMPBELL. Yes; and could not find them.

The CHAIRMAN. As near as you could tell now, how many of these St. Croix Indians are there who would be entitled to enrollment and allotment, if any of them—that is, of the same class as these that are in the Allen roll?

Mr. CAMPBELL. There are about five or six hundred that have got Indian blood in them who have never had anything from the Government in any form except to go to the Lakes and participate in the food and blankets in the early days, and who participated in this extra payment I made since I have been agent.

The CHAIRMAN. How much was that extra payment?

Mr. CAMPBELL. $5.74.

Mr. SANBORN. Was there anything in these affidavits by which you, in your office, could tell that one was more needy than another?

Mr. CAMPBELL. No. Mr. Allen was in personal contact—he and his stenographer—with these Indians. That was left entirely to him.

Mr. SANBORN. You think he took some evidence on that subject not included in the affidavits?

Mr. CAMPBELL. I don't know about that.

Senator LA FOLLETTE. Either that or the impression made upon his mind in seeing them.

Mr. CAMPBELL. Yes.

Mr. SANBORN. Did you use your judgment or your knowledge?

Mr. CAMPBELL. I didn't take any interest in that part as to who was put on, because I wasn't in a proper place to do so, and another thing is——

The CHAIRMAN. You did not do it?

Mr. CAMPBELL. No.

Mr. SANBORN. The department charged it up to you.

Mr. CAMPBELL. That is all right.

Mr. SANBORN. What reservations have the Chippewa Indians, just name the reservations that they have.

Mr. CAMPBELL. The La Pointe Agency.

Mr. SANBORN. The Chippewa Indians you speak of, what reservations have they?

Mr. CAMPBELL. There is Lac du Flambeau, Bad River, Lac Courte d'Oreilles, Red Cliff, Fond du Lac, Green Bay, Net Lake and Boise Fort. That was the original La Pointe Agency. They were the seven reservations when I came here. Then there is White Earth—oh, I don't know how many.

Mr. SANBORN. How many, in your judgment, would these Indians have as much right to an allotment on, if it was open, as another?

Mr. CAMPBELL. I don't know that.

Mr. SANBORN. They would have just as much right on the Lac Courte d'Oreilles as on Bad River.

Mr. CAMPBELL. I think the treaty is a little different there. The Bad River Reservation was set aside for the Chippewa Indians of Lake Superior and for those who would come in and live with them.

Mr. SANBORN. There was no other reservation set aside for Wisconsin bands?

Mr. CAMPBELL. I don't know.

Mr. SANBORN. And that would include this band.

Mr. CAMPBELL. I don't know.

The CHAIRMAN. Was this stenographer there when these applications were gone over and the list made?

Mr. CAMPBELL. Yes, in my office.

The CHAIRMAN. Do you know where she is now?

Mr. CAMPBELL. She is now in Iowa. She is out of the service.

(The witness was thereupon excused.)

STATEMENT OF LONE STAR.

LONE STAR, a St. Croix Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. How old are you?

Mr. LONE STAR. Thirty-eight.

The CHAIRMAN. You are a Chippewa Indian?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Of what extent of blood?

Mr. LONE STAR. Full.

The CHAIRMAN. Full?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Where were you born?

Mr. LONE STAR. Out here at a place called "Bashaw," seven or eight miles west.

The CHAIRMAN. You were educated at Carlisle?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Except for the time you spent at Carlisle, have you spent the balance of your life here?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Do you know of the Chippewa Indians known as the St. Croix Indians?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Have you lived with them?

Mr. LONE STAR. Yes, sir; I live among them.

The CHAIRMAN. Among them?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. What is your understanding of any former affiliations af the St. Croix Indians as to any of the bands of the Lake Superior Chippewa Indians—did you understand the question?

Mr. LONE STAR. No; I really don't.

The CHAIRMAN. What is your understanding as to what one of the bands of Superior Chippewa Indians the St. Croix Indians ever belonged to or came from?

Mr. LONE STAR. The Indians claim they came from Lake Superior, these old people.

The CHAIRMAN. You understand that what we call the Lake Superior Indians were divided into bands, were they not?

Mr. LONE STAR. That is something I don't know anything about.

The CHAIRMAN. You understand the chief distinction between what we call the Chippewas of Mississippi and the Chippewas of Lake Superior?

Mr. LONE STAR. I understand that, but I don't——

The CHAIRMAN. These people claim to have come from the Chippewas of Superior?

Mr. LONE STAR. Yes, sir; that is what they claim.

The CHAIRMAN. What do you know of any understanding or claim among the St. Croix Indians as to having been connected in any manner by drawing rations or in any other way with the Bad River Indians?

Mr. LONE STAR. That is something I don't know anything about. They tell me that they used to get rations from Lake Superior.

The CHAIRMAN. Just from Lake Superior?

Mr. LONE STAR. Yes, sir; or Bad River, or whatever it is. It is away back.

The CHAIRMAN. That is what I am asking you, what you understand from them—of course it would be before your time—as to having drawn rations at Bad River.

Mr. LONE STAR. They are telling me they used to get their rations from there, from Bad River, or Superior, whatever you call it—they call it Superior.

The CHAIRMAN. They speak of having got rations at La Pointe?

Mr. LONE STAR. Yes; from La Pointe Agency.

The CHAIRMAN. Were you here when Mr. Allen made a list?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Were you here at Shell Lake much of that time?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Were you included in the list?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Have you ever received an allotment?

Mr. LONE STAR. No, sir.

The CHAIRMAN. Have you ever received annuities?

Mr. LONE STAR. Not except that $5.74.

The CHAIRMAN. Where do you live now?

Mr. LONE STAR. I live right in town here.

The CHAIRMAN. What do you do here now?

Mr. LONE STAR. Oh, I am working in a mill here.

The CHAIRMAN. There has been some testimony here or inquiries as to these Indians employing some one to make selections for them. You heard Judge Mead's testimony, did you?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. What do you know of that?

Mr. LONE STAR. Why, I don't know anything about that.

The CHAIRMAN. Didn't you have any talk with Judge Mead about anything of that kind?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. Tell us what that was.

Mr. LONE STAR. I was talking to Odanah people about their selection.

The CHAIRMAN. To the Odanah people?

Mr. LONE STAR. Yes, sir; and they were telling me they paid so much for their selection.

The CHAIRMAN. To whom did they say they paid it?

Mr. LONE STAR. They didn't tell me.

The CHAIRMAN. How much?

Mr. LONE STAR. They said over $100 for their selection.

The CHAIRMAN. Did they complain that they did not get their selections?

Mr. LONE STAR. They claimed that they got the selections, but afterwards it was taken away from them in some way. That is all I know about it.

The CHAIRMAN. Have you ever known of any of the St. Croix Indians claiming that they paid anybody to make selections for them?

Mr. LONE STAR. No, sir.

The CHAIRMAN. You had a selection made in the Allen list, didn't you?

Mr. LONE STAR. Yes, sir.

The CHAIRMAN. How did Major Allen make that selection for you?

Mr. LONE STAR. I don't know. They didn't tell me how they were going to select them. I don't know anything about it.

The CHAIRMAN. You don't know what piece he was going to select?

Mr. LONE STAR. No, sir; I didn't know anything about it.

The CHAIRMAN. Did you ask him for any particular piece?

Mr. LONE STAR. No, sir; I haven't.

The CHAIRMAN. So far as you know, in your talk with other Indians of the St. Croix, did he make a selection for them the same way, without their knowing what piece they were going to get?

Mr. LONE STAR. They got just the same way as I did. They didn't know what they were going to get, whether they were going to get the land or not.

The CHAIRMAN. I suppose there is no question but that Major Campbell's and Judge Mead's statements as to their means of gaining a livelihood are correct?

Mr. SANBORN. No.

Senator LA FOLLETTE. Who informed you of the selection of lands made for you by Mr. Allen?

Mr. LONE STAR. Major Campbell.

Senator LA FOLLETTE. Did you ever see that land?

Mr. LONE STAR. No, sir.

Senator LA FOLLETTE. What became of it?

Mr. LONE STAR. I don't know.

Senator LA FOLLETTE. You haven't received it?

Mr. LONE STAR. No, sir. They just told me.

Senator LA FOLLETTE. You never have been on it?

Mr. LONE STAR. No; I have never been on it. I have been to Odanah. I have been there visiting a few days, but I never was in the woods.

Senator LA FOLLETTE. You work in a sawmill?

Mr. LONE STAR. Yes, sir.

Senator LA FOLLETTE. How long have you worked there?

Mr. LONE STAR. I work here right along.

Senator LA FOLLETTE. How many years have you been working in that mill?

Mr. LONE STAR. I have been working for this man near about ten years now. Sometimes I am off maybe five or six months and then I come back again.

Senator LA FOLLETTE. Off because there is no work for you?

Mr. LONE STAR. Yes, sir.

Senator PAGE. What do you do when you are not working in the mill?

Mr. LONE STAR. Paint when I ain't working in the mill or other places.

Mr. SANBORN. Who was your father?

Mr. LONE STAR. My father's name was Lone Star.

Mr. SANBORN. And your mother's name was what?

Mr. LONE STAR. Wa-we-a-kam-i-go-kwe.

Mr. SANBORN. Did your father have an allotment?

Mr. LONE STAR. I think so, yes.

Mr. SANBORN. On what reservation?

Mr. LONE STAR. I think it is at Lac Courte d'Oreilles.

Mr. SANBORN. That was an eighty-acre allotment?

Mr. LONE STAR. I think so.

Mr. SANBORN. What chief does this band follow?

Mr. LONE STAR. I don't know. I guess they ain't got any chief. I could not tell you about it.

Mr. SANBORN. Which ones would be most apt to know about that?

Mr. LONE STAR. John Medweosh and Son-a-ga-ta.

Mr. SANBORN. Did your mother have an allotment?

Mr. LONE STAR. No, sir.

Mr. SANBORN. Did your grandfather have an allotment?

Mr. LONE STAR. Yes, sir.

Mr. SANBORN. Where?

Mr. LONE STAR. Odanah.

Mr. SANBORN. What was his name?

Mr. LONE STAR. I have got the patent right here [producing a paper].

Mr. SANBORN. You have the patent here?

Mr. LONE STAR. Yes, sir. His name was Aue-ne-gan-bow.

Mr. SANBORN. Let me see that.

(The witness produced a paper and handed same to Mr. Sanborn.)

Mr. SANBORN. The lands in this petition comprise lots 1 and 2, section 17, township 48 N., range 3 west. That is in the Odanah Reservation and it is dated May 11, 1867, and signed by Andrew Johnson, President. Did your grandmother have an allotment?

Mr. LONE STAR. No, sir; I don't think so. I never inquired.

Mr. SANBORN. Have you a patent of your father's allotment on Lac Courte d'Oreilles?

Mr. LONE STAR. No, sir.

The CHAIRMAN. That patent might be incorporated into the record at this point.

UNITED STATES OF AMERICA—GENERAL LAND OFFICE, No. 35.

To all to whom these presents shall come, greeting:

Whereas there has been deposited in the General Land Office of the United States an order bearing date February 16, 1867, from the Secretary of the Interior, accompanied by a schedule with return dated February 23, 1867, from the Office of Indian Affairs, containing a list of selections of land for certain Indians upon the Bad River Reservation, as contemplated by the treaty concluded September 30, 1854, with the Chippewa Indians of Lake Superior and the Mississippi, whereby it appears that on the 15th day of February, 1867, the President, in accordance with the provisions of the third article of said treaty, approved the selection of Aue-ne-gan-bow, being lots 1 and 2, section 17, township 48 north of range 3 west, in the description of lands subject to sale at Bayfield, Wis., containing in the aggregate 52.15 acres according to the official plot of the survey of said lands returned to the General Land Office by the surveyor-general.

Now, know ye that the United States of America, in consideration of the premises and in conformity with said treaty, the order and return with schedule aforesaid, have given and granted, and by these presents do give and grant, unto the said Aue-ne-gan-bow and his heirs the said tract above described, but with the stipulation that said Aue-ne-gan-bow and his heirs shall not sell, lease, or in any manner alienate said tract without the consent of the President of the United States, to have and to hold the same, together with all the rights, privileges, immunities, or appurtenances of whatsoever nature thereunto belonging, unto the said Aue-ne-gan-bow and to his heirs forever, provided, as aforesaid, that Aue-ne-gan-bow and his heirs shall not sell, lease, or in any manner alienate said tract without the consent of the President of the United States.

In testimony whereof, I, Andrew Johnson, President of the United States of America, have caused this lease to be made patent and the seal of the General Land Office to be hereunto affixed.

Given under my hand in the city of Washington, the 11th day of May, in the year of Our Lord 1867, and of the Independence of the United States the ninety-first.

By the President:

ANDREW JOHNSON,
By FRANK COWAN,
Secretary.

JOHN GRANGER,
Recorder of the General Land Office.

Recorded under Chippewas of Lake Superior and the Mississippi treaty of September 30, 1854, volume 1, page 35.

(Thereupon Lone Star was sworn as interpreter for the committee.)

STATEMENT OF JOHN CASABIN.

JOHN CASABIN, a St. Croix Indian, having been first duly sworn by the chairman, testified, through the interpreter, as follows:

The CHAIRMAN. How old are you?

Mr. CASABIN. I don't know.

The CHAIRMAN. You appear to be an old man. Are you a Chippewa Indian?

Mr. CASABIN. Yes, sir.

The CHAIRMAN. Of what degree of Indian blood?

Mr. CASABIN. I don't know.

The CHAIRMAN. Do you know whether you have any white blood?

Mr. CASABIN. I claim my father was of some mixed blood.

The CHAIRMAN. Was your father a chief?

Mr. CASABIN. No, sir; he was not.

The CHAIRMAN. Are you a chief?

Mr. CASABIN. No.

The CHAIRMAN. Where do you live?
Mr. CASABIN. Cumberland.
The CHAIRMAN. How long have you lived there?
Mr. CASABIN. Somewhere about ten years.
The CHAIRMAN. Do you know where the St. Croix River is?
Mr. CASABIN. Yes, sir.
The CHAIRMAN. Have you lived all your life on this side of the St. Croix River?
Mr. CASABIN. Yes, sir.
The CHAIRMAN. Have you ever heard of the Bad River Reservation?
Mr. CASABIN. I have.
The CHAIRMAN. Have you ever been there?
Mr. CASABIN. I never was out there, but I have been there when we used to get payments.
The CHAIRMAN. Did you ever go there to get payments?
Mr. CASABIN. Yes, sir.
The CHAIRMAN. Was that before or after you moved to Cumberland?
Mr. CASABIN. That was long before I moved to Cumberland.
The CHAIRMAN. Did any other Indians from the St. Croix go with you when you went to Bad River to get payments?
Mr. CASABIN. Yes, sir; they are in here.
The CHAIRMAN. Did you go more than once?
Mr. CASABIN. Twice.
The CHAIRMAN. Whom do you claim to be your chief—have you any chief?
Mr. CASABIN. John Medweosh.
The CHAIRMAN. Did you have a chief before John was chief?
Mr. CASABIN. Yes, sir.
The CHAIRMAN. Who was your chief before John?
Mr. CASABIN. Yabes [meaning the Buck].
The CHAIRMAN. Is Yabes living?
Mr. CASABIN. No, sir; he is not living.
The CHAIRMAN. Did he die long ago?
Mr. CASABIN. Yes, sir; he died long ago. He died at Odanah.
The CHAIRMAN. Did Yabes live at Odanah?
Mr. CASABIN. No; he used to live here at Rice Lake.
The CHAIRMAN. Did he die before you moved to Cumberland?
Mr. CASABIN. He died before I moved to Cumberland.
The CHAIRMAN. After he died, how did John come to be your chief?
Mr. CASABIN. I don't know.
The CHAIRMAN. Did John belong to the same band that Yabes belonged to?
Mr. CASABIN. Yes, sir.
The CHAIRMAN. Do you know whether John was any relation to Yabes?
Mr. CASABIN. Yes, sir; they were related.
The CHAIRMAN. Have you ever had any land?
Mr. CASABIN. No, sir.
The CHAIRMAN. What was Yabes doing at Odanah when he died—what was he there for; do you know?
Mr. CASABIN. He went out there to draw payment.
The CHAIRMAN. Was he getting any payments for any of the Indians but himself?

Mr. CASABIN. I don't know anything about it.

The CHAIRMAN. Did you get a payment at the time Yabes went to get his payment, when he died?

Mr. CASABIN. No; I did not.

The CHAIRMAN. Did you ever live at Bad River?

Mr. CASABIN. No, sir.

The CHAIRMAN. Did your father?

Mr. CASABIN. No, sir.

The CHAIRMAN. Did your father ever have any land that you know of?

Mr. CASABIN. No, sir.

The CHAIRMAN. Or your mother?

Mr. CASABIN. No, sir.

Mr. SANBORN. Did you go up to get your payments before your son John was born?

Mr. CASABIN. No, sir.

Mr. SANBORN. It was after your son John was born that you went up to get your payments?

Mr. CASABIN. No, sir; it was before John was born.

Mr. SANBORN. How old is John—your son John?

Mr. CASABIN. I don't know.

Mr. SANBORN. Isn't he about 40 years old?

Mr. CASABIN. Somewheres around there.

Mr. SANBORN. You went twice for payments?

Mr. CASABIN. Yes, sir.

Mr. SANBORN. Did you go to Bayfield, La Pointe, or Odanah?

Mr. CASABIN. Odanah.

Mr. SANBORN. Do you know who it was who paid you at Odanah?

Mr. CASABIN. No, sir.

Mr. SANBORN. Do you have more than one chief among these St. Croix Indians?

Mr. CASABIN. Only one.

Mr. SANBORN. Did you have more than one heretofore?

Mr. CASABIN. Had two.

Mr. SANBORN. Who was the other one besides Buck?

Mr. CASABIN. Al-ta-sa.

Mr. SANBORN. Did Buck die before your son John was born?

Mr. CASABIN. Buck died long before my boy was born.

The CHAIRMAN. Were Buck and Al-ta-sa both of them chiefs at the same time, or one after another?

Mr. CASABIN. They were two.

The CHAIRMAN. Two at once?

Mr. CASABIN. Yes, sir.

ALEXANDER MEDWEOSH, having been first duly sworn, and his interpreter, Lone Star, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Where do you live?

ALEXANDER MEDWEOSH. At St. Croix.

The CHAIRMAN. Near the falls?

ALEXANDER MEDWEOSH. No, sir.

The CHAIRMAN. How far from the falls?

ALEXANDER MEDWEOSH. Somewhere about 40 or 50 miles.

The CHAIRMAN. In Wisconsin?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. How long have you lived there—all your life?

ALEXANDER MEDWEOSH. Yes, sir; I have been there ever since I was a little boy.

The CHAIRMAN. Do you know where the Bad River Reservation is; is it at Odanah?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Were you ever up there?

ALEXANDER MEDWEOSH. I never was up there.

The CHAIRMAN. Do you know of other St. Croix Indians going up there; Indians that you knew around where you lived?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Are you a full-blood Chippewa?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Were you in the army, in a Wisconsin regiment?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Do you know the number of the regiment?

ALEXANDER MEDWEOSH. Yes, sir; the Fiftieth Corps, Seventh Wisconsin.

The CHAIRMAN. Whose company were you in; who was the captain?

ALEXANDER MEDWEOSH. I can not remember.

The CHAIRMAN. Have you ever had any land from the Government?

ALEXANDER MEDWEOSH. No, sir.

The CHAIRMAN. Who is your chief.?

ALEXANDER MEDWEOSH. At the present time?

The CHAIRMAN. Yes.

ALEXANDER MEDWEOSH. I have not any just now.

The CHAIRMAN. Did you ever have a chief?

ALEXANDER MEDWEOSH. Yes, sir; I had.

The CHAIRMAN. Who was your chief?

ALEXANDER MEDWEOSH. Ma-na-do-ge-jig.

The CHAIRMAN. Where did he live?

ALEXANDER MEDWEOSH. At St. Croix.

The CHAIRMAN. Is he dead?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. How long ago did he die?

ALEXANDER MEDWEOSH. I do not know.

The CHAIRMAN. Before the war?

ALEXANDER MEDWEOSH. After the war.

The CHAIRMAN. Do you know when you enlisted in the war—when you went to the war?

ALEXANDER MEDWEOSH. No, sir; I do not know.

The CHAIRMAN. Do you know how long you were in the army?

ALEXANDER MEDWEOSH. A year and a half.

The CHAIRMAN. Were you in any Indian battles?

ALEXANDER MEDWEOSH. We had 22 battles.

The CHAIRMAN. Do you get any pension?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. How much do you get?

ALEXANDER MEDWEOSH. Twelve dollars.

The CHAIRMAN. A month?

ALEXANDER MEDWEOSH. A month; yes, sir.

The CHAIRMAN. Were you wounded in any of those Indian battles; did you get hurt?

ALEXANDER MEDWEOSH. No, sir.

The CHAIRMAN. Do you know of many of the Indians going up to Odanah or Bad River or La Pointe to get annuities or rations?

ALEXANDER MEDWEOSH. Yes, sir; I have.

The CHAIRMAN. You do know of many of them going?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Did you ever get any paper from the Government after the war to get any land on that paper, what we call a warrant?

ALEXANDER MEDWEOSH. I did; I paid for the lands that I got from the Government.

The CHAIRMAN. And when you first went to the war, when you enlisted, did you get any paper to get any land on?

ALEXANDER MEDWEOSH. No, sir.

The CHAIRMAN. When you got through with the war, or after the war, did you get any paper from the Government to get some land on, that is, because you were a soldier?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. What did you do with it?

ALEXANDER MEDWEOSH. I was sick and went to work and had a mortgage put on it and the man took it off my pay. I have been sick.

The CHAIRMAN. Then you got some land on that paper?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. You said a minute ago something about paying for the land. Did you pay the Government for the land?

ALEXANDER MEDWEOSH. I paid for that land, 160 acres.

The CHAIRMAN. Do you know how much you paid for it?

ALEXANDER MEDWEOSH. I paid $15.

Senator LA FOLLETTE. That was a homestead then. Did you take it as a homestead?

ALEXANDER MEDWEOSH. Yes, sir; that is a homestead.

Mr. HOLCOMBE. That is a script for 160 acres; $15 is the fee for a homestead entry.

Senator LA FOLLETTE. Then they got a script.

Mr. MEAD. If he served, say, fifteen months in the war he would make a filing, or homestead entry, and would pay $15 entry fee, and then he would live on that land.

Senator LA FOLLETTE. Three years and six months?

Mr. MEAD. Yes, sir.

Senator LA FOLLETTE. Making his five years?

Mr. MEAD. Yes, sir.

Senator LA FOLLETTE. In addition to that homestead right, or that commutation on account of service, did a soldier get also some bounty land warrant?

Mr. MEAD. I believe there were certain conditions of that kind, but not everybody got it.

Senator LA FOLLETTE. All soldiers did not get that, I am certain. There might have been some.

Mr. SANBORN. This man himself is not on the Allen list.

The CHAIRMAN. Do you remember when Major Allen was here making up a list of the St. Croix Indians?

ALEXANDER MEDWEOSH. Yes, sir; I was here.

The CHAIRMAN. Did you appear before Major Allen?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Did you testify before Major Allen?

ALEXANDER MEDWEOSH. I was there before Allen and Allen did not accept me.

The CHAIRMAN. Do you know why?

ALEXANDER MEDWEOSH. Allen told me that I had some land already.

The CHAIRMAN. That was before you lost your farm?

ALEXANDER MEDWEOSH. Yes, sir.

The CHAIRMAN. Is John Medweosh your son?

ALEXANDER MEDWEOSH. That is my brother.

The CHAIRMAN. Have you any children?

ALEXANDER MEDWEOSH. Yes, sir; I have.

The CHAIRMAN. Did Major Allen accept your children at the time you were here before him?

ALEXANDER MEDWEOSH. Allen did not take me here.

The CHAIRMAN. But did he take your children; did he take the children's names on the roll?

ALEXANDER MEDWEOSH. No, sir.

The CHAIRMAN. Did Major Allen take your children and put them on the roll?

ALEXANDER MEDWEOSH. No, sir.

Mr. SANBORN. Is Jack Medweosh your boy?

ALEXANDER MEDWEOSH. Yes, sir.

Mr. SANBORN. Is Obesans your child?

ALEXANDER MEDWEOSH. Yes, sir.

Mr. SANBORN. Is Annie Medweosh your daughter?

ALEXANDER MEDWEOSH. Yes, sir.

(NOTE.—It appears that these children are on the list.)

The CHAIRMAN. Have you any other children?

ALEXANDER MEDWEOSH. There is one more beside this.

The CHAIRMAN. What is the name of that child?

ALEXANDER MEDWEOSH. Na-wa-doc-cem-ig.

The CHAIRMAN. Is he on there?

ALEXANDER MEDWEOSH. Yes, sir.

(The witness was thereupon excused.)

JOHN B. MEDWEOSH, having been first duly sworn, and his interpreter, Lone Star, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Do you know how old you are?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. How old are you?

JOHN MEDWEOSH. Sixty-four.

The CHAIRMAN. Where were you born?

JOHN MEDWEOSH. At the mouth of Yellow River at the St. Croix.

The CHAIRMAN. Have you lived in this State ever since you were born?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Do you know where the Odanah, or Bad River, Reservation is?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Have you ever been there?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. A good many times?

JOHN MEDWEOSH. Yes, sir; a good many times.

The CHAIRMAN. What did you go there for?

JOHN MEDWEOSH. First I went there to get a payment, the first payment at Odanah.

The CHAIRMAN. How much of a payment did you get?

JOHN MEDWEOSH. At that time I got $2.75.

The CHAIRMAN. How often did you get those payments?

JOHN MEDWEOSH. About once a year.

The CHAIRMAN. For how many years?

JOHN MEDWEOSH. I was there three years, three times.

The CHAIRMAN. How long ago did you commence to get those annuities?

JOHN MEDWEOSH. A long time ago. I was a little boy.

The CHAIRMAN. Did your father go with you?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Where did you live then?

JOHN MEDWEOSH. Right there at the mouth of the St. Croix.

The CHAIRMAN. Have you always lived at the mouth of the Yellow River at the St. Croix?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. All your days?

JOHN MEDWEOSH. Yes, sir; all the time.

The CHAIRMAN. Are you now a chief?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. How long have you been called a chief?

JOHN MEDWEOSH. About eight years.

The CHAIRMAN. How did you become chief?

JOHN MEDWEOSH. Es-qua-qua-nabe was a chief at that time and he died and then I fell heir to the chief.

The CHAIRMAN. Did you have any election—that is, a vote—when Es-qua-qua-nabe died and you became chief?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. How did they come to call you chief when the other one died?

JOHN MEDWEOSH. My brother was a chief.

The CHAIRMAN. This chief was your brother?

JOHN MEDWEOSH. Yes, sir; his name is George Medweosh; he was killed over here at Spooner by a train, and after my brother was killed I took his place. That is the only way I can tell you.

The CHAIRMAN. Did you ever know a chief named Buck?

JOHN MEDWEOSH. Yes, sir; he was my grandfather.

The CHAIRMAN. Was he chief once?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. After he died your brother became chief?

JOHN MEDWEOSH. No, sir; there were two of them between that.

The CHAIRMAN. Let us get those names. Buck was your grandfather?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. And he died?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Then who became chief?

JOHN MEDWEOSH. Es-qua-qua-nabe.

The CHAIRMAN. Was he your father?

JOHN MEDWEOSH. He was my uncle.

The CHAIRMAN. Then he died?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Then who became chief?

JOHN MEDWEOSH. Es-qua-qua-nabe's son and then Ma-na-ton-keesh.

The CHAIRMAN. Then he died?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Then you became chief?

JOHN MEDWEOSH. No, sir; that was George.

The CHAIRMAN. Your brother?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Then when your brother died you became chief?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. When you used to go to Odanah to get your annuities, do you know whether you got the same amount that the Indians who were living at Bad River were getting; that is, when you used to go to Bad River, or Odanah, did you get the same amount? You got $2.75; was that the same amount that the Bad River Indians who lived there were getting?

JOHN MEDWEOSH. It was the same amount.

The CHAIRMAN. Have you ever had any land from the government allotment?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. You have no land now.

JOHN MEDWEOSH. I have.

The CHAIRMAN. When did you get it?

JOHN MEDWEOSH. Three years ago.

The CHAIRMAN. Where is that land?

JOHN MEDWEOSH. I have it in Minnesota.

The CHAIRMAN. How did you get it?

JOHN MEDWEOSH. I took it as a homestead.

The CHAIRMAN. Where is it in Minnesota; near what town?

JOHN MEDWEOSH. Just 3 miles across.

The CHAIRMAN. Across the river?

JOHN MEDWEOSH. Yes, sir; at Pansy.

The CHAIRMAN. Did you ever get any land on the Bad River Reservation?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. Did your brother have any?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. Did your mother have any?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. On the Bad River Reservation?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. What was her name?

JOHN MEDWEOSH. Naw an awe qua.

(Medweosh here produced a patent in the name of Naw an awe qua with the following description: "Being the northeast quarter of the southwest quarter of sec. 2, and the northeast quarter of the southeast quarter of sec. 3, township 48 north, range 3 west, in the district of lands subject to sale at Bayfield, Wis., containing in the aggregate 80 acres.")

The CHAIRMAN. Do you remember when your mother got this patent?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Where was she living at that time?
JOHN MEDWEOSH. At the St. Croix.
The CHAIRMAN. At the mouth of Yellow River?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. Since you can remember, has she been living at the mouth of the Yellow River—is she living now?
JOHN MEDWEOSH. No, sir.
The CHAIRMAN. Since you can remember, and up to the time your mother died, did she live at the mouth of Yellow River?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. All the time?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. Do you know where your mother was born; did you ever hear her say where she was born? Do you know whether she ever lived up at Bad River?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. She did live there?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. Did your father live up there at one time?
JOHN MEDWEOSH. No, sir; he never lived up there.
The CHAIRMAN. Your father never lived there?
JOHN MEDWEOSH. No, sir.
The CHAIRMAN. Do you know whether she—that is, your mother—grew up there?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. From a little girl?
JOHN MEDWEOSH. Yes, sir; she was a little girl.
The CHAIRMAN. Do you know where your father married her; that is whether he went up there to get her, or whether she was down here when they were married?
JOHN MEDWEOSH. My mother came down and stayed down at St. Croix about the mouth of the Yellow River. She got married up there.
The CHAIRMAN. Have you any brothers and sisters?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. Do you know whether any of your brothers or sisters have had any land at Bad River?
JOHN MEDWEOSH. No, sir.
The CHAIRMAN. Do you mean you do not know, or that they did not have any?
JOHN MEDWEOSH. I know they did not have any.
The CHAIRMAN. Have you any children?
JOHN MEDWEOSH. Yes, sir.
The CHAIRMAN. Have any of your children had any land up there?
JOHN MEDWEOSH. Yes, sir; my two children had land.
The CHAIRMAN. How many children have you?
JOHN MEDWEOSH. Five.
The CHAIRMAN. How many of them have land at Bad River?
JOHN MEDWEOSH. Two.
The CHAIRMAN. What are their names?
JOHN MEDWEOSH. Maggie Medweosh and Angeline Medweosh.
The CHAIRMAN. Both girls?
JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Do you know about when they got that land?

JOHN MEDWEOSH. They got it the first year. I laid out 80 acres up there. They had it in 1875. At first I laid out 80 acres.

The CHAIRMAN. You do not mean that your children got land up there in 1875, do you?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. They were very young then?

JOHN MEDWEOSH. Yes, sir; they were young.

The CHAIRMAN. Did you ask for any land at that time?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. And you did not get any?

JOHN MEDWEOSH. Well, I had it about three days, 80 acres.

The CHAIRMAN. That you had?

JOHN MEDWEOSH. Yes, sir; I had it about three days. That 80 acres, I took it. Another man that belonged at Odanah kind of kicked when I get the 80 acres. He was a pretty old man, about 80 years old. Well I laid out my 80 acres. I had 80 acres three days.

The CHAIRMAN. Did you try to get some more after you let that go?

JOHN MEDWEOSH. No, sir; I never tried any more.

The CHAIRMAN. How long ago was that?

JOHN MEDWEOSH. It was at the same time.

The CHAIRMAN. At the same time the children got their land?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Was there any agent there who marked any particular land for you, or did you just claim an eighty?

JOHN MEDWEOSH. I just claimed it.

The CHAIRMAN. Was there any writing at the time; did any agent write anything at the time?

JOHN MEDWEOSH. No, sir; I did not see him. I said I wanted to take 80 acres and wanted to make out the papers, but that old man came and wanted it.

The CHAIRMAN. Then the papers were never made out to you?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. Do you know about the Indians down on the St. Croix, many of them, going up to Odanah for annuities?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. And rations?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Now, your two children got allotments up there. Do you know of any other Indians on the St. Croix who had allotments at Odanah or Bad River, whichever you call it?

JOHN MEDWEOSH. Just two of them.

The CHAIRMAN. Did your two children, your two girls, get papers showing what land they had?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Something like this [exhibiting patent]?

JOHN MEDWEOSH. Yes, sir; they got it.

The CHAIRMAN. What has become of that land? Have they got it yet?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Did you ever try to get land for your other children?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. Where are your other children now?

JOHN MEDWEOSH. They are here.

The CHAIRMAN. And you have not tried to get any since then, have you?

JOHN MEDWEOSH. I tried once. I went out, I think, about five years ago this fall; I went over there. I heard they wanted to give us 80 acres apiece, and I went over there. All of them are my children. I heard when I got to Odanah they would give us 80 acres apiece.

The CHAIRMAN. Who said that?

JOHN MEDWEOSH. Some chiefs up there. They sent word for me.

The CHAIRMAN. It was the chiefs at Odanah that sent word for you to come up?

JOHN MEDWEOSH. Yes, sir. I went up there and another man came. That speculator came there. He put down my name on the paper. They got the land. Now he went back to Washington about a month. Now he came back. Well, after he came back another man wanted to get the 80. I stayed over there at Big Chief Cloud's place. Another man came. I went with him. That fellow came and bought some land somewhere.

The CHAIRMAN. Was he a white man?

JOHN MEDWEOSH. No, sir; he was a Chippewa. Now that speculator comes lots of times. He had been to Washington. When I went in the office he said, "That is Medweosh's claim." I said "Yes," and he said, "Medweosh, we will scratch you out of the St. Croix's."

The CHAIRMAN. Was that a white man that said that?

JOHN MEDWEOSH. Yes, sir; a white man.

The CHAIRMAN. Was he an agent?

JOHN MEDWEOSH. No, sir; not an agent. Not Mr. Campbell.

The CHAIRMAN. But was he an agent?

JOHN MEDWEOSH. Yes, sir; he came from Washington.

The CHAIRMAN. Do you know whether his name was Downs?

JOHN MEDWEOSH. He was an old man with white hair.

The CHAIRMAN. Did you hear of a man named Allen who was around here about this land?

JOHN MEDWEOSH. No, sir.

The CHAIRMAN. Did you ever hear of a man named Downs who was around here from Washington on account of this land?

JOHN MEDWEOSH. No, sir; I never heard that name.

Mr. SANBORN. It was Downs, Mr. Chairman.

Senator LA FOLLETTE. They scratched him off to punish him.

Mr. SANBORN. No; there was objection up at Odanah. He came from St. Croix, and there was a fight. He was going to put him on.

JOHN MEDWEOSH. He told me, "Medweosh, I will scratch you out." I put on paper; I wrote him every name of Chippewas around here. We wanted to get 80 acres apiece. I put on 166 names. I took them up to Odanah.

The CHAIRMAN. You took them up. They were St. Croix Chippewas?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. Some of the chiefs up there were in favor of giving you some land, were they not?

JOHN MEDWEOSH. Yes, sir.

The CHAIRMAN. And the others were opposed to it?

JOHN MEDWEOSH. Yes, sir.

Mr. SANBORN. Your two girls, Maggie and Angeline, lived up at Odanah a long time, did they not?

JOHN MEDWEOSH. Yes, sir; once they lived there three years.

Mr. SANBORN. They were living up there at the time they were given these 80 acres of land?

JOHN MEDWEOSH. Yes, sir.

Mr. SANBORN. Did they marry Indians up there at Odanah?

JOHN MEDWEOSH. No, sir.

Mr. SANBORN. They married down here, did they?

JOHN MEDWEOSH. Yes, sir; they married down here.

Mr. SANBORN. What was the name of your mother's father?

JOHN MEDWEOSH. That was a chief, too, Kabemobe.

Mr. SANBORN. He was a chief up at Odanah, was he?

JOHN MEDWEOSH. Yes, sir; he was a chief, too. The children did not live there three years before they got the land, but they were there altogether about three years.

Mr. SANBORN. How old were they when they got this land—there were two of them. How old was Angeline when she got the land?

JOHN MEDWEOSH. Three years old.

Mr. SANBORN. How old was Maggie?

JOHN MEDWEOSH. Five.

Mr. SANBORN. At that time you were living down at Yellow River?

JOHN MEDWEOSH. Yes, sir.

Mr. SANBORN. And your wife was there, was she?

JOHN MEDWEOSH. Yes, sir.

Mr. SANBORN. Had your wife gone up there with those children?

JOHN MEDWEOSH. Yes, sir; they had gone over there.

Mr. SANBORN. But to stay any time before they got the allotments?

JOHN MEDWEOSH. Yes, sir.

Mr. SANBORN. How long?

JOHN MEDWEOSH. We stayed there about ten months.

Mr. SANBORN. Before they got the allotments?

JOHN MEDWEOSH. Before they got the allotments.

Mr. SANBORN. And the children were going to school there, were they?

JOHN MEDWEOSH. Not at that time; after that.

The CHAIRMAN. Mr. Holcombe, do you desire to ask any questions?

Mr. HOLCOMBE. No, sir.

(The witness was thereupon excused.)

The CHAIRMAN. We will insert in the record these two papers:

Summary.

ALL TIMBER CUT ON ALL RESERVATIONS, LA POINTE INDIAN AGENCY, WIS.

Kind.	Red River.		Lac Courte Oreilles.	Grand Portage.	Total.
	Unallotted.	Allotted.			
	Feet b. m.	*Feet b. m.*	*Feet b. m.*	*Feet b. m.*	*Feet b. m.*
Dead pine	2,755	95,060			97,815
White pine	21,343,300	92,540,130	506,966	2,104,286	117,185,180
Norway	6,654,026	27,212,042			33,876,067
Hemlock	960,320	1,851,835	466,845		3,279,000
Basswood	59,933	47,836	684,280		791,680
Elm	21,960	63,730	69,520		155,210
Ash	16,266	26,500	25,860		74,633
Maple	1,220	2,916	8,570		12,806
Birch	2,915	11,345	1,054,030		1,068,790
Oak	1,530	11,430	103,610		116,540
Poplar	1,640	2,545	130		4,315
Spruce	820,945	1,867,613	20,130	30,360	2,738,948
Tamarack	2,371,565	4,485,453	73,929	330	6,931,279
Balsam	560,975	814,845	25,540	110	1,401,470
Cedar	57,390	162,025	1,110	270	220,795
Norway pig iron			34,985		34,985
Jack pine			1,110		1,110
Butternut			3,360		3,360
Grand total	33,390,850	100,397,885	3,119,885	2,105,355	169,102,965

ANNUAL TIMBER REPORT, SEASON 1907-8.

Kind.	Lac du Flambeau.	Lac Courte Oreilles.	Red Cliff.	Red River.	Total.
	Feet b. m.	*Feet b. m.*	*Feet b. m.*	*Feet b. m.*	*Feet b. m.*
White pine	3,687,000	820,880	14,630	48,301,288	60,823,476
Norway	3,199,160	1,026		8,073,180	11,273,356
Dead and down	12,240			78,230	90,470
Hemlock	1,159,970	254,030	150,860	432,686	1,996,440
Spruce	24,980	51,485	14,920	944,340	1,045,725
Birch	53,360	607,060	15,800	16,900	693,120
Elm	790	37,100		115,270	153,160
Basswood		183,630	2,780	49,120	215,520
Ash	185	27,410	1,900	25,590	54,085
Cedar	14,735		19,250	54,645	88,630
Maple	6,675	27,960	4,315	5,650	44,115
Oak	91,180	162,160	9,170	3,230	265,840
Tamarack	207,985	226,600		1,065,994	1,500,579
Pig iron, Norway		20,285			20,285
Butternut		500			500
Balsam	3,975	4,840	4,990	298,160	316,965
Poplar		270		630	900
Jack pine	930	2,710			3,640
Grand total	8,477,500	2,426,030	238,520	57,465,640	68,616,990

The committee thereupon took a recess until 10.30 p. m.

AFTER RECESS.

The committee reassembled at 1.30 o'clock p. m.

STATEMENT OF MARY THOMAS.

MARY THOMAS, a St. Croix Indian, having been first duly sworn by the chairman, testified, partly through Lone Star as interpreter, as follows:

The CHAIRMAN. Do you know how old you are?

Mrs. THOMAS. No.

The CHAIRMAN. Where were you born; do you know?

Mrs. THOMAS. In this Bashaw country back here 5 or 6 miles.

The CHAIRMAN. West of Shell Lake?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. Have you always lived in this neighborhood?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. Do you know where the Bad River Reservation is?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. Were you ever there?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. More than once?

Mrs. THOMAS. I used to go up there—maybe a dozen times.

The CHAIRMAN. What did you go for?

Mrs. THOMAS. To draw payments and rations.

The CHAIRMAN. Do you know how much you used to draw at a time?

Mrs. THOMAS. I don't know. Calico and shawls and blankets.

The CHAIRMAN. Did other Indians from this part of the country go with you?

Mrs. THOMAS. I used to go along with the Casabins and all these other old people.

Mr. LONE STAR. She knows all of these people and wants to tell all about it.

The CHAIRMAN. Are you a full-blood Chippewa?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. How long ago was it that you went up there, as near as you can tell.

Mrs. THOMAS. Somewheres about forty years ago was the last time I was up there.

The CHAIRMAN. Have you ever had any land from the Government?

Mrs. THOMAS. No, sir.

The CHAIRMAN. Are you married?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. Is your husband living now?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. Have you got any children?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. How many?

Mrs. THOMAS. Seven.

The CHAIRMAN. Do you remember when Major Allen was here and made up a roll and had the Indians all come in here?

Mrs. THOMAS. Yes, sir.

The CHAIRMAN. And you went before Major Allen, didn't you?

Mrs. THOMAS. Yes, sir.
The CHAIRMAN. And you were put on the roll?
Mrs. THOMAS. Yes, sir.
The CHAIRMAN. Were any of your children put on the roll?
Mrs. THOMAS. Yes, sir.
The CHAIRMAN. All of them?
Mrs. THOMAS. No.
The CHAIRMAN. What are the names of your children?
Mrs. THOMAS. Josephine Laursen, Susie Jones, Belle Chellito, Ellen Proffit, Rebecca Thomas, Myrtle Thomas, Essie Thomas. That is all.
The CHAIRMAN. Have you any property—any land?
Mrs. THOMAS. No, sir.
The CHAIRMAN. You husband has a good farm, hasn't he?
Mrs. THOMAS. Yes, sir.
The CHAIRMAN. Your husband is a white man?
Mrs. THOMAS. Yes, sir.
Mr. SANBORN. What was your father's name?
Mrs. THOMAS. O-shin-o-wa.
Mr. SANBORN. What was your mother's name?
Mrs. THOMAS. Be-ma-che.
Mr. SANBORN. Did your father ever have an allotment?
Mrs. THOMAS. I don't know.
Mr. SANBORN. Did your mother have an allotment?
Mrs. THOMAS. I don't know.
Mr. SANBORN. How many acres of land has your husband got?
Mrs. THOMAS. I don't know.

STATEMENT OF H. M. LAURSEN.

H. M. LAURSEN, a resident of Shell Lake, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Do you occupy any official position at the present?
Mr. LAURSEN. Yes, sir.
The CHAIRMAN. What is it?
Mr. LAURSEN. Chairman of the county board of Washburn County
The CHAIRMAN. How long have you lived in Shell Lake?
Mr. LAURSEN. Right inside the village, near five years.
The CHAIRMAN. How long in the neighborhood?
Mr. LAURSEN. Eighteen years within 8 or 10 miles of it.
The CHAIRMAN. You are a son-in-law of the witness who was just on the stand—Mrs. Thomas?
Mr. LAURSEN. Yes, sir.
The CHAIRMAN. Have you any idea how much of a farm her husband has here?
Mr. LAURSEN. He has got somewhere around 70 acres, I think.
The CHAIRMAN. Seventy acres?
Mr. LAURSEN. Yes, sir.
The CHAIRMAN. Good buildings?
Mr. LAURSEN. Pretty fair.
The CHAIRMAN. What would you call it worth, approximately?
Mr. LAURSEN. On a rough guess, I should think about $2,500.
The CHAIRMAN. And some live stock?
Mr. LAURSEN. Yes; he has got a team and a few cows.
The CHAIRMAN. Do you know whether any of your mother-in-law's family have ever had any allotment?

Mr. LAURSEN. Not that I know of for sure, but I think her father has.

The CHAIRMAN. Her father?

Mr. LAURSEN. Yes, sir.

The CHAIRMAN. Do you know where it was?

Mr. LAURSEN. Somewheres on Lac Courte d'Oreilles Reservation, but he has lived down here since I have known him. He lived down here sixteen years ago when I knew him.

The CHAIRMAN. Is he living now?

Mr. LAURSEN. No; he died about six or seven years ago.

The CHAIRMAN. None of her children have had any allotments?

Mr. LAURSEN. No; none, except what is on this application now.

The CHAIRMAN. They have never been allowed any yet?

Mr. LAURSEN. No.

The CHAIRMAN. They were put on the Allen roll, were they?

Mr. LAURSEN. Two of them were.

The CHAIRMAN. Do you understand why two were placed on and the balance were not?

Mr. LAURSEN. That is all that were here at the time.

The CHAIRMAN. Where were the others?

Mr. LAURSEN. Two of them were at Hayward Indian School at that time; one is married and lives in Minnesota somewheres; and another went down in Oklahoma somewhere, and the little one they didn't take either.

The CHAIRMAN. All who were here and appeared were put on the roll?

Mr. LAURSEN. Yes, sir; so far as I know.

The CHAIRMAN. What do you know of any tradition or understanding among the St. Croix Indians of their having formerly received annuities or rations at Bad River?

Mr. LAURSEN. Of course, I have heard them tell about going there years ago, but they never went there while I was around here.

The CHAIRMAN. Was that quite general?

Mr. LAURSEN. That was quite general, as near as I could understand. They would go in kind of crowds, families or bands. It would take them sometimes two months to make the round trip.

The CHAIRMAN. You were here when the Allen roll was made, or rather when the evidence was being taken for it?

Mr. LAURSEN. I was there on the first day. After that I only met him occasionally and talked with him on the street. A couple of times I went up there, but I was up there the first day.

The CHAIRMAN. How did he make inquiry about this matter; would he ask questions and conduct a general examination of the Indians?

Mr. LAURSEN. Well, he would take one at a time and he would keep asking him questions, and he would write it down on the typewriter as he went along, and when he got the questions all taken down from one he would ask if any Indians in the crowd could corroborate it, and then he would take two of them. If there wasn't anybody in the crowd just then, he would lay that aside. Now, there was another point that you were asking about here, and that was you wanted to know how about the selection of the land. Indians went to him and wanted to know that, and he told them it would not do any good to get anybody to make the selections for them; that it was no

use; that no attention would be paid to it whatever; that he was going to make the selections for them according to what land was there when he got up to Campbell's office; between him and Campbell they would make the list. They have never received any of the deeds or any selection since, as near as I can find out.

The CHAIRMAN. Did you ever know of or understand from these Indians that they were paying anybody to make selections for them?

Mr. LAURSEN. No; they were not. They suggested that among themselves at the time, and there was quite a crowd the first day, and lots of them got to talking and a good deal of time was spent just by talking, but he told them it was no use, it would be throwing the money away and it would be absolutely ignored.

The CHAIRMAN. Did he seem to be thorough in his examination of these people?

Mr. LAURSEN. I thought he was very careful as far as he went the first day; that the questions in the blanks had to be filled out. At that time Lone Star was working for him. He wanted him to send off some, but he explained it was absolutely necessary for them, if they wanted any land, they must come personally in here and he would examine them.

Mr. SANBORN. What is your business?

Mr. LAURSEN. I am in the lumber business.

Mr. SANBORN. At Shell Lake?

Mr. LAURSEN. Yes, sir.

Mr. SANBORN. Which two of Mrs. Thomas's children are on the list, as you understand?

Mr. LAURSEN. Josephine Laursen, that is my wife, and Belle Chellito.

Mr. SANBORN. What does he do?

Mr. LAURSEN. He works the farm for his father-in-law. They live together with the old folks. He does the work.

Mr. SANBORN. And your wife and his wife are the only two you understand were on the list?

Mr. LAURSEN. Yes, sir; the only two, I understood.

The CHAIRMAN. You talk Chippewa, of course?

Mr. LAURSEN. No, I don't very much.

STATEMENT OF MRS. ED HEART.

Mrs. ED HEART, a St. Croix Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Mrs. HEART. At Hertle.

The CHAIRMAN. How far is that from here.

Mrs. HEART. Nineteen miles.

The CHAIRMAN. Do you know how old you are?

Mrs. HEART. I think so.

The CHAIRMAN. How old are you?

Mrs. HEART. Fifty-four next spring.

The CHAIRMAN. Where were you born?

Mrs. HEART. Rice Lake, over on the St. Croix, about 10 miles from here. In Burnett County.

The CHAIRMAN. Do you know where the Bad River Reservation is?

Mrs. HEART. Yes, sir.

The CHAIRMAN. Were you ever on that reservation?
Mrs. HEART. Yes, sir; I have been up there. I was small.
The CHAIRMAN. Do you know what you went for?
Mrs. HEART. Yes, sir.
The CHAIRMAN. What did you go for?
Mrs. HEART. We got a payment.
The CHAIRMAN. You got a payment?
Mrs. HEART. Yes, sir.
The CHAIRMAN. Were you there more than once?
Mrs. HEART. I don't know how many times I went. Mamma took me over there to get payments. I went over there twice.
The CHAIRMAN. Do you know whether the Indians around here pretty generally went up there to get payments in those days?
Mrs. HEART. Yes, sir.
The CHAIRMAN. Did you ever live on that reservation?
Mrs. HEART. No; once we got the payment we come back home.
The CHAIRMAN. Did your mother live up there any time?
Mrs. HEART. Sometimes she stayed.
The CHAIRMAN. Was that ever her home?
Mrs. HEART. No.
The CHAIRMAN. Did your father live there at any time?
Mrs. HEART. No; he stayed at Rice Lake. That is where we stayed.
The CHAIRMAN. Have you ever had any government land?
Mrs. HEART. Yes, sir.
The CHAIRMAN. Where?
Mrs. HEART. At Lac Courte d'Oreilles.
The CHAIRMAN. Do you know how much you had there?
Mrs. HEART. Yes, sir.
The CHAIRMAN. How much?
Mrs. HEART. Eighty acres.
The CHAIRMAN. How long ago did you get that?
Mrs. HEART. This spring, nineteen years ago, I think. Maybe I am mistaken.
The CHAIRMAN. Have you done anything with your land?
Mrs. HEART. No.
The CHAIRMAN. Have you ever seen it?
Mrs. HEART. Yes, sir; I see it.
The CHAIRMAN. You went to see it?
Mrs. HEART. Yes, sir.
The CHAIRMAN. Did your husband ever have any land from the Government?
Mrs. HEART. No; my husband is a white man.
The CHAIRMAN. Did your mother ever have any land from the Government?
Mrs. HEART. No, sir.
The CHAIRMAN. Did your father?
Mrs. HEART. No.
The CHAIRMAN. Have you any children?
Mrs. HEART. Yes.
The CHAIRMAN. How many?
Mrs. HEART. Three.
The CHAIRMAN. Will you give their names?
Mrs. HEART. Yes. George, Becky, and Maggie. This man's wife, Mr. Lone Star.

The CHAIRMAN. You are Mr. Lone Star's mother-in-law?
Mrs. HEART. Yes, sir.
The CHAIRMAN. Did any of your children ever have any land from the Government?
Mrs. HEART. No, sir.
The CHAIRMAN. Do you know when Mr. Allen was here making up a roll of the St. Croix Indians?
Mrs. HEART. No; I have been away. I didn't come up. I been up in the camp cooking.
The CHAIRMAN. Were your children enrolled in the Allen list?
Mrs. HEART. Yes; they were put in.
Mr. SANBORN. What is your Indian name?
Mrs. HEART. Mad-ria-she-qua.
Mr. SANBORN. Your children are George and Rebecca, and what is the other one?
Mrs. HEART. Maggie.
Mr. SANBORN. That is all.

STATEMENT OF SONG-A-DAY.

SONG-A-DAY, a St. Croix Indian, having been first duly sworn by the chairman, testified, through Lone Star as interpreter, as follows:

The CHAIRMAN. Where do you live?
Mr. SONG-A-DAY. On the St. Croix.
The CHAIRMAN. Where were you born?
Mr. SONG-A-DAY. At the St. Croix.
The CHAIRMAN. On this side of the St. Croix, the Wisconsin side?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Do you know how old you are?
Mr. SONG-A-DAY. Seventy-eight.
The CHAIRMAN. Are you a full-blooded Chippewa?
Mr. SONG-A-DAY. Full blood.
The CHAIRMAN. Have you always lived down by the St. Croix?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Do you know where the Bad River Reservation is?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Have you ever been there?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. How long ago?
Mr. SONG-A-DAY. I can not say the date. Somewhere around about ten or fifteen years ago.
The CHAIRMAN. What did you go there for?
Mr. SONG-A-DAY. We used to draw rations.
The CHAIRMAN. Did other Indians from the St. Croix go with you?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Do you remember when they had the war, and some went south to the war?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Have you ever drawn any rations there since the war—since that time?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Since that time?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. Do you know where the Lac Courte d'Oreilles is?
Mr. SONG-A-DAY. Yes, sir.

The CHAIRMAN. Did you ever work over there logging?
Mr. SONG-A-DAY. No, sir.
The CHAIRMAN. Have you ever had any land from the Government?
Mr. SONG-A-DAY. No, sir.
The CHAIRMAN. Do you know whether your father ever had any from the Government?
Mr. SONG-A-DAY. No, sir.
The CHAIRMAN. Did your mother ever have any?
Mr. SONG-A-DAY. No, sir.
The CHAIRMAN. Have you got any brothers?
Mr. SONG-A-DAY. They are all dead.
The CHAIRMAN. Have you any children?
Mr. SONG-A-DAY. Yes, sir.
The CHAIRMAN. How many?
Mr. SONG-A-DAY. Four.
The CHAIRMAN. Have any of them ever had any land from the Government?
Mr. SONG-A-DAY. No, sir.
The CHAIRMAN. Has your wife had any from the Government?
Mr. SONG-A-DAY. No, sir.
Mr. SANBORN. Do you say that you drew rations at Odanah ten or fifteen years ago?
Mr. SONG-A-DAY. Somewheres about forty-two years ago.
Mr. SANBORN. Where do your children live now?
Mr. SONG-A-DAY. On the St. Croix.
Mr. SANBORN. Are your children all married?
Mr. SONG-A-DAY. Two of them are married.
Mr. SANBORN. Is your daughter married?
Mr. SONG-A-DAY. Yes, sir; three of them.
Mr. SANBORN. Is your daughter married?
Mr. SONG-A-DAY. Yes, sir.
Mr. SANBORN. Married to an Indian?
Mr. SONG-A-DAY. Married to a mixed blood.
Mr. SANBORN. They all live on the St. Croix?
Mr. SONG-A-DAY. Yes, sir.

STATEMENT OF MRS. GWAN-I-SHEA.

Mrs. GWAN-I-SHEA, a St. Croix Indian, having first been duly sworn by the chairman, testified, through Lone Star as interpreter, as follows:

The CHAIRMAN. Where were you born?
Mrs. GWAN-I-SHEA. Mud Lake.
The CHAIRMAN. What county is that in?
Mrs. GWAN-I-SHEA. Washburn.
The CHAIRMAN. Do you know how old you are?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Have you always lived at Mud Lake?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. Are you married?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. What is your husband's name?
Mrs. GWAN-I-SHEA. Wa-bish-ka (Augustus Lagrew).
The CHAIRMAN. Are you a full-blooded Chippewa?
Mrs. GWAN-I-SHEA. Yes, sir.

The CHAIRMAN. Is your husband a full blood?
Mrs. GWAN-I-SHEA. He is half.
The CHAIRMAN. Do you know where the Bad River Reservation is?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. Have you ever been there?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. When?
Mrs. GWAN-I-SHEA. I don't know how long.
The CHAIRMAN. Lately or long ago? When you were a little girl?
Mrs. GWAN-I-SHEA. I don't know. Somewhere about twenty or thirty years ago.
The CHAIRMAN. Were you there more than once?
Mrs. GWAN-I-SHEA. I was a little girl when I was there.
The CHAIRMAN. What did you go there for?
Mrs. GWAN-I-SHEA. Rations.
The CHAIRMAN. Did other Indians from the St. Croix go with you?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. To get rations?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. You have no children?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Did you ever have any land from the Government?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Did your husband ever have any?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. Where did he have his land?
Mrs. GWAN-I-SHEA. Lac Courte d'Oreilles.
The CHAIRMAN. How long ago was that, as near as you can tell?
Mrs. GWAN-I-SHEA. About five years ago.
The CHAIRMAN. Did your mother ever have any land from the Government that you know of?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Did your father ever have any?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Have you got any brothers?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Have you any sisters?
Mrs. GWAN-I-SHEA. No, sir.
The CHAIRMAN. Did you ever live on Lac Courte d'Oreilles with your husband?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. How long?
Mrs. GWAN-I-SHEA. About a year.
The CHAIRMAN. Did your husband have a house on his land over there?
Mrs. GWAN-I-SHEA. Yes, sir.
The CHAIRMAN. Did you consider yourselves Lac Courte d'Oreilles Indians or Bad River Indians?
Mrs. GWAN-I-SHEA. I don't know.
Mr. SANBORN. You are a St. Croix Indian, aren't you?
Mrs. GWAN-I-SHEA. I don't know.
Mr. SANBORN. How long have you been married to your husband?
Mrs. GWAN-I-SHEA. Twenty years.
Mr. SANBORN. That is all.

STATEMENT OF BEAR HEART.

BEAR HEART (MU-KI-DAY), a St. Croix Indian, having been first duly sworn by the chairman, testified, through Lone Star, interpreter, as follows:

The CHAIRMAN. Where were you born?
Mr. BEAR HEART. Somewhere around Mennicoggin.
The CHAIRMAN. In the State of Wisconsin?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Do you know how old you are?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. Are you a full-blood Chippewa?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Do you know where the Bad River Reservation is?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Were you ever on the Bad River Reservation?
Mr. BEAR HEART. I was there a long time ago.
The CHAIRMAN. A long time or a long time ago?
Mr. BEAR HEART. About forty years ago.
The CHAIRMAN. Were you there more than once?
Mr. BEAR HEART. I was there four times.
The CHAIRMAN. What did you go there for?
Mr. BEAR HEART. To draw rations.
The CHAIRMAN. Did other St. Croix Indians go with you?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Have you ever lived on the Bad River Reservation?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. Have you ever had any land from the Government?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. Did your father ever have any land from the Government?
Mr. BEAR HEART. I don't know.
The CHAIRMAN. Did your mother ever have any?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. Are you married?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Is your wife living?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. Did she ever have any land from the Government?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. Have you any children?
Mr. BEAR HEART. Yes, sir.
The CHAIRMAN. How many?
Mr. BEAR HEART. Four.
The CHAIRMAN. Did any of them ever have any land from the Government?
Mr. BEAR HEART. No, sir.
The CHAIRMAN. How many children have you living?
Mr. BEAR HEART. Four.
The CHAIRMAN. Where do your children live?
Mr. BEAR HEART. At Rice Lake.
The CHAIRMAN. Did you ever live on Lac Courte d'Oreilles Reservation?
Mr. BEAR HEART. No, sir.

STATEMENT OF MRS. WABASHA MARTIN.

Mrs. WABASHA MARTIN, a St. Croix Indian, having been first duly sworn by the chairman, testified, through Lone Star as interpreter, as follows:

The CHAIRMAN. Where were you born?

Mrs. MARTIN. Rice Lake.

The CHAIRMAN. Do you know how old you are?

Mrs. MARTIN. Ninety.

The CHAIRMAN. Have you always lived at Rice Lake?

Mrs. MARTIN. Yes, sir.

The CHAIRMAN. Do you know where the Bad River Reservation is?

Mrs. MARTIN. Yes, sir.

The CHAIRMAN. Were you ever on that reservation?

Mrs. MARTIN. Yes, sir.

The CHAIRMAN. Were you ever there more than once?

Mrs. MARTIN. I can't say.

The CHAIRMAN. What did you go there for?

Mrs. MARTIN. To draw payments.

The CHAIRMAN. Did other St. Croix Indians go with you?

Mrs. MARTIN. Yes, sir.

The CHAIRMAN. Have you any way of telling us about how long ago you went there to draw rations?

Mrs. MARTIN. I don't know.

The CHAIRMAN. Have you ever had any land from the Government?

Mrs. MARTIN. No, sir.

The CHAIRMAN. Did your mother ever have any land from the Government?

Mrs. MARTIN. No, sir.

The CHAIRMAN. Did your father ever have any land from the Government?

Mrs. MARTIN. I don't know.

The CHAIRMAN. Did your husband ever have any land from the Government?

Mrs. MARTIN. No.

The CHAIRMAN. Have you any children living?

Mrs. MARTIN. Two.

The CHAIRMAN. Did they ever have any land from the Government?

Mrs. MARTIN. One of them has land.

The CHAIRMAN. Where?

Mrs. MARTIN. I don't know anything about it.

The CHAIRMAN. What are the names of your children?

Mrs. MARTIN. Pe-ta-te-co-qua and Ma-ta-chi-co-qua.

The CHAIRMAN. Did you ever live on Lac Courte d'Oreilles?

Mrs. MARTIN. No, sir.

Mr. SANBORN. Are both of your children married?

Mrs. MARTIN. One is married. The other one, the husband died years ago.

STATEMENT OF MRS. ED. HEART—Continued.

Mrs. ED. HEART, a St. Croix Indian, having been recalled, testified as follows:

The CHAIRMAN. Did I ask you whether you remembered anything about the big war in this country?

Mrs. HEART. No; you never asked me.

The CHAIRMAN. Do you remember anything about it?

Mrs. HEART. Yes.

The CHAIRMAN. Do you know whether any of these trips you made to the Bad River Reservation for annuities or rations were made after that war—could you fix them by that war?

Mrs. HEART. Yes, I remember.

The CHAIRMAN. Which was it, was it before or after?

Mrs. HEART. After.

The CHAIRMAN. Have you any idea so you could tell us how long after the war?

Mrs. HEART. Maybe I am mistaken, but I think it was forty-two years ago this summer that I come back. Mamma and John Medweosh and Alex Medweosh. I remember that he went away for a while.

The CHAIRMAN. Do you remember going up there or remember of the St. Croix Indians going to Bad River after this man came back from the war?

Mrs. HEART. Yes, sir; I was there myself.

The CHAIRMAN. You were there yourself and drew rations there?

Mrs. HEART. Yes, sir.

The CHAIRMAN. How long after the war do you think that was?

Mrs. HEART. Twenty-one years ago last fall; twenty-two years ago this fall. I may be mistaken.

The CHAIRMAN. You are very certain that you went there and others went there after the war was over?

Mrs. HEART. Yes, sir; old Indians. I was small, but this thing I remember.

STATEMENT OF ALEXANDER MEDWEOSH—Continued.

ALEXANDER MEDWEOSH, a St. Croix Indian, was recalled to the stand and testified as follows:

The CHAIRMAN. Do you remember whether you went to Bad River to draw rations or annuities after you came back from the war?

Mr. MEDWEOSH. I didn't go after that.

The CHAIRMAN. Do you know whether other St. Croix Indians were going up to Bad River to get rations or annuities after you came back from the war?

Mr. MEDWEOSH. Yes, sir.

STATEMENT OF SAMUEL W. CAMPBELL—Continued.

SAMUEL W. CAMPBELL was recalled to the stand and testified as follows:

Mr. CAMPBELL. I would like to correct my statement about John Medweosh. I was under the impression that they had allotments. I am informed that they had not. His wife's money that she is drawing now was inherited and all that he has got on the Bad River Res-

ervation is an inherited allotment. He never had any allotment. His two daughters have.

The CHAIRMAN (through the interpreter, Lone Star). Several of you people have already stated that some years ago you and the St. Croix Chippewa Indians used to go to Bad River Reservation and draw rations and annuities. We do not care to have any more statements on that particular point, because that will not be disputed. It has also been stated to the committee that you people have no land; that the white people have taken up the land around you so that you can not hunt nor fish nor pick berries; and that will not be disputed. The committee understands that that is the fact now. Now, if any of you have got anything that you want to say to the committee outside of the fact of your people having gone to Bad River to get annuities and rations and outside of the fact that the settlement of the country has deprived you of hunting and fishing and berrying, the committee will be glad to hear you. We do not care to hear anything more about your going up to Bad River for annuities nor about being deprived of the hunting and fishing. Now, have you anything else to say to the committee?

Say to these people that the committee will be two or three weeks going over the State, and when we get through we will take this matter up and consider it.

(Thereupon, at 2.30 o'clock p. m., the committee adjourned.)

COURT D'OREILLES RESERVATION, CHIPPEWA INDIANS,
COMMITTEE ON INDIAN AFFAIRS,
UNITED STATES SENATE,
Reserve, Wis., September 21, 1909.

The subcommittee met at 2 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, and Page. Also Messrs. S. W. Campbell, United States Indian agent, Ashland, Wis., and E. P. Holcombe, chief supervisor United States Indian Office.

The CHAIRMAN. The committee is now ready to hear any statements that any Indians present desire to make respecting conditions on the Court d'Oreilles Reservation.

STATEMENT OF LEWIS DENNIS ON BEHALF OF THE COURT D'OREILLES INDIANS.

Mr. DENNIS. A general council held and convened at the town hall on the 16th day of September in the year of our Lord 1909, at 1 p. m., for the purpose of entering in a legal form all complaints toward Signor, Crisler & Co., Government Farmer D. E. Jacobs, and Indian Agent Campbell, to be handed to our honorable body of Senators, so-called "senatorial investigation committee."

The first thing was to elect a chairman and secretary to preside at this council. The motion was made by William Wolf, who presented the name of Henry La Rush, and was seconded by Mike Wolf and motion was adopted by the whole band; and Henry La Rush was declared chairman of said council. Chairman proceeded to elect secretary. The name of Alex La Rock was presented and was seconded by Ira O. Isham and adopted by said band of Indians. A. La Rock

was then secretary of council. Secretary La Rock then announced to the council that it was better to have another secretary, as one could not do the work, and the name of Louis Dennis was presented and seconded by A. La Rock, adopted by whole band and council.

Mike Wolf then moved that the council needed an interpreter and presented the name of Ira O. Isham and was unanimously adopted by council. Then council and secretaries proceeded to take down the testimony and facts of complaints of parties and band of the Lac Court Oreille Chippewas.

Indian Agent Major Campbell makes promises for Signor, Crisler & Co. in regards to his contract with the Lac Court Oreille band of Chippewa Indians. In the spring of the year of 1903 Agent Campbell accompanied by John C. Signor called a council of Indians. Council was held at the place so-called Council Hall, near the government farmer's residence. He there then told us Indians, "I have been working hard for the welfare of you Indians for the last three years trying to find some one or company to buy your timber and operate on your reservation, and at last I have succeeded. I have found a good, honest, upright company, and this man, the president of this company, I will now introduce to you all, is John C. Signor, of Rice Lake, Wis. The company is known as Signor, Crisler & Co. They being the highest bidders of several companies to buy your timber, and their bonds of $10,000, by the United States Fidelity Guarantee Company, Baltimore, Md., were accepted by the President of United States, and now was and are ready to go ahead and log on your reservation. And I will speak to you for them, and I, Campbell, and they, will live up to the promises that I am going to make to you Chippewa Indians.

"Other companies of past years who operated on your reservation went and cut without a contract, cut your unallotted lands, went right in the very best of your timber and slaughtered it and did not give you full scale for it. But this company, Signor, Crisler & Co., will not cut a single stick of different kind of timber off your reservation or allotments or unallotted lands without first making a contract with such an Indian nor do a thing to break any article of their agreement with the President. And your government farmer will look after your welfare and interest and protect you as a father protects his children and see justice is done to you by your white brother, and when he sees you are misused and any complaints carried to you against this company, that said company was violating their contract, he shall immediately notify me. Then I shall go after them and see they are punished for breaking said any article of contract and subject to such violations and provisions." Also stated that the Indians was not compelled to sell to Signor, Crisler & Co. if they did not see fit to do so, that the land and timber was theirs and they could do as they pleased with it. Also then he started to read the prices of different kinds of timber Signor was going to pay them, and there was not a single Indian answered him.

Then it was moved and seconded the general council adjourn till 9 a. m. on the 17th day of September, 1909.

The general council of Chippewas of the Lac Court Oreille Reservation convened at 9 a. m from the adjourned meeting of band held on the 17th day of September, 1909, 9 a. m. The council was called to order by the chairman, Henry La Rush. John C. Signor promises to

the Lac Court Oreille band of Indians what he was going to do while he operated logging on their respective reservations.

Late in the fall of the year 1903 John C. Signor, president of Signor, Crisler & Co., called a council of Indians. Council took place in front of the government farmer's residence. About 70 of the tribe assembled at said council. He then spoke to them and said he thought and was positive that the Indians ought to be satisfied for the prices he was paying them for their different kinds of timber by the stumpage. He said: "Your reservation has been logged and cut three or four different times in past years by different companies, and considering and going through your reservation we think we are paying you a good price for your different class of timber. We have given a bond for the large sum of $10,000 to show you people that we mean to be honest and square in our dealings with you Indians while we remain and do business with you Indians on your reservation. If we go ahead and cut one single tree off your allotments without first making a contract with an allottee and approved by the department, we would violate our contract and our bond would be taken from us, and we would have to quit our business and leave your reservation. And about having help in our logging and the manufacturing of our timber, I will first give all of you Indians the first chance and will not take any white man in my employ if I can help it; and as for your compensation for work, I will now state the lowest wages I will pay will be $30 up to $35 per month, and if any other logger around here is paying more we will raise our wages also, according to what they are paying, and if anyone who works for us wants his pay daily or weekly he shall have his money when he wants it. It is getting late in the fall now and am not positive whether we will commence to log or not. We do not think we will erect our own store, but as we are going to pay in cash any person can buy his supplies, etc., wherever he wants; and any Indian who signs a contract with us after signing such documents shall receive $25 in money. Also if there is anyone of you who has horses and wants to log his own timber or log for us, logs to be banked in the lake or river according to distance he has to haul, to such person I will pay him $3 per thousand. As for pine I am paying $6 per thousand stumpage and $3 to bank it, that would bring him $9 profit. Will pay you $3 per thousand to bank any kind of timber."

COMPLAINTS ON TRESPASS BY THE WHOLE BAND.

It was scarcely a year after Signor, Crisler & Co. commenced logging on our reservation that Indian Agent Campbell went back on his promises he made in the year 1903 with us Indians in regard to punishing said company for any injustice or trespass they done. Now he, Agent Campbell, and Government Farmer D. E. Jones were together with John C. Signor, president of Signor, Crisler & Co., at council held in Council Hall in the year 1903.

Joesephs Kakak's testimony: He stated that said Signor, Crisler & Co. cut eight sticks—that is, trees—full length, off his allotments without a contract or without even asking me. He instructed his men *to cut timber for boom stick* purposes wherever they found them. Mr. Kakak told John Signor, "You stole my timber; you did not even ask me; you was going to cut that timber." John

Signor replied, and asked him how much he wanted for the timber he cut. Kakak replied $25. "All right," he said, "I will give half—$12.50—to the government farmer, and the other half—$12.50—to you." Kakak replied, "What do you want to give the farmer half for; he does not own one stick of this timber; the timber is mine." And he has not been paid one red cent to this present day. Allotment No. 433, S. ½ of NW. ¼ sec. 17, T. 39, R. 8, containing 80 acres.

TRESPASS NO. 2.

Allotment No. 565, Pi mo si gi shig, lot 5, sec. 5, T. 38, R. 8; lot 8, sec. 1, T. 38, R. 9, containing 78.03 acres. By Ira O. Isham and five other members of the business committee. Ira O. Isham, at one of our business committee sessions, reminded my fellow-members that there was an allotment as described. Whom we did not know, and could not decide who was the legal heir to this claim. We did not know who this Pi mo si gi shig was, therefore we members of the business committee gave our government farmer, D. E. Jacobs, particular instructions to notify Signor, Crisler & Co. not to cut a stick of timber from this allotment, and if he did he would be committing a trespass, for there was no legal owner yet who they could make a contract with. But they, the company, went right ahead and done just what we forbade them to do. They cut the timber off this allotment. And one day I was down to Signor's landing and seen them hauling logs marked 565, and knew right away they were from this allotment. And I went in the office and told Signor that he was trespassing and not to cut any more from this 80. He then said, "You are right; I am in for it now. And I ask you to help me out of this scrape. I know you can if you want to." I replied, "No, I can not do it, as we forbade you before and you have to do the best to see your way out." Then he told us that the Indian agent, Major Campbell, gave them authority to go right ahead and cut this allotment clean and send him the scale and the amount and he would keep the proceeds in his safe-keeping.

TRESPASS NO. 3.

Allotment No. 253, E. ½ SE. ¼ sec. 28, T. 40, R. 8, 80 acres. Pi mo si gi jig. His allotment was cut by Signor, Crisler & Co. without a contract. After they got through cutting my timber the company, also Government Farmer D. E. Jacobs, and also Ira O. Isham kept urging him to sign and accept the $10.87 due him from the amount of his timber by trespass. So finally after bothering and coaxing he finally yielded to them and signed their contract and accepted a bank check of $10.87. And that is all he ever received for the trespass from his allotment.

TRESPASS NO. 4, BY GEO. CARFUL.

Allotment No. 80, SE. ¼ of NW. ¼ sec. 29, T. 40, R. 8, 40 acres. In the winter of 1905 Signor, Crisler & Co. committed trespass on one of my allotments on the above described tracts of land cut by subcontractor Thomas Phelon. Amount of the number of feet cut was 1,044, and some wood. Signor Crisler was after me several

times to settle with me. He said he would settle with me at $7 per thousand feet, and I would not settle for that amount, but said to him, "you cut my timber without a contract and my permission and the damage you done to that allotment—am willing to settle with you for $35, and they refused to do so." Went and hired a good scaler, Claud Howard, to scale the trespass, and he found 1,044 feet.

TRESPASS NO. 5, BY CHAS. FORD.

Allotment No. 347, E. ½ of SE. ¼ sec. 30, T. 39, R. 7, 80 acres. Some time last winter while out hunting I came back by the way where Signor, Crisler & Co. were logging. I came across Mr. Winestock, one of the subcontractors, who, with a crew of men were building a bridge on their logging road, and seen that he cut four trees of hemlock 28 feet long off my allotment, and then I said to him: "Who gave you permission to cut my timber?" He said, "Signor told us to cut whatever timber we needed for bridge purposes."

COMPLAINTS AGAINST SIGNOR, CRISLER & CO.—LABOR TIME CHECKS, COUPONS, ETC.

I, Prosper Belill, was hired in April, 1909, by J. M. Signor to go to Eddy Creek and drive team. At the same time J. C. Signor hired a white man for the same purpose. So, of course, they gave the white man the team to drive, and is working there at the present time; they put me to do something else; a job that only lasted a short time, and was soon out of employment. And again in August the company they hired me to go to Chief Lake and drive team, as they were shipping lumber from that place. When I arrived at Chief Lake, M. Champion, the company's grader, brought a white man along with him and again the white man got the first chance, and I had to walk back home; this goes to show that the white man in each case gets the best and longest jobs, and his contract says he shall give the Indian the first privilege.

And every winter the Indians goes to their camps for work and is told there is no place for him; that the camp was full—had all the men they needed; the crew was composed mostly of white men. Last winter many Indians went to Eddy Creek to look for work, and had to walk 9 miles, and when they arrived there they would not give them any chance to go to work, and they would have to walk 9 miles back again. But at the same time every white man that came to their camps to look for work made a success and was put to work instead of giving the Indian work. And they also forced the Indian to sign a contract with them. If you did not sign this contract they would not put you to work. They always paid the white man more per month than they do the Indian; also they pay us poor Indians in time checks or coupons. Their pay day for winter's work does not come till April 15, and if you quit before the camp breaks in the spring—sometimes the springs come early; many instances the camp breaks in the early part of March—we have to wait till the 15th of April before we can get any money. We all have families and have to have provisions and clothing for our children, and it is

impossible for us to wait till that date, so we have to either accept a time check or coupon, and is only good at their store, so finally when the 15th of April comes we have nothing coming, as we had already taken all that was coming from our winter's work in trade at the store. You take their time checks and is not accepted anywhere. But last winter Mr. Fossum, of Rice Lake, cashed time checks; also other parties, but would charge you 10 per cent discount. Chas. Ford, Henry La Rush, Louis Dennis, Geo. Corpelt, Peter Wolf, and all others who worked for them all has been paid out in time checks. Also, Signor, Crisler & Co., classes our pine as hemlock on their scale reports. Also, we know our pine and Norway are worth a good deal more per thousand than Signor, Crisler & Co. are paying us. Also, we do not think the company has enough money to carry on their business, as we have a copy of a mortgage on file at this office where he mortgaged his horses for $175.

Ira Olskims has a complaint on a mortgage with Signor, Crisler & Co., that he will explain to the committee. Also, Alex Benton, about a wagon Signor took from him for $10.

I, C. J. Smith, took a contract to put in timber from Signor, Crisler & Co. in the winter of 1906 and 1907, and know to be a fact that there was 30,000 feet of old logs of white pine and Norway left in the woods, and such old logs were scaled and paid for by Signor, Crisler & Co. But the good white pine logs I loaded on the ice and those logs were scaled as old logs. Also, the scaler, Ernest Batesman, classed the pine logs as Norway.

The said company also cut in section 16, township 40, range 8, off from their own land six or seven thousand, and he credit himself 40,000 or 50,000 feet of timber of which I am certain the biggest part of this 40,000 or 50,000 feet belonged to the Indians, of which they received no credit.

COMPLAINTS IN REGARD TO BURNT TIMBER.

Complaint by H. Berneby. Allotment No. 506, sec. 28, T. 40, R. 6 W., containing 84.94 acres. The big fire that went through our reservation in September and October, 1908, also went through my wife's allotment, Minnie Thayer, and burnt it very bad—that is, damaged all her timber. And as Agent Campbell had instructed the Indians that they had permission to bank or sell their burnt timber to anyone who wanted to buy it they had the privilege to do so. And taking the advantage of this privilege I tried to dispose of her burnt timber soon as possible to get the true market value before it spoiled. Therefore, Mr. Henry Ralph, of Hayward, Wis., gave me a bid on such timber and said he would give me $10 per thousand feet on the bank of the Chippewa River, timber including Norway pine and very little hemlock. I made three trips to Reserve, and Signor, Wis. Went and saw D. E. Jacobs and Signor and told him to put this timber in as was damaged by fire. Finally on my last trip Monroe Signor went with me and saw for himself the timber on this allotment and told him it had to be cut this winter as quick as possible. Signor said I will give you permission to sell to H. Ralph providing you pay me $1 for every thousand feet that you get out of it, and balance to be turned to the government agent. H. Ralph did not want to do business in that

way. He did not like the idea to buy from me and also pay to Signor what did not belong to him. So I could not dispose of her burnt timber, which I was offered $10 for per thousand feet.

Thomas Tainter. Allotment No. 55, W. ½ of NW. ¼ sec. 33, T. 40, R. 6 W., containing 80 acres. Wanted Signor, Crisler & Co. to put my wife's, Kate Thayer's, timber in, and they replied to me that they did not want to buy nor have anything to do in that part of the reservation known as trading post. Then I found a certain party who was willing to buy her burnt timber and offered $5 per thousand feet for it; that is, hemlock. Came and saw the parties, wrote to the department, and was told that I could not sell to anyone only to Signor, Crisler & Co., of Signor, Wis. And what was I to do? Signor, Crisler & Co. did not want to buy it, and would not let any other parties buy it. Last fall after the fire went through I had a chance to sell it to outside parties, but Signor would not let me sell unless I gave him 50 cents on every thousand feet. This looks like graft, and graft is unlawful.

Cutting on sec. 28, T. 39, R. 8. The following sections and the allotments therein are all under contract and patents nearly all issued, namely, in sections 31, 32, and 33.

Sec. 28, T. 39, R. 8. The described section is where the timber was totally damaged by the raging fire that swept through our reservation in September and October, 1908. After the fire burnt our timber we was told by Agent Campbell that he would particularly instruct the authorized contractors, Signor, Crisler & Co., above all means to cut only the burnt timber, in order that the Indians may get its true market value. But by personal observation that we saw through the direction and influence of Signor, Crisler & Co., the said subcontractors, Winestock & McCann, of Euclaire, Wis.

Late in the fall said subcontractors started to commence their logging operations, started to cut the burnt timber in section 31. They cut only a short while, just while he was cutting a logging road to section 28. After they completed this logging road they quit all operations in section 31 and took all his crew up to section 28, into the very best of green timber, including hard-wood pine and basswood. This section is the best on the reservation, and no fire went through that part. The reason we see why he did not continue to cut in sections 31, 32, 33, was because it was burnt, and said company could not realize as much out of these burnt sections as he could out of section 28 that was not burnt, after the timber was manufactured.

I, Joseph Crockdock, went to Jno. C. Signor, president of Signor, Crisler & Co., and stated to him that the allotment my wife was heir to (Bom a gi ji go kwa, heir to Gi wi ta wsh) allotment No. 349. E. ½ of NW. ¼ sec. 31, T. 39, R. 7 W., at Eddy Creek district, was all burnt by the fire in the fall of 1908, and as it was five years since she made a contract with Signor, Crisler & Co—the contract was made on December 17, 1903—and as he was doing his logging in section 31, would like to have you people put hers in also. He said he would. I went over to see the allotment again but nothing was done to it yet. Called their attention to this matter again. Went several times to remind them, so at last they told me they would not cut it, not till next winter. But they left hers alone and went to section 28, where there was no fire. As I am old and have a large farm and was

in hopes they would cut this burnt timber. He has also a portable mill and a subcontractor, Lewis Roberg, at Chief Lake, to log burnt timber and we have often passed and went to Chief Lake and we can not see any burnt timber being put in by Lewis Roberg. They are putting in only good timber as the timber there is mostly pine and Norway and there is good demand in the market for pine and Norway lumber. Why did the company not put in a mill and log on the reservation where the timber burnt.

By the Whole Band.

A STATEMENT BY GEORGE CORBINE.

My allotment number is 645, S. ½ of NW. ¼ sec. 23, T. 39, R. 8 W. I moved onto my allotment July, 1905. I erected a dwelling house 16 by 20 feet; addition 16 by 18 feet, one story; one barn, 18 by 20; one cow stable 14 by 18; one chicken coop 10 by 12; one warehouse 10 by 12 feet, out of my own earnings; and after settling down substantially I started to clear land for the purpose of farming, and what trees I cut down I utilized it into cordwood and bolts to deliver to market. While hauling bolts and cordwood to deliver to market I was stopped by Government Farmer D. E. Jacobs, and he stated to me I had no right to cut one single tree off from my land, not even to burn in my house to keep warm with, without a written permit from Mr. Young, government scaler. In the years 1905 and 1906 I cut basswood bolts and cordwood, of which I received, for bolts $4.25, and for cordwood $3.75 and $4.25 per cord. On these prices of which I could receive for my wood and bolts I would get better value for it than I would get from Signor, Crisler & Co. On these conditions I am prevented from going ahead and clear my land for farming.

COMPLAINTS AGAINST D. E. JACOBS, GOVERNMENT FARMER.

We have known that our government farmer is known to take work away from us, also to sell vegetables, eggs, butter, wood, and ice. As there is a large number of tourists, many club houses, and summer cottages, and many people spend the summer on our lakes, a good many of us have cows and make butter, and also many of us raise all kinds of vegetables and garden stuff, and in winter put up ice for summer use, and could sell all these articles we mention just as well as D. E. Jacobs.

We think that we need the money we could obtain by selling wood and other things mentioned more than our government farmer, as he is drawing a good salary; but the government farmer takes bread away from our children's mouths, as he sells to those people and takes trade away from us. Also leaves white men take things that are here for our use; also raises stock and sells it to the Indians. He gives us only two days in a week to do business with him—those two days he calls business days—Mondays and Fridays, but now the days are changed to Wednesdays and Saturdays, and many times on those two business days you can not see him. He will be to Hayward or he will be out in the field or somewhere else. Does he get paid for only two days in a week or does he get paid for every day?

And there are people who go to see him on business of theirs with him, but sometimes they contradict him and sometimes tell him he is wrong on some questions, and stands up for his rights. He goes to

the door and throws it open and tells them to go out, and sometimes puts them out by force, many of these he orders out are women. And that house does not belong to him, but belongs to the Indian. He has his office in there which is supposed to be opened to the public. In the month of August, 1909, George Post, of Barron, Wis., who has a summer cottage on Grindstone Lake, came to the reservation and hired an Indian to take him across the lake and he would pay him $1.50 for his work, and the party agreed to take him across for that price. Mr. Post told him to wait a little while, that he had a little business to attend to and would be ready in a short while. He went to D. E. Jacobs's residence and he came back and told us the government farmer was going to take him home as he was going that way. He took a sack of flour away from that man, that is, beat him out of the $1.50 he would have earned. We do not think he had business in that direction, as that is outside of the reservation.

By George Cornfelt: On October 25, 1907, went to see Government Farmer D. E. Jacobs in regard to my trespass done by Signor, Crisler & Co. He replied that he could do nothing for me on the trespass case. I answered him and said it is your business to attend to this case; that is what you are getting paid for; to help the Indian when he asks you. Then he said you had better go down and see Signor about it. I immediately went down and seen Signor and could not get any satisfaction from them. I went to see D. E. Jacobs once more about this matter and told him I was getting anxious for a settlement. He got a little angry and said you have nothing to do with that 40 acres than you have with this lake in front of my house. While there Jno. C. Signor came in the office and I spoke to him and said, when are you going to settle with me about my trespass on my allotment. He said he did not know what to do about this matter, then said to Mr. Jacobs you must know what to do if Signor does not know. Said I would like to have my pay now. D. E. Jacobs said, now if you do not keep still about this trespass he would put me in the coop. I asked him what he meant by coop. He pointed to the jail and said, do you see that jail, that is what I meant by coop. I told him I see it, and he said there is where you will be if you bother me again about this trespass. I said I would not keep still about this wrong done me by Signor, I would put it in some lawyer's hands so that it would be brought to law. Jacobs said, you try that. If I hear of you trying that I send you to Madison.

An Indian by the name of Sho ni a gi shig or Ni Kence came and asked me to go with him to D. E. Jacobs, government farmer, and interpret for him. I told him I would and went along with him. I I repeated in English exactly what this man had to say to him. Some question came up and the farmer got angry and walked to the door and opened it and told us both to go out as fast as we could.

By Peter Cloud: Went to D. E. Jacobs for a final scale and also to know how much money my wife had to her credit at Ashland, Wis. The reason I wanted to know, I wanted to build on my allotment and to know how much I had to spend for that purpose. He told me I had no business in his house. He therefore attempted to put me out by force and failing to do so he ordered the Indian police by telephone to lock me in jail. The police done as he was ordered to do, and he therefore cast me in jail. I stayed in there almost one day, and when D. E. Jacobs came back towards evening he came himself and re-

leased me and called me in his office. He was in good humor and was ready to do business.

Also, D. E. Jacobs on his way home with witnesses from La Crosse done an act with one woman that is too shameful to write, and can be told by those parties who sent a complaint to Washington to this effect, but it seems nothing has been done.

RESERVE, WIS., *September 21, 1909.*

To the Subcommittee on Indian Affairs:

GENTLEMEN: The Indians living on Lake Lac Courte Oreilles Reservation, in Sawyer County, Wis., hereby make and file the following complaints with said committee:

Complaint No. I: That the contract by the Government with Signor, Crisler & Co. for the sale of the timber on the said reservation is altogether too low, as evidenced by letters received from the many lumbermen operating along and adjacent to the Indian reservation, and which letters are hereby attached and made a part of this complaint.

Complaint No. II: That Signor, Crisler & Co. have cut and logged from Indian allotments without first having obtained contracts therefor.

Complaint No. III: That the aforesaid company neglected and refused to cut and log the timber that was burned during the logging season of 1908 and 1909, whereby the Indians suffered a great loss by its depreciation in value.

Complaint No. IV: That Signor, Crisler & Co. refused to pay any money for the purchase of the Indians' said timber, but instead compelled them to accept coupons, time checks, and credit at their store, and make the further charge that all Indian labor employed by the said company in their camps were compelled to accept time checks and coupon books.

Complaint No. V: That said Indians are not satisfied by the classification given them by said company in so far as they classified white pine as hemlock.

The CHAIRMAN. Are these men here whose names are mentioned?

Mr. DENNIS. Yes, sir; they are here.

TESTIMONY OF JOSEPH KOKAK.

JOSEPH KOKAK, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn to correctly and accurately interpret his testimony, testified as follows:

The CHAIRMAN. Where do you live?

JOSEPH KOKAK. I live across the lake here.

The CHAIRMAN. How long have you lived on this reservation?

JOSEPH KOKAK. I am 74 years of age now, and as long as I can recollect I have been living here upon this reservation.

The CHAIRMAN. Are you a full-blood Chippewa?

JOSEPH KOKAK. Yes, sir; I am a full-blood Indian; I am not a half-breed.

The CHAIRMAN. Have you an allotment on this reservation?

JOSEPH KOKAK. Yes, sir; I have.

The CHAIRMAN. How far from here is your allotment?

JOSEPH KOKAK. I think about 2 miles, as near as I can judge.

The CHAIRMAN. Was there any timber on the allotment when you got it?

JOSEPH KOKAK. Yes, sir; it was well timbered when I first took it.

The CHAIRMAN. Do you know the firm of Signor, Crisler & Co.—do you know of that company?

JOSEPH KOKAK. Yes, sir; I know those peoples names that are mentioned.

The CHAIRMAN. Do you know any of the men themselves?

JOSEPH KOKAK. I do not know of anyone, only those Signor & Crisler that are here.

The CHAIRMAN. You do know them when you see them?

JOSEPH KOKAK. Yes, sir; I know them when I see them here.

The CHAIRMAN. Do you know which ones are here?

JOSEPH KOKAK. You mean up at the mill race?

The CHAIRMAN. Yes.

JOSEPH KOKAK. Yes, sir.

The CHAIRMAN. Is there a John Signor?

JOSEPH KOKAK. I know of one John Signor. He has a brother here; I do not know his name.

The CHAIRMAN. Did you ever make a contract with Signor, Crisler & Co. to sell them any timber from your allotment—I mean a written contract?

JOSEPH KOKAK. Yes, sir; I did. He cut some timber on my allotment without asking permission from me.

The CHAIRMAN. When was that?

JOSEPH KOKAK. The second winter of his operations here on the reservation.

The CHAIRMAN. Mr. Interpreter, do you know what winter that was?

IRA O. ISHAM (the interpreter). 1905, if my recollection is right.

The CHAIRMAN. How much did they cut?

JOSEPH KOKAK. They went down and cut eight stumps on the place.

The CHAIRMAN. Did you ever ask them to pay for that?

JOSEPH KOKAK. Yes, sir; I asked them to pay me when I found out that they had cut the timber on my allotment.

The CHAIRMAN. What kind of timber was it?

JOSEPH KOKAK. It was pine—dead pine.

The CHAIRMAN. Was it white pine?

JOSEPH KOKAK. White pine, yes, sir.

The CHAIRMAN. About how big were those trees that were cut?

JOSEPH KOKAK. They were not the largest pines that we have on our reservation nor not the smallest; they were about medium size timber, good merchantable logs.

The CHAIRMAN. When you asked him to pay you what did he say?

JOSEPH KOKAK. At the time I asked him why he did not ask my permission to go and cut that timber.

The CHAIRMAN. Where was it that you talked with him about it?

JOSEPH KOKAK. Across the way here where our government farmer is living in a building beyond that, an old council building. We had a general council there at that time and Mr. Signor was present at that time.

The CHAIRMAN. You had to talk through an interpreter, did you not?

JOSEPH KOKAK. Yes, sir.

The CHAIRMAN. Who was the interpreter?

JOSEPH KOKAK. This man [indicating Ira O. Isham, the interpreter].

The CHAIRMAN. What did he say when you spoke to him about cutting this timber without permission?

JOSEPH KOKAK. When I asked him he answered me yes, that he would pay me for my timber. He then asked me how much I wanted. I said $25. He said all right.

The CHAIRMAN. Did he say anything more, or did you say anything more?

JOSEPH KOKAK. Yes, sir; he said he would pay me, and he pointed around to the farmer and said that he would hand some of it to the farmer and some to me.

The CHAIRMAN. What did you say to that?

JOSEPH KOKAK. I asked him why he would pay half to the farmer and the other half to me; I said "Does the farmer own any timber there; does that timber belong to him or to me? Why should he receive one-half of that and me the other half?"

The CHAIRMAN. What did he say?

JOSEPH KOKAK. He did not say anything to me; he did not answer me.

The CHAIRMAN. Did he pay you the money?

JOSEPH KOKAK. No, sir; I am still waiting yet for the money.

The CHAIRMAN. Did you ever ask him again for it?

JOSEPH KOKAK. Some time afterwards I met him again and asked him to pay me.

The CHAIRMAN. Where was that?

JOSEPH KOKAK. Down at his store. I went to the farmer and asked him to help me and the farmer gave me a note to go down to Mr. Signor's place, and I went down.

The CHAIRMAN. Do you know what was in the note?

JOSEPH KOKAK. No, sir; I do not know what was in that note to take to Mr. Signor. I thought it was a paper asking Mr. Signor to pay me.

The CHAIRMAN. When you saw Mr. Signor and spoke to him you had an interpreter, did you not?

JOSEPH KOKAK. I do not recollect of anybody. I do not have in mind whether I had an interpreter at that time or not.

The CHAIRMAN. Did you show the paper to Mr. Signor?

JOSEPH KOKAK. Yes, sir; I showed it to him. He was the man I took it to.

The CHAIRMAN. What did Mr. Signor do?

JOSEPH KOKAK. He said to me at that time, after looking at the paper, "You wait about a week; our surveyor is away; he is out of town now and when he comes back he will go and survey this out and run the line out."

The CHAIRMAN. Did you not have to have an interpreter? Could you understand Mr. Signor yourself?

JOSEPH KOKAK. I had an interpreter. I could not understand him. I had an interpreter at that time but I do not recollect who he was.

The CHAIRMAN. Did Mr. Signor ever say anything to you about it after that?

JOSEPH KOKAK. No, sir.

The CHAIRMAN. And never has paid you?

JOSEPH KOKAK. No, sir; he has not. That was the last talk I had about it.

The CHAIRMAN. As near as you can tell about how long ago was that, a year or two years?

JOSEPH KOKAK. I can not tell; I think it was about five years or maybe more.

Senator LA FOLLETTE. Did you ever have the logs scaled that were cut there?

JOSEPH KOKAK. No, sir; not until the day before yesterday. I sent out some fellows and was out with them and scaled it up as near as we could.

Senator LA FOLLETTE. That is, you estimated the price from the stump?

JOSEPH KOKAK. Yes, sir; that is what I had to do.

Senator LA FOLLETTE. Did you look for the logs to see if you could find them after you had discovered that the trees had been cut?

JOSEPH KOKAK. Yes, sir; I went and looked for the logs but could not find them. I found nothing but stumps.

Senator LA FOLLETTE. Had you seen the trees often before that so that you remembered about them after they were cut—so that you had some recollection of how they looked?

The CHAIRMAN. So that after they were cut you remembered how they looked before they were cut?

JOSEPH KOKAK. Yes, sir; I did. I recognized the trees as being the trees that were on my allotment.

Senator LA FOLLETTE. You say they were dead trees?

JOSEPH KOKAK. Yes, sir.

Senator LA FOLLETTE. Had they been killed by fire?

JOSEPH KOKAK. Yes, sir.

Senator LA FOLLETTE. State whether they were badly burned?

JOSEPH KOKAK. No, sir; they were not badly burned but their roots had been killed. They were dead in good bodies.

Senator LA FOLLETTE. Can you state from memory how far it was to the first limbs of the trees?

JOSEPH KOKAK. They were nice trees; nice bodied trees, and were long and tall. The limbs were not very low; they were very high.

The CHAIRMAN. You say you went there a few days ago to make the best scaling you could from the size of the stumps. What number of feet did you estimate these eight trees contained?

JOSEPH KOKAK. I don't know. There are people here present now that were down there and went and measured these stumps from the stump to the top, where the top was left, and they took and scaled it up as near as they could.

The CHAIRMAN. Do you know how many feet they called it?

JOSEPH KOKAK. They didn't tell me.

The CHAIRMAN. Did you make any complaints to Superintendent Campbell or to Farmer Jacobs after you carried the note to Signor that no payment had been made to you—did you speak to either of them about it?

JOSEPH KOKAK. No, sir.

The CHAIRMAN. Did you ever have any talk with Superintendent Campbell about it at all?

JOSEPH KOKAK. No, sir.

The CHAIRMAN. Did you ever have any talk with Mr. Jacobs about it, excepting the two times you have already testified about?

JOSEPH KOKAK. No, sir.

The CHAIRMAN. You say you carried a note from Mr. Jacobs to Mr. Signor, a paper, a writing, and that you had some interpreter, though you don't remember who it was. Did the interpreter tell you what was in that writing?

JOSEPH KOKAK. No, sir; I don't recollect, and the reason is that I don't recollect who was my interpreter at that time.

The CHAIRMAN. Will you give the name of somebody who was with you when you measured up this timber a few days ago who could tell us how much it amounted to?

JOSEPH KOKAK. Frank Baptiste, Prosper Balille, and John E. Frog.

STATEMENT OF IRA O. ISHAM.

IRA O. ISHAM, a Lac Courte d'Oreilles Indian, having first been duly sworn as a witness by the chairman, testified as follows:

The CHAIRMAN. You have heard the testimony of the witness as to the conversation he had with Mr. Signor at the council when he asked him to cut timber on his land. You have heard his testimony this afternoon?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. And you were present and interpreted for him?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. You may state now whether the statement which he makes is as you remember it, and if it is not, then you will state it as you remember it.

Mr. ISHAM. You want me to say what this man's statement was about, as I think, or you want him to state it?

The CHAIRMAN. Perhaps you had better state it as you recall it now—the incident.

Mr. ISHAM. At this council that was called here at our council hall Mr. Kokak came in and stated to the room—the audience that was in there—that he found there was some trespass on his land; that he didn't know himself; that this was hearsay that he had. The man that hauled the logs told him that they had been trespassing; told him that he had better go and see about trespassing being done on his land; that he was certain that they were trespassing on his land. He was one of the teamsters, and he heard Signor tell the crew that went up to cut these boom sticks, and the foreman asked him, "Where will we cut?" "Cut anywhere that you find anything fit for boom sticks;" and this man Larush was the man that notified Mr. Kokak. Anything else besides I do not know, but what he has stated already is correct.

The CHAIRMAN. You remember the balance of the conversation?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Do you recall whether he said who the teamster was?

Mr. ISHAM. He said at that time it was John Larush.

The CHAIRMAN. That is all.

STATEMENT OF JOHN BAPTISTE.

JOHN BAPTISTE, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified, through Mr. Isham as interpreter, as follows:

The CHAIRMAN. Do you know Kokak, the man that has just been testifying?

Mr. BAPTISTE. Yes, sir.

The CHAIRMAN. Were you down on his allotment a few days ago to look at some trespass?

Mr. BAPTISTE. Yes, sir.

The CHAIRMAN. Did you make an estimate of the amount of timber that had been cut?

Mr. BAPTISTE. I didn't make an estimate. The fellow that I was with did.

The CHAIRMAN. Did you count the stumps?

Mr. BAPTISTE. Yes, sir; I counted them.

The CHAIRMAN. What was the estimate that the man who was with you made?

Mr. BAPTISTE. He measured up the timber in 8 and 10 and 6 foot lengths. That is what he did.

The CHAIRMAN. How much did it all come to—how many feet, if you know?

Mr. BAPTISTE. I don't know.

The CHAIRMAN. Who made the measurements—who did the estimating?

Mr. BAPTISTE. Prosper Balille.

STATEMENT OF PROSPER BALILLE.

PROSPER BALILLE, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified, through Mr. Isham as interpreter, as follows:

The CHAIRMAN You were down on Kokak's allotment a few days ago to measure up some trespass?

Mr. BALILLE. Yes, sir.

The CHAIRMAN. About how long ago was that?

Mr. BALILLE. About three days ago.

The CHAIRMAN. How many stumps did you find?

Mr. BALILLE. We found 8 stumps.

The CHAIRMAN. Did you estimate the amount that was cut from those stumps?

Mr. BALILLE. We didn't figure out. I just took the measure of the stumps; that is all he told us to do.

The CHAIRMAN. Who told you to do that?

Mr. BALILLE. The chairman of the council, La Rush.

The CHAIRMAN. Did you make any estimate of the amount of timber?

Mr. BALILLE. No; didn't make any estimate at all; just took the number of logs and how long they were to the top.

The CHAIRMAN. You estimated the length of the trees from the stump?

Mr. BALILLE. From the stump to the top.

The CHAIRMAN. You measured it?

Mr. BALILLE. Yes, sir.

The CHAIRMAN. You didn't have one of these machines to show how many feet?

Mr. BALILLE. We had a scale rule, but we didn't know nothing about that.

The CHAIRMAN. You didn't use that.

Mr. BALILLE. No, sir.

The CHAIRMAN. Can you recall the size of the stumps and the lengths as you estimated them, the measure?

Mr. BALILLE. I think one was 21 inches in the stump.

The CHAIRMAN. Did you put it down at the time?

Mr. BALILLE. Yes, sir; I put it down and I gave it to the clerk here.

(A paper was produced and handed to the chairman.)

The CHAIRMAN. Is that the statement?

Mr. BALILLE. Yes, sir.

The CHAIRMAN. You didn't make any total estimate of the number of feet?

Mr. BALILLE. No, sir.

The CHAIRMAN. This statement may be put into the record.

Inches at butt.	Inches at top.	Length of log.	Number of pieces.	Number of inches taper every 10 feet.	
17	13	46	1	3	1—16
17	14	98	2	2	1— 8
21	12	40	3	4	.....
18	10	28	4	2	1— 8
18	9	36	5	3	1— 6
18	11	40	6	4	.....
16	12	32	7	2	1—12
17	10	24	8	1	1—14

Senator LA FOLLETTE. What is Kokak's first name, if he has a first name?

Mr. ISHAM. Joe.

The CHAIRMAN. Did you run the lines when you made an examination of these stumps?

Mr. BALILLE. Kokak said it was on his land.

The CHAIRMAN. Did he undertake to show you where the lines were?

Mr. BALILLE. He showed us about where it was.

The CHAIRMAN. Where the line was?

Mr. BALILLE. Yes, sir.

The CHAIRMAN. How far away from any of these stumps was the line?

Mr. BALILLE. Within two or three rods, anyhow.

The CHAIRMAN. That is all.

STATEMENT OF JOE KOKAK—Continued.

JOE KOKAK resumed the stand and testified as follows:

The CHAIRMAN. Do you know where the lines of your allotment are?

Mr. KOKAK. I used to know the line correct before the fire, but since the fire I can not find the line exactly, but I know about where it is.

The CHAIRMAN. Do you know that these stumps were inside of your line?

Mr. KAKAK. Yes, sir; I know that this timber was on my land. At the time of the first cutting this timber was left at that time. This was leavings of the first cut. I knew it was mine.

The CHAIRMAN. Is the land next to you on the side where this cutting was done an allotment? Has anybody got an allotment next to you on the side where the cutting was done?

Mr. KAKAK. Yes, sir; this adjoining eighty to mine here belonged to a son of mine that is dead.

The CHAIRMAN. When did he die, about—before these trees were cut or afterwards?

Mr. KAKAK. About twenty years ago or better.

The CHAIRMAN. Has your son's allotment been cut over lately, since these people had these contracts?

Mr. KAKAK. No, sir.

The CHAIRMAN. And there is no contract on your son's allotment?

Mr. KAKAK. No, sir; there is none.

Senator LA FOLLETTE. Was there any cutting of other timber by Signor in that immediate neighborhood?

Mr. KAKAK. No; I don't know of any timber being cut anywhere near where this timber was trespassed upon.

Senator LA FOLLETTE. Were they doing any lumbering, so far as you know, on any eighty or forty adjoining your land?

Mr. KAKAK. Yes, sir; I know of one eighty being cut adjoining this land of mine, belonging to La-ma-na-sho-gi.

Senator LA FOLLETTE. On which side of yours?

Mr. KAKAK. On the south side of our land, adjoining.

Senator LA FOLLETTE. On which side of your land was this cutting done?

Mr. KAKAK. On the west side of my land.

Senator LA FOLLETTE. And how far from the south line of your eighty?

Mr. KAKAK. I could not say exactly how far, but it is not a great ways.

The CHAIRMAN. That is all. I will recall Mr. Isham.

STATEMENT OF IRA O. ISHAM—Continued.

IRA O. ISHAM resumed the stand and testified as follows:

The CHAIRMAN. Do you know anything about allotment 565 to Pi-mo-si-gi-shig, lot 5, township 38, range 5; also lot 3, township 30, range 9? You may refresh your memory by going through that second charge. You appear to have been one of the parties, and being on the stand I thought we would save time to examine you in regard to it. Did your business committee at any time take up the matter of this allotment?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Was it known what had become of the allottee?

Mr. ISHAM. No, sir.

The CHAIRMAN. As near as you can recall, about when was it that your business committee took up the matter of this allotment?

Mr. ISHAM. 1904.

The CHAIRMAN. 1904?

Mr. ISHAM. Yes, sir; 1904.

The CHAIRMAN. Could your business committee ascertain who the heirs of this allottee were in case the allottee was dead?

Mr. ISHAM. No, sir.

The CHAIRMAN. Did you lay this matter before the farmer, Mr. Jacobs?

Mr. ISHAM. We did.

The CHAIRMAN. And what notice, if any, or request did you make of the farmer in regard to this allotment?

Mr. ISHAM. I suppose you want me to state how this come up and how we found this out?

The CHAIRMAN. Yes; what I want is sworn evidence in regard to the charge that you have offered here. That is the point we want to cover.

Mr. ISHAM. In the way that we brought this up before the committee—I wasn't then one of the committee; I was simply the interpreter—there were seven on the committee at that time—and the way this come up was this: I had been quite intimate with Mr. Rodman, our farmer before this man Jacobs was here, and in inquiring for different allottees here upon our reservation—there is a lot of old patents laying in the office, and there has been times that these old Indians in early days that other licensed traders have been here, have come in and left patents with the farmer before now, and have them looked over and see if there was any timber for the poor Indian at that time, and they never called for those patents. Such ones have come back later on and called for patents and have found them, and by taking this bunch of patents and looking them over and calling their names—which I am familiar with, those Indian names—I have run across this Pi-mo-si-gi-shig allotment you refer to, and I never could find out who this Pi-mo-si-gi-shig was. I have asked a number of times at our meetings if anyone here in our tribe knew this Pi-mo-si-gi-shig. Nobody knew. We never could find out. We have also asked down on the St. Croix where the Indians are scattered down there, and some of them have come on our reservation and cut lumber here, which we thought might be there, but we never found them.

And after that I asked Mr. Jacobs if he would allow me those patents at one time when Major Campbell come in here for some business or another, and Mr. Jacobs was present at the council, and I called this up and asked among ourselves; and Mr. Jacobs had to take Major Campbell away the next morning early, and we weren't through acting on heirship land at that time and he allowed us to go on the next day. He said, "You can get along without me; I will have to take Major Campbell out to catch the train." I said, "All right." I said, "Mr. Jacobs, will you allow us those patents in your office to look over to-day?" "Yes," he says, "you can have them." He says, "When you get ready in the morning call to my

wife or myself, and she will give you those patents." The next day when we got going I read this over and recalled this and this one in particular. "Now," I says, "here is something that we ought to all look after. It concerns us all. We don't know but what," says I, "cutting down in here in that country now they might cut that allotment, and I think it would be best for us to watch this." And they said, "Yes," that we would, and they asked me, being familiar with it, to do so, which I did. This was the voice of the council. And I took this in hand, and I went down there different times, and one time in particular was the time when they were cutting some piling for this new road that was cut in here. My boy was cooking and his wife was helping him in one of the skidding camps, and I went down there. They had a contract with another Indian who is here now present, John Frog.

The foreman at the camp, the skidding camp, was a little Frenchman—I can not call him by name—but this was along in the spring, about the last of the cutting. While I was there, just before dinner, the foreman, who was a Norwegian—I can not call him by name just now—Signor & Crisler's foreman, he comes in with a pair of snowshoes on, and he and this foreman come from the barn together, and they got to talking about this same 80, and also this man that is here present, which is John Frog, and they got to talking about this same description, and I stayed to listen to them. The foreman said, that is, the head man of Signor & Crisler's said to the foreman of the skid camp, authorizing him to go and cut some more of that timber. This man says, "No, I will not cut any more off that allotment, because I do not know who it belongs to. As I understand, there is no one to that and it is under no contract," and he would not cut it. I found out there was some timber cut off for piling for this railroad, and I notified the Indians and the committee the next time we met. The committee then decided that we would notify our government farmer, Jacobs, to notify Signor & Crisler not to cut any timber on this allotment. He said that he would but afterwards, the next winter, we found that they cut there again. We found that there was a contractor on it, Made. I was down there on the land and I knew the numbers of the allotments and I said this allottee may come in with proof of this allotment, and I then called Mr. John Signor's attention to that, and he said, "Mr. Isham, I don't believe we are cutting on that allotment; I don't recollect that we are." I said, "A number of the logs on that allotment is being cut down there;" and he says, "I don't hardly believe it." He says, "Come and look over the contract book;" and I says, "All right." I went into the office and he takes his books and he finds where there was a contract made on that very same description.

The CHAIRMAN. Did you see the contract?

Mr. ISHAM. I seen it on his books.

The CHAIRMAN. Just saw a memorandum of it on his books?

Mr. ISHAM. Yes, sir; on the books. I said, "Who made this contract?" He said, "Pi-mo-si-gi-shig." And I says, "Which one?" And he says, "John Corwin." We have another Pi-mo-si-gi-shig, but his name is Bi-mo-si-gi-shig. I said, "John Corwin living across the river?" and he said, "Yes." I said, "What business has he to make a contract with that?" I says, "He has an allotment of his own," says I, "which he is living on now, and has got a house on."

He said, "He claims it; said it was his." And I said, "He knows better than that." I said, "He has been present in the council and heard all about this," and I said, "Why would he do so?" "Well," he says, "I don't know how he got into this, but" he says, "I will tell you Billy Boy helped us in that." And I said, "Billy Boy knows better. He is one of our committee." I said, "He was present when we notified Mr. Jacobs to notify Mr. Signor not to cut that." I said, "It is being cut," and he said, "Yes, we are up against it. Can't you help us out of this?" And I said, "No, sir; you asked me a year or two ago to try and help you out, and I told you I could not; I had no business to do so, or anybody else." And he said, "Yes, I own up, and the patent lays in the office of Mr. Jacobs."

The CHAIRMAN. Do you recall what is the first name here in the patent, if there is any?

Mr. ISHAM. Pi-mo-si-gi-shig.

The CHAIRMAN. Did he have any first name, John or William?

Mr. ISHAM. No, sir.

The CHAIRMAN. Did he spell it with a B or with a P?

Mr. ISHAM. With a P. And one John Corwin is Bi-mo-si-gi-shig.

The CHAIRMAN. No. 253?

Mr. ISHAM. No, sir; you haven't got that down there.

The CHAIRMAN. I find the next one is the same name. Proceed.

Mr. ISHAM. He said, "We are up against it. I think you could help us out in this." "Yes, I suppose I could, but I can't, Mr. Signor," I said, "I have got to go down here," and I was going home, and I started out and left it in that way. I notified our people.

The CHAIRMAN. Have you any idea how fully the timber was cut on that allotment?

Mr. ISHAM. No, sir, I do not, but the people that work on this allotment and helped cut this timber can tell you.

The CHAIRMAN. Do you know of anyone here who can probably tell about how completely it was cut?

Mr. ISHAM. No, I don't think anyone knows how much was cut. It is all cut now.

The CHAIRMAN. You know that?

Mr. ISHAM. That is what I hear. I don't know exactly. I would not say I knew.

The CHAIRMAN. Is there anyone here that you think of who could tell for certain whether it was all cut?

Mr. ISHAM. No one but Billy Boy here that I know of.

The CHAIRMAN. In this statement that is filed here it is recited that he—that is, Signor—said that Agent Campbell gave them authority to go right ahead. Did he tell you that?

Mr. ISHAM. I was coming to that soon. Later on we found out that after our reporting this and making this complaint we heard that Major Campbell had taken this in hand and authorized Messrs. Signor & Crisler to cut this timber, to finish up what was in there, and cut it, and that he would receive the proceeds, and that the money for that allotment he would hold that until such a time as the Indians got together and found out who it was, or if they didn't, it would be canceled and this money go to them.

The CHAIRMAN. You didn't understand that Agent Campbell had given them authority in the first place to go on this allotment?

Mr. ISHAM. Not in the first place.

The CHAIRMAN. It was only after it was partially cut that he told them to finish it?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Then at that time you talked with Signor, Signor didn't claim at that time that Campbell had given him any authority?

Mr. ISHAM. No, sir.

The CHAIRMAN. Did Signor ever claim to you or in your presence that Campbell had given authority?

Mr. ISHAM. Not in our presence; no, sir.

The CHAIRMAN. Did Signor, in your presence, ever claim that Campbell had given him authority to go on and finish the cutting?

Mr. ISHAM. No, sir. Where I got this was from our government farmer, Jacobs.

The CHAIRMAN. Jacobs told you that?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Is John Corwin the name of this other man whose name is somewhat similar to this other name?

Mr. ISHAM. Well, it is somewhat similar. The only difference is his starts with B.

Senator LA FOLLETTE. You call him "John Corwin?"

Mr. ISHAM. Yes, sir; Bi-mo-si-gi-shig.

Senator LA FOLLETTE. Is John Corwin here in this room?

Mr. ISHAM. Not that I know of.

Senator LA FOLLETTE. How near here does he live?

Mr. ISHAM. Five and a half or six miles.

Senator LA FOLLETTE. Was he present at the meeting of the council when this matter was up and under consideration?

Mr. ISHAM. He was at different times.

Senator LA FOLLETTE. Was he ever asked the question as to whether he had made any contract with this lumber company to cut on that piece of land—I mean on lot 5, section 6, township 38, R. 8 W.

Mr. ISHAM. Not that I know of.

Senator LA FOLLETTE. Wasn't he asked about it?

Mr. ISHAM. Probably he was when the contract was made with him.

Senator LA FOLLETTE. Wasn't he questioned about it in the presence of the council after you learned that they made the claim that he had contracted with them to cut on that piece of land which he did not own?

Mr. ISHAM. Yes, sir; we called his attention to that one time.

Senator LA FOLLETTE. In the council?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. What answer did he make?

Mr. ISHAM. He said that he thought that that was his, but in looking up he saw that it did not belong to him because he had the patent in his house which had the description of the land that he was living on and had a house on, but he said that he was pulled into this thing; that he didn't know what it meant.

Senator LA FOLLETTE. Pulled into it?

Mr. ISHAM. Pulled into it. He did not know what it meant any more than they said they wanted to give this to his boy.

Senator LA FOLLETTE. Who wanted to give it to his boy?

Mr. ISHAM. Signor and Billy Boy.

Senator LA FOLLETTE. Was that after the timber had been cut?

Mr. ISHAM. After the timber had been started to cut.

Senator LA FOLLETTE. That was after they had made the trespass?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. That was in order to have a defense to make?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Do you know whether this John Corwin made a contract on his own allotment for the sale of his timber?

Mr. ISHAM. The one that he is living on now?

The CHAIRMAN. Yes.

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Do you know whether he did that before or after he signed this contract on the other?

Mr. ISHAM. He made the contract first on his own before he made this other one.

Senator LA FOLLETTE. Did John Corwin receive money from this lumber company for timber cut upon this allotment, lot 5, section 6, township 38, range 8 W.?

Mr. ISHAM. He received some of the advance money.

Senator LA FOLLETTE. What do you mean?

Mr. ISHAM. That is for the signing of the contract.

Senator LA FOLLETTE. The lumber company paid him something for the signing of the contract?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Do you know how much?

Mr. ISHAM. I do not.

Senator LA FOLLETTE. Did you hear him state?

Mr. ISHAM. No, sir; I understood that they had given him money on this contract, but the company said if they had made a mistake they would have to get the money back from his other contract on the other piece of land.

Senator LA FOLLETTE. State, if you know, whether Corwin ever received any monthly allowance through Agent Campbell.

Mr. ISHAM. I don't know anything about that.

Senator LA FOLLETTE. I think John Corwin ought to be a witness here. Did Signor make any claim to you in your conversation with him that John Corwin was in fact the owner of this land upon which this trespass had been made?

Mr. ISHAM. He thought he did—that is, he thought he was the owner.

Senator LA FOLLETTE. He said he thought he was the owner?

Mr. ISHAM. Yes; and through the assistance of Billy Boy they made the contract with this John Corwin on that 80.

Senator LA FOLLETTE. Did he say to you it was through the assistance of Billy Boy that he had made the contract?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. In what way did he say Billy Boy had assisted in making the contract?

Mr. ISHAM. Well, that he thought that it belonged to John Corwin.

Senator LA FOLLETTE. Who thought that it belonged to John Corwin?

Mr. ISHAM. Billy Boy.

Senator LA FOLLETTE. That is, Signor told you that Billy Boy thought that it belonged to John Corwin?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. What did you understand Signor to mean when he asked you if you could not help him out?

Mr. ISHAM. Well, it was this, to find somebody that did not own any land here and have him come in that name and call for that patent so that he could make a contract with him. He stated to me at that time, he says, "You must know some one that hasn't got an allotment here that needs one and that has a right to that, to help us out, and let him have it, and we will make a contract for it." I told him I did not and I would not do it, and I could not do it.

Senator LA FOLLETTE. That is all.

STATEMENT OF BILLY BOY.

BILLY BOY, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Are you a member of the business committee?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. How long have you been a member of that committee?

Mr. BILLY BOY. Well, it is about three or four years since they have been here.

The CHAIRMAN. Were you in the room when Mr. Isham was testifying here—just now?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Did you understand what he was testifying to?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Did you ever hear anything about allotment No. 565 to Pi-no-si-gi-shig?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Lot 5, township 38, range 8?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Were you ever present at meetings of the committee when they talked about this allotment and that they could not find this man?

Mr. BILLY BOY. No, sir.

The CHAIRMAN. Didn't you know that they could not find the men?

Mr. BILLY BOY. No. It is now three years trying to find him and could not find him.

The CHAIRMAN. You knew they tried to find him and could not find him?

Mr. BILLY BOY. No; could not find him.

The CHAIRMAN. You knew they could not find him?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. And you were present when they were talking about trying to find him?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Did you know anything about the contract on his allotment to Signor & Crisler?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. Who signed that contract?

Mr. BILLY BOY. John Corwin.

The CHAIRMAN. Were you there when he signed it?
Mr. BILLY BOY. No, sir.
The CHAIRMAN. Did you ever talk with John Corwin before signing it?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. Before he signed it?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. What did you say to him?
Mr. BILLY BOY. I told him Signor was in there and wanted the 40, that he seized the two forties, both sides of the river, that the other 40 was cut and he could not find out who it belonged to. I told John Corwin it did not belong to this man. "How do you know it?" "I know it. I been logging that myself, boom timber. I have been looking for that man John Corwin." "I know that he owns these two forties, these two sides of the river," I told him.
The CHAIRMAN. Didn't you ask John Corwin to sign it?
Mr. BILLY BOY. I told him if he owned it he could sign it.
The CHAIRMAN. Did you talk with him about whether he owned it or not—did you tell him——
Mr. BILLY BOY. We owned it.
The CHAIRMAN. Owned what?
Mr. BILLY BOY. That he ain't owned it.
The CHAIRMAN. That he didn't own it?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. You tried to get him to sign a contract on that allotment?
Mr. BILLY BOY. No; I ain't tried to get him to sign it.
The CHAIRMAN. He did make it, did he not?
Mr. BILLY BOY. No.
The CHAIRMAN. Didn't he sign finally on this allotment 565—John Corwin.
Mr. BILLY BOY. He signed after I went away.
The CHAIRMAN. You know he did finally sign it, did he not?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. You understand that he finally signed it?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. Did you hear Mr. Isham state just now that Mr. Signor told him that you helped him get the contract?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. You heard him state that?
Mr. BILLY BOY. Yes, sir.
The CHAIRMAN. Did you help him?
Mr. BILLY BOY. No, sir. Signor?
The CHAIRMAN. Yes.
Mr. BILLY BOY. No, I can't do it.
The CHAIRMAN. You knew all the time that John Corwin had no right to that allotment?
Mr. BILLY BOY. No, that is it.
The CHAIRMAN. Didn't you?
Mr. BILLY BOY. Yes.
The CHAIRMAN. How long since you saw John Corwin—have you seen him within two or three days?
Mr. BILLY BOY. No, I ain't seen him around.
The CHAIRMAN. Whereabouts do you live?
Mr. BILLY BOY. I live down where Signor's mill is in there.

The CHAIRMAN. Anywhere near John Corwin?

Mr. BILLY BOY. Pretty near 3 miles he lives in there.

Senator LA FOLLETTE. Did John Corwin ever tell you that he signed that contract?

Mr. BILLY BOY. No, sir; he ain't told me that.

Senator LA FOLLETTE. Did you ever see the contract?

Mr. BILLY BOY. Yes, sir.

Senator LA FOLLETTE. Where?

Mr. BILLY BOY. It is in the office.

Senator LA FOLLETTE. Whose office?

Mr. BILLY BOY. Signor's. Signor called to me again one day—I worked on the mill—he says, "It ain't belong to John, the eighty we took, the other eighty we contracted," he says. "I told you before I went away." "We mark it," he says.

Senator LA FOLLETTE. Did he show you the contract?

Mr. BILLY BOY. Yes, sir.

Senator LA FOLLETTE. He just showed you the book, where it was entered in the book.

Mr. BILLY BOY. He showed me the contract that is marked.

Senator LA FOLLETTE. He had the contract there in his office?

Mr. BILLY BOY. Yes, sir.

Senator LA FOLLETTE. Do you know what date it was?

Mr. BILLY BOY. No.

Senator LA FOLLETTE. Do you know whether it was dated back?

Mr. BILLY BOY. No, sir.

Senator LA FOLLETTE. Do you know what I mean by that?

Mr. BILLY BOY. No.

Senator PAGE. Can you read English?

Mr. BILLY BOY. No, sir.

Senator LA FOLLETTE. Can you read writing?

Mr. BILLY BOY. No, sir.

SENATOR PAGE. How do you know that that was the contract that you saw?

Mr. BILLY BOY. Well, Signor told me.

Mr. HOLCOMBE. Do you work for Signor?

Mr. BILLY BOY. Interpreted for him once in a while at that time.

Mr. HOLCOMBE. Did you interpret for him at that time?

Mr. BILLY BOY. Yes, sir.

Mr. HOLCOMBE. Did he ever ask you to see John Corwin and see if you could get a contract with him?

Mr. BILLY BOY. Yes, sir.

Mr. HOLCOMBE. Did you tell him when you saw this contract that he had the wrong 80?

Mr. BILLY BOY. Signor told me for himself.

Mr. HOLCOMBE. That he had the wrong 80?

Mr. BILLY BOY. Yes, sir.

Mr. HOLCOMBE. Do you know whether he ever gave any men of his instructions to cut on that 80?

Mr. BILLY BOY. No, sir.

Mr. HOLCOMBE. Do you know any men who ever cut on that 80?

Mr. BILLY BOY. Which was that?

Mr. HOLCOMBE. The John Corwin 80, allotment 565—the one that you could not find the man for. Do you know any of the men that cut on that?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. What are their names?

Mr. BILLY BOY. Signor.

The CHAIRMAN. Do you know the men who went and did the cutting themselves?

Mr. BILLY BOY. I ain't working at the camp.

Mr. HOLCOMBE. I just asked you if you did know their names?

Mr. BILLY BOY. No, sir.

Mr. HOLCOMBE. All you know is that you told him if any of the timber was cut off it was the wrong 80. You told him that?

Mr. BILLY BOY. Yes, sir.

Mr. HOLCOMBE. Did he ever ask you to try to fix that up?

Mr. BILLY BOY. Yes, sir.

The CHAIRMAN. How did he want you to fix it up?

Mr. BILLY BOY. He wanted to get me to give the boy that 80 again.

The CHAIRMAN. To get somebody else to take that land?

Mr. BILLY BOY. Corwin's boy. He says to me, "Billy, could you help me in this?" He says, John Signor says. "No," I told him, "John, I could not do it."

STATEMENT OF IRA O. ISHAM—Continued.

IRA O. ISHAM resumed the stand and testified as follows:

The CHAIRMAN. Proceed with your statement about this case.

Mr. ISHAM. On this Pi-mo-si-gi-shig?

The CHAIRMAN. Yes. After this timber was cut did your committee ever take any action in regard to this matter?

Mr. ISHAM. In regard to the 80?

The CHAIRMAN. Yes.

Mr. ISHAM. Yes, sir.

The CHAIRMAN. What action did they take?

Mr. ISHAM. A meeting that was called by D. E. Jacobs for the purpose of acting on heirship lands, different heirship lands, all lands that belonged to minors, and to appoint guardians, were the principal ones up here at Chief Lake that we had acted on last winter. At that meeting one Mr. John Thayer came.

The CHAIRMAN. Who is John Thayer?

Mr. ISHAM. John Thayer is a member of this band on the Lac Courte d'Oreilles Reservation, a half breed, belongs here, and in the dispute, as he learned, as he presented it before this committee—about this Pi-mo-si-gi-shig, the unknown party—and he was invited to come here, and he was here present at that meeting, and he presented before the committee a written receipt wherein it was stated that he was the owner of this disputed 80 to Pi-mo-si-gi-shig. We looked it over and we read it and we saw that we could not deny it, and we announced it and had it understood by the Indians and they said, "Well, if that is right, let him have the 80," and on the voice of the people the committee took action on it and OK'd it and allowed him the rights on that 80. There was then already some money put to the credit of that 80, and Mr. Jacobs then announced the credit of that 80 and delivered everything to him. I would not say delivered the money to him, but delivered the rights to him.

The CHAIRMAN. How long was that after the timber was cut?

Mr. ISHAM. Well, the timber was cut within two years back, that we know of, and this here description was given to him last February.

The CHAIRMAN. That is allotted or transferred to him?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. When did the committee, so far as you know, first ever hear of John Thayer in connection with this disputed 80.

Mr. ISHAM. When did we learn?

The CHAIRMAN. When did you first hear of John Thayer in connection with this disputed 80?

Mr. ISHAM. Last winter.

The CHAIRMAN. How far does John Thayer live from here?

Mr. ISHAM. About 14 or 15 miles from here, over near what they call the "Post."

The CHAIRMAN. Is he a brother, so far as you know, of this Pi-mo-si-gi-shig?

Mr. ISHAM. No; not that I know of. I didn't know that he was any relative of his at all.

The CHAIRMAN. Did he claim to be any relation?

Mr. ISHAM. He didn't say; only he said that he was the Pi-mo-si-gi-shig.

The CHAIRMAN. He claimed to be the identical man?

Mr. ISHAM. Yes; that was the understanding that he gave us—that he was the identical man.

The CHAIRMAN. Then what did he need a receipt for—what kind of paper did he show you?

Mr. ISHAM. He showed us a paper about the size of that one, probably a little mite wider. It was written with pen and ink, if I recollect right.

The CHAIRMAN. Who was it signed by, do you know?

Mr. ISHAM. That I would not say. I don't recollect.

The CHAIRMAN. You can read and write?

Mr. ISHAM. Yes, sir; I can.

The CHAIRMAN. Did you read that paper?

Mr. ISHAM. I read it, yes; but I don't recollect who signed it.

The CHAIRMAN. As near as you can remember, what was the purport of the paper—did the paper seem to show that he had bought this of anybody—you call it a receipt?

Mr. ISHAM. It was a receipt that he claimed that it was made from one of his uncles which was a chief here belonging on this reservation, the Lac Court d'Oreilles Reservation. His name was Michigan Buck, and he claimed that he was an uncle of his and that his uncle had located him in the early days and that his uncle he claimed was the namesake of his and thought a good deal of him and he looked up a piece of land here for him on this reservation when he had the power to do so, and he done so.

The CHAIRMAN. Did this paper purport to describe the same piece of land, as you remember?

Mr. ISHAM. I think the description is on that piece of paper.

The CHAIRMAN. Do you know anything about where the paper is now; have you seen it or heard of it since?

Mr. ISHAM. He has it yet, if he did not leave it with Mr. Jacobs.

The CHAIRMAN. Did it purport to have the number of the allotment?

Mr. ISHAM. Yes, sir; there was a description.

The CHAIRMAN. And as you remember it was this Pimosigijig?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Then he claimed to be the very man himself, this Pimosigijig?

Mr. ISHAM. Yes, sir; that is what the paper stated to us; that is the way we took it and understood it. Then we thought that we would decide to let him have it, that it was pretty good evidence that it was his.

The CHAIRMAN. When you said something a while ago about transferring it, what you mean is that you recognized him as the allottee?

Mr. ISHAM. Yes, sir.

Mr. LENROOT. How long had John Thayer lived on the reservation?

Mr. ISHAM. John Thayer has made it his home here for the last 24 or 25 years.

Mr. LENROOT. Had he never claimed an allotment here before?

Mr. ISHAM. He knew that he had an allotment here but could never learn where it was, as he stated in that paper to us that he looked up the records back where he was raised, down here at Shell Lake somewhere; that they used to make it their home in the early days. That is where he got the record and brought this paper before us.

The CHAIRMAN. How long have you known him?

Mr. ISHAM. I have known him since 1881.

The CHAIRMAN. He has always gone by the name of John Thayer, has he?

Mr. ISHAM. Yes, sir.

STATEMENT OF DAVID E. JACOBS, GOVERNMENT FARMER.

DAVID E. JACOBS, having been first duly sworn, testified as follows:

The CHAIRMAN. You are the farmer here at Reserve?

Mr. JACOBS. Yes, sir; government farmer.

The CHAIRMAN. You have just heard the testimony of Mr. Isham?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Do you recall the incident of this man Thayer claiming to be the allottee in this case?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Do you recall the paper?

Mr. JACOBS. I never saw the paper.

The CHAIRMAN. You never saw the paper?

Mr. JACOBS. The only thing I ever saw was a communication that Judge Bailey had written for him, I think, to Mr. Campbell. The business committee carry on all their business in Chippewa; they do not talk English at all. They can all talk English, but all of their business is done in Chippewa; then after the business committee decides on what they have concluded to do in regard to any business matter they inform me. I never saw the paper that Mr. Isham says now that he had from Commissioner Buck. The only communication I saw in regard to Mr. Thayer being an heir to this allotment was a communication that he had Judge Bailey write up for him, and I am of the opinion, or my recollection is now, that he first wrote to Major Campbell, and I think Major Campbell forwarded me the letter that he had received from Judge Bailey. That is the only communication I ever saw.

The CHAIRMAN. Did you finally come to recognize John Thayer as the allottee on 565?

Mr. JACOBS. When the business committee gets through their business, I make a report to Major Campbell on two blanks stating all the business that the business committee has done at that meeting, and this was among other communications that I forwarded to Mr. Campbell, stating that John Thayer had been decided by the business committee as Pimosigijig, and they all signed their names—one signs by mark and the other two sign their names.

The CHAIRMAN. How did the business committee communicate with you, verbally or did they prepare a paper?

Mr. JACOBS. They always communicate with me verbally. After they made up their minds as to what they concluded to do the interpreter, Mr. Isham—who is now a member of the committee—stated that the business committee had decided that John Thayer was Pimosigijig and entitled to this allotment.

The CHAIRMAN. Then you write that out?

Mr. JACOBS. I keep a record of it in my books.

The CHAIRMAN. And they sign the communication?

Mr. JACOBS. They sign the communication.

Mr. CAMPBELL. You mean heirship blanks?

Mr. JACOBS. Yes, sir; we had to make this report on an heirship blank, which is just the same—because we had no other blanks for that purpose.

The CHAIRMAN. How long ago was this?

Mr. JACOBS. I thought it was early this summer, but I think, since Mr. Isham stated it was in February, that it was February, that he is right—this last February.

The CHAIRMAN. You knew before that time, did you, or do you know, that they had been at a loss to locate this Pimosigijig?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. And you knew at this time of their settling on John Thayer, that is, the time the timber had been cut on this allotment 565?

Mr. JACOBS. I knew they had.

The CHAIRMAN. You knew at that time, did you, that this John Corwin had signed a contract for this land?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. So you knew in February that there was more or less controversy about that forty?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Did you communicate with Major Campbell about the settlement of it with Thayer?

Mr. JACOBS. Not as to the settlement with Thayer, but he and I had many letters previous to that.

The CHAIRMAN. I mean when they finally agreed that Thayer was the individual, did you then communicate with Major Campbell?

Mr. JACOBS. Yes, sir; on blanks that we have for that purpose.

The CHAIRMAN. And only by blanks?

Mr. JACOBS. Only by blanks. I think I wrote him a letter making an explanation.

The CHAIRMAN. Have you not known ever since then that these Indians have been complaining about that timber being cut on that allotment?

Mr. JACOBS. I supposed that this settled it. I have heard no complaint since then.

The CHAIRMAN. You have not heard any since then?

Mr. JACOBS. Not a word. I supposed that settled who was the owner of the allotment.

The CHAIRMAN. How late have you heard of this complaint that is made here to-day?

Mr. JACOBS. I knew it three years ago.

The CHAIRMAN. But of the complaint that is made to-day?

Mr. JACOBS. They have made that three times to the department.

The CHAIRMAN. You do not understand me. They have filed here to-day a complaint. When did you first know that they were filing this complaint?

Mr. JACOBS. When I heard it read here to-day.

The CHAIRMAN. Then between February and this time you have not heard any talk of complaint about this matter?

Mr. JACOBS. Not one word.

The CHAIRMAN. And Thayer has been treated all that time as the allottee?

Mr. JACOBS. Yes, sir; and he has drawn over half the money, $364 and a few cents.

The CHAIRMAN. At the time of the meeting of this business committee were there a number of the Indians there besides the committee?

Mr. JACOBS. I should think at that time there were 25 or 30, probably—between 25 and 30.

The CHAIRMAN. Was Billy Boy among them?

Mr. JACOBS. He is a member of the business committee.

(The witness was thereupon temporarily excused.)

STATEMENT OF BILLY BOY.

BILLY BOY, a Court d'Oreilles Indian, having been first duly sworn, and his interpreter Ira O. Isham having been similarly sworn, testified as follows:

The CHAIRMAN. Do you know of a business meeting of the committee along last February in which John Thayer appeared with a paper and claimed to be Pimosigijig?

BILLY BOY. Yes, sir.

The CHAIRMAN. Do you remember the committee deciding that John Thayer was the man and should have the allotment?

BILLY BOY. Yes, sir.

The CHAIRMAN. Have you heard any complaint since then about the matter of the timber having been cut on this allotment; have you heard it talked about?

BILLY BOY. No, sir; not until this present time.

The CHAIRMAN. Did you help make up this statement that we have heard to-day?

BILLY BOY. Yes; I helped to make this statement.

The CHAIRMAN. Was anything said in making up this statement about putting in the matter of John Thayer having been recognized?

BILLY BOY. No, sir; I did not hear anything of it before until the time we got together here when they mentioned that they were going to speak of this.

The CHAIRMAN. It was not in the paper? Did you know what was in this paper before this committee had the paper?

BILLY BOY. No, sir.

Senator PAGE. Mr. Isham, is there any other tribunal that can pass upon this question of heirship allotments except the business committee of your tribe?

Mr. ISHAM. No, sir; I do not know of any.

Senator PAGE. Do they in fact decide all questions in regard to ownership and allotment of land so far as the Indians are concerned?

Mr. ISHAM. That is what we understand; yes, sir.

(The witness was thereupon temporarily excused.)

STATEMENT OF FRANK THAYER.

FRANK THAYER, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

FRANK THAYER. I live at Winter, Wis.

The CHAIRMAN. Are you a brother of John Thayer?

FRANK THAYER. Yes, sir.

The CHAIRMAN. How old are you?

FRANK THAYER. I am about 43, I think, if I remember.

The CHAIRMAN. How long have you been called Thayer, as far as you know?

FRANK THAYER. As far back as I can remember.

The CHAIRMAN. Did you have any other name?

FRANK THAYER. No, sir.

The CHAIRMAN. What degree of Indian blood are you?

FRANK THAYER. Half.

The CHAIRMAN. How long have you lived at Winter?

FRANK THAYER. About four years.

The CHAIRMAN. Where did you live before that?

FRANK THAYER. Over at the trading post in this reservation.

The CHAIRMAN. Have you and your brother lived close to one another most of the time?

FRANK THAYER. Yes, sir.

The CHAIRMAN. You have an allotment?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Did you ever know of your brother having an allotment?

FRANK THAYER. I have heard of it.

The CHAIRMAN. Do you know where it was?

FRANK THAYER. No, sir; not for a certainty.

The CHAIRMAN. What is the number of your allotment?

FRANK THAYER. I do not know.

The CHAIRMAN. Have you ever heard anything about this allotment No. 565—Pimosigijig?

FRANK THAYER. I have some, I think.

The CHAIRMAN. You have heard some talk about it, have you not?

FRANK THAYER. Yes, sir.

The CHAIRMAN. About the timber being cut on it?

FRANK THAYER. Well, no, sir.

The CHAIRMAN. What have you heard about it?

FRANK THAYER. I have heard of my brother being over here and claiming to be the owner of this allotment.

The CHAIRMAN. Is your brother older or younger than you?

FRANK THAYER. Younger.

The CHAIRMAN. He has always been known, as far as you know, as John Thayer, has he?

FRANK THAYER. That is his name.

The CHAIRMAN. You have never known him to have any other name?

FRANK THAYER. No more than I have heard this——

The CHAIRMAN. I know, but down to this time?

FRANK THAYER. Yes, sir; I have.

The CHAIRMAN. Before that?

FRANK THAYER. Yes, sir.

The CHAIRMAN. What is he known as?

FRANK THAYER. All I know about this is what has been talked of here some years ago.

The CHAIRMAN. How long ago?

FRANK THAYER. It is twenty-five years ago, perhaps. We had an uncle here.

The CHAIRMAN. What was your uncle's name?

FRANK THAYER. His name was Misican.

The CHAIRMAN. Did they call him "Buck?"

FRANK THAYER. Misican is the name I always heard him go by. I never knew him to be called Buck before this time.

The CHAIRMAN. Did you ever know of any of his people being called Buck?

FRANK THAYER. Since I came here on this reservation?

The CHAIRMAN. Since you came here when?

FRANK THAYER. About fifteen or sixteen years ago.

The CHAIRMAN. Now go on with your statement. You were saying that you had heard some twenty years ago about your brother.

FRANK THAYER. I have heard our uncle say that he was going to apply to this reservation to have an allotment granted to us. I got my allotment through his work.

The CHAIRMAN. Your allotment stands in the name of Frank Thayer?

FRANK THAYER. Yes, sir.

The CHAIRMAN. How long ago did you get that?

FRANK THAYER. Oh, about twenty years ago.

The CHAIRMAN. You used to talk with your uncle?

FRANK THAYER. Oh, yes, sir.

The CHAIRMAN. Did he call you "Frank Thayer?"

FRANK THAYER. No, sir; they called me another name; they gave me an Indian name; they had a name for me outside of that but I did not go by that in my patent.

The CHAIRMAN. What was that name?

FRANK THAYER. The Indian name was Wahbob—just an Indian name that they gave me. That was not my name.

The CHAIRMAN. In your intercourse with your uncle what did he call you?

FRANK THAYER. He called me "Frank."

The CHAIRMAN. Did you ever hear him talk about John?

FRANK THAYER. Well; yes, sir.

The CHAIRMAN. What did he call "John?"

FRANK THAYER. He called him "John" also, and then he told him about making this application.

The CHAIRMAN. That he had made it or was going to make it?

FRANK THAYER. That he was going to make it.

The CHAIRMAN. That he was going to make one?

FRANK THAYER. Yes, sir.

The CHAIRMAN. That was about twenty years ago, you think?

FRANK THAYER. It is all of that.

The CHAIRMAN. Did he ever tell you after that that he had made it?

FRANK THAYER. I know he told me that he had mine.

The CHAIRMAN. How long ago did you first know that he had gotten yours?

FRANK THAYER. It has been about sixteen years, I think.

The CHAIRMAN. He is dead, is he?

FRANK THAYER. Yes, sir.

The CHAIRMAN. How long has he been dead?

FRANK THAYER. I think he has been dead about ten or twelve years, if I remember aright. I would not say for certain.

The CHAIRMAN. When did you first know or hear of your brother John being called "Pimosigijig?"

FRANK THAYER. I never knew him any more than that time.

The CHAIRMAN. At what time?

FRANK THAYER. At the time that the applications were promised us by our uncle.

The CHAIRMAN. Did you know him to be called by that name then?

FRANK THAYER. No, sir; no more than he gave him that name.

The CHAIRMAN. Who gave him that name?

FRANK THAYER. My uncle did.

The CHAIRMAN. At that time?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Were you there when he gave him the name?

FRANK THAYER. I have heard it, yes, sir; I was at home.

The CHAIRMAN. Then you have known ever since then that your uncle had given your brother John this name?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Does the name mean anything so far as you know?

FRANK THAYER. Yes, sir; I think it does.

The CHAIRMAN. What is it?

FRANK THAYER. Pimosig is "walk" and "gijig" is aky.

The CHAIRMAN. Did he say anything at that time as to why he gave your brother that kind of a name and simply called you Francis?

FRANK THAYER. Yes, sir.

The CHAIRMAN. What reason did he give?

FRANK THAYER. Because he did not know what John's first name was—my brother's first name.

The CHAIRMAN. Now during all the time since your uncle gave him that name have any of your folks ever called him by that name?

FRANK THAYER. No, sir; he has not been home very much. My mother died shortly after that so we separated from home and I have not been with him very much.

The CHAIRMAN. You have been with him some?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Have you ever heard him called by that name since that time?

FRANK THAYER. No, sir; I have not because he is always called "John" here.

The CHAIRMAN. Have you seen him since he got this matter fixed last February?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Before he got that fixed did he ever talk with you about this allotment?

FRANK THAYER. Not that I know of.

The CHAIRMAN. You used to meet him once in awhile, did you not?

FRANK THAYER. Oh, yes, sir.

The CHAIRMAN. And from the time that your uncle named him, as you say, until he got this matter fixed last February, you do not remember his having talked with you about any allotment of his?

FRANK THAYER. No, sir; not to me.

The CHAIRMAN. Do you know whether he knew during that time that you had an allotment?

FRANK THAYER. Yes, sir.

The CHAIRMAN. Did you ever ask him why he did not get any?

FRANK THAYER. Yes, sir.

The CHAIRMAN. What did he say?

FRANK THAYER. He said that these parties told him he had one but never could locate it.

The CHAIRMAN. When he talked about locating it did he ever say anything about trying to find it under this name?

FRANK THAYER. I do not understand.

The CHAIRMAN. When he said that he could not locate it did he ever say anything about whether he tried to find it under this Indian name Pimosigijig?

FRANK THAYER. Yes, sir. He said he tried to find it both ways.

The CHAIRMAN. Did he tell you whom he asked in order to find it—what inquiries he made, or whom he made them of?

FRANK THAYER. No, sir; I do not know that he did. I do not recollect that. I do not remember who the parties were.

Senator LA FOLLETTE. Was he in the habit of coming over here to this reservation?

FRANK THAYER. I think he has been over here more or less frequently.

Senator LA FOLLETTE. He knew there was a business committee that met from time to time to settle the affairs of the Indians?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. Did he ever apply to them as far as you know; did he tell you that he had applied to them?

FRANK THAYER. Yes, sir; he told me he had.

Senator LA FOLLETTE. I mean before this last February, in the years that have gone by?

FRANK THAYER. I could not say that; I do not remember whether it was before or after.

Senator LA FOLLETTE. Did you see him shortly before he came here to make his claim last February?

FRANK THAYER. I have seen him, you might say, once a week every year.

Senator LA FOLLETTE. Did he show you any paper at any time upon which he claimed to have a right here?

FRANK THAYER. Not that I remember; no, sir; I did not see the paper.

Senator LA FOLLETTE. And yet you saw him once a week right along, or once a month?

FRANK THAYER. Yes, sir; once a month.

Senator LA FOLLETTE. It was very frequently?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. He never applied, so far as he told you, to the Indian farmer here?

FRANK THAYER. No, sir.

Senator LA FOLLETTE. He never made inquiries there?

FRANK THAYER. No, sir; he never said that to me.

Senator LA FOLLETTE. Did you see him shortly before he came here, in February, to set up his claim to this particular piece of land?

FRANK THAYER. I think so.

Senator LA FOLLETTE. You were in the habit of seeing him right along, almost every month?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. But he never at any time showed you any writing that asserted a claim to this land?

FRANK THAYER. No, sir; not that I know of.

Senator LA FOLLETTE. Did you see him after he had appeared before the business committee of the Chippewa Indians?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. Did he talk with you about it?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. He told you what had been done, did he?

FRANK THAYER. He told me that he finally had his land located.

The CHAIRMAN. Did he say anything to you, when he told you he had his land located, as to whether there was timber on it?

FRANK THAYER. I think he told me that the timber was all cut.

The CHAIRMAN. Your brother is educated?

FRANK THAYER. Yes, sir; that is, to a certain extent.

The CHAIRMAN. He can read and write?

FRANK THAYER. Yes, sir.

The CHAIRMAN. And talks English, does he not?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. I think you testified as to how long your brother had been dead?

FRANK THAYER. I think I did; yes, sir.

Senator LA FOLLETTE. He died some years ago?

FRANK THAYER. Some years ago; I could not say exactly now. It is either twelve or fifteen years ago, if I remember. I do not remember that for a certainty, but it is somewhere about that time. Some of the people here would know more definitely than I.

Senator LA FOLLETTE. Mr. Thayer, you are a member of the business committee here, are you?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. And you were last February?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. Was it in February when John Thayer appeared here, or about that time?

FRANK THAYER. It was in February.

Senator LA FOLLETTE. He presented some paper upon which the business committee finally recognized his claim to this particular allotment, did he?

FRANK THAYER. Yes, sir.

Senator LA FOLLETTE. Did he tell you that he got that paper from his uncle?

FRANK THAYER. Well, he said that the family had found that his uncle had made some selection for him in the early days.

Senator LA FOLLETTE. I understand that this particular paper which he showed you and which convinced the business committee that he had this claim, or at least upon which they allowed his claim, so far as the business committee was concerned, what did he tell you about this paper and when he had first found it, or from where he had received it?

FRANK THAYER. I could not exactly tell you the particulars of that only that he stated, and it seems to me it is so stated in this letter, that this man Bailey had looked up his records for him. I refer to W. F. Bailey.

Senator LA FOLLETTE. Did the business committee keep a copy of this paper which he produced here, and upon which you recognized his claim?

FRANK THAYER. No, sir.

Senator LA FOLLETTE. Was it merely a letter?

FRANK THAYER. It seemed as a letter to us.

Senator LA FOLLETTE. Was it signed by anybody?

FRANK THAYER. Well, as I say, Mr. Bailey's name was signed to it—W. F. Bailey.

The CHAIRMAN. Then that paper you gave to the farmer did you?

IRA O. ISHAM. We handed it to the farmer and he looked at it and read it over and handed it back, as I recollect, to Mr. Thayer. After I had explained this letter to them, or as well as I could to the committee, then I handed it back to Mr. Jacobs.

The CHAIRMAN. This was a new piece of paper, was it; it was not an old paper?

IRA O. ISHAM. I could not say, but it looked like a letter that had been carried some time in the pocket.

The CHAIRMAN. Did it look like a paper that had been preserved ten or twelve years?

IRA O. ISHAM. Yes, sir; it did. It did not look fresh, like a fresh piece of paper.

The CHAIRMAN. Did you see the date on it?

IRA O. ISHAM. No, sir; I did not. I probably looked at the date, but I do not recall the date.

The CHAIRMAN. Was there any printing on it—you know what we call a letter head?

IRA O. ISHAM. Yes, sir.

The CHAIRMAN. Was it a letter head?

IRA O. ISHAM. I would not say; I do not remember.

The CHAIRMAN. You think it was signed by Bailey?

IRA O. ISHAM. It was signed by W. F. Bailey.

Senator LA FOLLETTE. Mr. Thayer, do you know anything about this allotment that your brother now has, being one that they claim they could not find the owner of last winter?

FRANK THAYER. No, sir; that I would not say.

Senator LA FOLLETTE. Did you ever examine the list of allottees?

FRANK THAYER. Not for that purpose; no, sir. I have; yes, sir.

Senator LA FOLLETTE. You have gone all through the names?

FRANK THAYER. Yes, sir; pretty nearly.

Senator LA FOLLETTE. You never ran across this name before?

FRANK THAYER. Yes, sir; there are several names like it; the same name, but different people.

Senator LA FOLLETTE. Have you the number of that allotment?

FRANK THAYER. Yes, sir; 468, I think, is my allotment.

The CHAIRMAN. The next trespass is No. 3; allotment 253, Pimosigijig. Is there a man here by that name?

STATEMENT OF PIMOSIGIJIG.

PIMOSIGIJIG, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You claim here to have allotment No. 253, the east half of the southeast quarter of section 28, township 40, range 8. Is that your allotment?

PIMOSIGIJIG. Yes, sir.

The CHAIRMAN. When did you get that allotment—about how long ago?

PIMOSIGIJIG. It is a long while ago; I do not recollect how long.

The CHAIRMAN. Was there any timber on it when you got it?

PIMOSIGIJIG. Yes, sir; there was some timber on it.

The CHAIRMAN. Do you live on it.

PIMOSIGIJIG. No, sir.

The CHAIRMAN. Do you know whether Signor, Crisler & Co. cut any timber on your allotment?

PIMOSIGIJIG. Yes, sir; they cut some.

The CHAIRMAN. About how long ago?

PIMOSIGIJIG. I think about four years ago.

The CHAIRMAN. Do you know how much they cut?

PIMOSIGIJIG. I know how many trees they cut down.

The CHAIRMAN. How many?

PIMOSIGIJIG. Sixty-seven.

The CHAIRMAN. Did they have any contract for cutting trees on your allotment?

PIMOSIGIJIG. No, sir.

The CHAIRMAN. Did you know they were cutting it when they did cut it, or did you find it out afterwards?

PIMOSIGIJIG. I did not know until after the timber had been cut.

The CHAIRMAN. Have they ever paid you for the timber?

PIMOSIGIJIG. Yes, sir; they paid me.

The CHAIRMAN. How much did they pay you?

PIMOSIGIJIG. $10.87.

The CHAIRMAN. Was that all you claimed for the timber?

PIMOSIGIJIG. No, sir.

The CHAIRMAN. How much did you claim for the timber?

PIMOSIGIJIG. I asked them $25.

The CHAIRMAN. What was the timber; if it was pine was it white or Norway, and if it was not pine, what was it?

PIMOSIGIJIG. It was all Norway pine that they cut from my allotment.

The CHAIRMAN. Was it green or dead when they cut it?

PIMOSIGIJIG. It was green.

The CHAIRMAN. How big were the trees?

PIMOSIGIJIG. About that big [indicating].

The CHAIRMAN. About 18 inches. Do you know whether the timber that they cut was scale measured?

PIMOSIGIJIG. I do not know.

The CHAIRMAN. Did you ask them for the pay for it?

PIMOSIGIJIG. Yes, sir. I asked them to pay me $25 for my timber.

The CHAIRMAN. You had an interpreter, had you?

PIMOSIGIJIG. Yes, sir; I had an interpreter.

The CHAIRMAN. Who was your interpreter?

PIMOSIGIJIG. I think he is here sitting down in this crowd.

The CHAIRMAN. Do you know his name?

PIMOSIGIJIG. Yes, sir.

The CHAIRMAN. What is his name?

PIMOSIGIJIG. His name is Moquah.

The CHAIRMAN. Is he sometimes called "Billy Boy?"

PIMOSIGIJIG. Yes, sir; that is it.

The CHAIRMAN. He gave you a check for $10.87. Did he promise to give you any more?

PIMOSIGIJIG. No, sir.

The CHAIRMAN. When you told him you wanted $25, what did he say?

PIMOSIGIJIG. He did not say anything to me at all.

The CHAIRMAN. He just gave you a check, did he?

PIMOSIGIJIG. The farmer gave me the check.

The CHAIRMAN. Did the farmer try to get you to sign a contract with the company for this timber on your allotment?

PIMOSIGIJIG. No, sir.

The CHAIRMAN. Did the farmer try to get you to take $10.87 in full payment for the timber?

PIMOSIGIJIG. Yes, sir; he tried me some time.

The CHAIRMAN. Did Mr. Isham—Ira O. Isham—try to get you to take the $10.87 in full payment for the timber?

PIMOSIGIJIG. Yes, sir.

The CHAIRMAN. Did they say that that was all it was worth, or what did they say?

PIMOSIGIJIG. That was all it was worth.

Mr. HOLCOMBE. How close were these trees that were cut to other land that was cut over, and for which they had a contract?

PIMOSIGIJIG. It joins mine.

The CHAIRMAN. Whose allotment was the other on?

PIMOSIGIJIG. A woman who is around me somewhere.

The CHAIRMAN. Do you know whether she made a contract to cut her timber?

PIMOSIGIJIG. I do not know.

The CHAIRMAN. Mr. Isham, you were present at the settlement of this trespass, were you?

Mr. ISHAM. No, sir.

The CHAIRMAN. You just testified that you were there and urged him to take the check?

Mr. ISHAM. I was sent with the check to where he was.

The CHAIRMAN. Well, perhaps you can answer the question anyway. What reason did they give for cutting this timber, if you ever heard them give any?

Mr. ISHAM. I did not, any more than I thought that they made a mistake and got over the line.

The CHAIRMAN. Do you know where the allotment is?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Have you ever been there?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Do you know where the line is between his and the woman's allotment?

Mr. ISHAM. I used to know; yes, sir.

The CHAIRMAN. Have you been there since these trees were cut?

Mr. ISHAM. I have been on the land; yes, sir.

The CHAIRMAN. And noticed that the trees had been cut?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. How close are they to the line?

Mr. ISHAM. They run all the way from 1 rod to 15 rods from the line at the corner.

The CHAIRMAN. Of course these allotments were not fenced?

Mr. ISHAM. No, sir.

The CHAIRMAN. Were the bulk of them nearer or farther from the line than the two limits you have put?

Mr. ISHAM. The bulk of them are right at the corner—close to the bearing trees at the corner.

The CHAIRMAN. Is the bearing tree there?

Mr. ISHAM. I would not say that it is there now. I saw the bearing tree years ago.

The CHAIRMAN. Was it there when you noticed that these trees had been cut?

Mr. ISHAM. No, sir; but I know about where the bearing tree was.

The CHAIRMAN. Was the timber on this woman's allotment adjoining this man's all cut out?

Mr. ISHAM. Do you mean that that belonged to this other woman?

The CHAIRMAN. Yes.

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Before, or at the time that this timber was cut on the witness's allotment?

Mr. ISHAM. At the same time; yes, sir.

Mr. LENROOT. Were the bearing trees there prior to the time of Signor's cutting or just before his cutting?

Mr. ISHAM. I would not say positively, but I think it was.

The CHAIRMAN. Had the bearing tree been cut, do you know?

Mr. ISHAM. I think that they are cut.

The CHAIRMAN. Cut at this same time?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. You had known where the bearing trees were?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Did you notice that they were all gone?

Mr. ISHAM. Those trees are all gone.

The CHAIRMAN. Do you know how those trees were marked?

Mr. ISHAM. Do you mean the bearing tree?

The CHAIRMAN. Yes.

Mr. ISHAM. It was marked with a chip on the side of the tree about 3 feet from the ground with an old blade, and at the bottom of this there is another chip out by itself, that is the bearing trees that I have seen.

The CHAIRMAN. That is the general manner of marking bearing trees, in the wood, is it?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Mr. Isham, did you take that check to this man and ask him to accept it?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. You stated to him that it was more than the trees were worth, did you?

Mr. ISHAM. Yes, sir; I stated it just as Mr. Jacobs asked me to do.

Senator LA FOLLETTE. Did you tell him that you were just carrying a message from Mr. Jacobs?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Did you express to him your own opinion that that was the value of the timber?

Mr. ISHAM. I did not.

Senator LA FOLLETTE. As a matter of fact, if you know, was it the full value of the 67 trees?

Mr. ISHAM. I do not know.

Senator LA FOLLETTE. Have you any judgment upon the subject as to whether it was anywhere near the value of the trees?

Mr. ISHAM. Well, I think it was more than they have been paying for timber. They paid him more for the timber than they have been paying the others.

Senator LA FOLLETTE. What were they paying the others, per thousand, for that kind of timber?

Mr. ISHAM. For that kind of timber it is quoted in the contract at $1.50 and the pig iron $1.

Senator LA FOLLETTE. Was this pig iron?

Mr. ISHAM. That is what they claimed.

Senator LA FOLLETTE. Now, have you any idea how many thousand there would be in 67 trees, 18 inches in diameter?

Mr. ISHAM. No, sir; I have not. I should think from the way they have been scaling here, about 3,000 or better—between three and four thousand.

Senator LA FOLLETTE. Do you know how many feet an 18-inch pig-iron tree contains?

Mr. ISHAM. A 12-foot log?

Senator LA FOLLETTE. Yes?

Mr. ISHAM. Eighteen inches at the top?

Senator LA FOLLETTE. Yes?

Mr. ISHAM. No, sir; I do not, exactly.

Senator LA FOLLETTE. At the small end?

Mr. ISHAM. Something better than 100 feet.

Senator PAGE. Would it not be 16 feet according to your measurement here?

Mr. ISHAM. Something like that.

Senator PAGE. One hundred and sixty-two to the tree?

Mr. ISHAM. Yes, sir.

Senator PAGE. How many logs would there be in one of those pig-iron Norways? From 2 to 3?

Mr. ISHAM. Yes, sir; they would go better than that. From 2 to 4.

Senator LA FOLLETTE. From 2 to 4 logs?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. If it was 4 logs it would be 480 feet, then, to a tree?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. And if there were 67 trees it would be 25,000 or 30,000 feet?

Mr. ISHAM. At that size of log, yes, sir.

Senator LA FOLLETTE. Were those logs as large as that?

Mr. ISHAM. Hardly.

Senator LA FOLLETTE. About what was the diameter?

Mr. ISHAM. On an average, I think they would go about 10 inches.

Mr. LENROOT. Ten inches at the top or the bottom?

Mr. ISHAM. Ten inches at the top.

STATEMENT OF GEORGE CARUFEL.

GEORGE CARUFEL, a Lac Courte d'Oreilles Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Can you understand English?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. You have an allotment here, No. 80.

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. How long ago did you get that, approximately?

Mr. CARUFEL. As near as I can guess it is about ten years ago.

The CHAIRMAN. Did you ever give any contract to anybody to cut timber on it?

Mr. CARUFEL. No, not that I know of.

The CHAIRMAN. It has timber or did have timber on it?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. Was timber ever cut by anybody?

Mr. CARUFEL. Yes.

The CHAIRMAN. By whom?

Mr. CARUFEL. By Signor & Crisler.

The CHAIRMAN. About when?

Mr. CARUFEL. 1907.

The CHAIRMAN. How much did they cut?

Mr. CARUFEL. Well, I took a scaler—that is, he was the government scaler at that time—Clyde Howard, I took him to the 40 and he claimed over 1,000 feet was cut on it.

The CHAIRMAN. Did you make claim for any payment for this timber?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. Did they deny they cut it?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. They denied cutting it?

Mr. CARUFEL. No, sir.

The CHAIRMAN. You mean they did not deny having cut it, did they?

Mr. CARUFEL. No, they did not.

The CHAIRMAN. What did they offer you in settlement?

Mr. CARUFEL. I went down to the company and they offered to settle for $7.

The CHAIRMAN. What kind of timber was this?

Mr. CARUFEL. It was Norway pine.

The CHAIRMAN. How much did you ask them for this?

Mr. CARUFEL. I went to the company and tried to make a bargain with them for $35 to settle the trespass on my 40.

The CHAIRMAN. Do you claim any damage besides the timber they took?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. What other damage?

Mr. CARUFEL. They felled the trees on young timber that is growing up.

The CHAIRMAN. Did you finally accept $7?

Mr. CARUFEL. No, sir.

The CHAIRMAN. You never have settled with them?

Mr. CARUFEL. I never did.

The CHAIRMAN. How near to the line were these trees cut?

Mr. CARUFEL. Well, I should judge 3 and 4 feet. That is about the way the line run.

The CHAIRMAN. Did you state how many trees were cut—you stated how much was scaled—how many trees were cut?

Mr. CARUFEL. I didn't state.

The CHAIRMAN. How many were?

Mr. CARUFEL. Well, there was 15 or 20.

The CHAIRMAN. What did they say about having cut those trees when you told them that they had cut them?

Mr. CARUFEL. They claimed that they didn't know that they got over the line. I don't see how in the world they could miss the line when it was marked on the trees where the line was.

The CHAIRMAN. Was the line blazed there?

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. In addition to the corners?

Mr. CARUFEL. Yes, sir; the line had been run maybe a week or so before the other 40 was cut, adjoining my 40.

The CHAIRMAN. Was the other 40 under contract that you know of?

Mr. CARUFEL. I think it was.

Mr. HOLCOMBE. How old are you?

Mr. CARUFEL. Twenty-five years old.

Mr. HOLCOMBE. Did they ever approach you and ask for a contract with you for the land?

Mr. CARUFEL. They did ask me to make a contract with them.

Mr. HOLCOMBE. Before they cut this or afterwards?

Mr. CARUFEL. It was after it.

Mr. HOLCOMBE. Did they ever ask you to make a contract before?

Mr. CARUFEL. I don't remember being asked to make a contract before.

The CHAIRMAN. Were these trees dead or green trees?

Mr. CARUFEL. Green trees.

Mr. HOLCOMBE. You said that line was blazed; did they blaze it themselves?

Mr. CARUFEL. Yes, sir; the company surveyors blazed it.

Senator LA FOLLETTE. Did Signor & Crisler do this cutting themselves or was it done by subcontractors?

Mr. CARUFEL. A logger by the name of Tom Phelan logged on that place that year.

Senator LA FOLLETTE. And he cut the trees on your land?

Mr. CARUFEL. Yes, sir.

Mr. HOLCOMBE. Who blazed that line, the subcontractor or Signor?

Mr. CARUFEL. Signor, I guess.

STATEMENT OF CHARLES FORD.

CHARLES FORD, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified, through Mr. Isham as interpreter, as follows:

The CHAIRMAN. Your name is Charles Ford?

Mr. FORD. Yes, sir.

The CHAIRMAN. You have allotment No. 347?

Mr. FORD. Yes, sir.

The CHAIRMAN. How long have you had that allotment?

Mr. FORD. About one of the first allotments that was made here on the reservation.

The CHAIRMAN. Was there any timber on it when you got it?

Mr. FORD. Yes, sir.

The CHAIRMAN. Have you ever lived on it?

Mr. FORD. No, sir.

The CHAIRMAN. Have you ever signed a contract with anyone to sell them the timber?

Mr. FORD. I did away back some time ago.

The CHAIRMAN. Did you ever sign one to Signor, Crisler & Co.?

Mr. FORD. No, sir.

The CHAIRMAN. Did they ever cut any timber on your land?

Mr. FORD. Yes, sir.

The CHAIRMAN. About when?

Mr. FORD. I could not say the date when it was cut. It was cut last winter.

The CHAIRMAN. How many trees were cut?

Mr. FORD. I didn't count all the trees on the land, but I see what was cut for this bridge that was made.

The CHAIRMAN. How many?

Mr. FORD. Four trees that they had cut that they had used for stringers in the bridge.

The CHAIRMAN. What kind of timber was it?

Mr. FORD. It was hemlock.

The CHAIRMAN. Do you know where they were used, what bridge it was in?

Mr. FORD. It was over here at Eddy Creek.

The CHAIRMAN. Whose road or whose bridge, if you know?

Mr. FORD. It was for Signor & Crisler; they are the ones that was to use it.

The CHAIRMAN. Do you know who did the cutting—who did the chopping?

Mr. FORD. I know of one that was there at that time, but I don't know the white men that were there.

The CHAIRMAN. Did you talk to the men who were cutting the timber?

Mr. FORD. I did. I talked to him the best I knew how, and talked to him as I found out he happened to be the foreman there at that place where I was talking to him.

The CHAIRMAN. What did he say to you?

Mr. FORD. I spoke to him first, and this is what I said to him: I asked him who gave him permission to come there where they were cutting.

The CHAIRMAN. What did he say?

Mr. FORD. His answer was that Signor & Crisler told them if they wanted to make any bridge anywhere on that little creek and anywhere where he saw that he could get timber suitable, to take it any place where he could find it.

The CHAIRMAN. Did you ever talk to the company about it, or to Mr. Signor?

Mr. FORD. No, sir; not at that time.

The CHAIRMAN. Did you ever ask him to pay you for this timber?

Mr. FORD. After I found that they were cutting on my allotment I went down and saw Mr. Signor and told him that they were cutting on my allotment, and who gave them the authority to cut.

The CHAIRMAN. What did they say?

Mr. FORD. "I didn't know that you had any allotment there before; this is the first I have known." He says, "I will go up and look after it; I will see."

The CHAIRMAN. Did he ever pay you?

Mr. FORD. No, sir.

The CHAIRMAN. Was this timber cut near the line of your allotment?

Mr. FORD. I think they were in about 250 feet from the line, and in on my allotment, where they cut this timber.

The CHAIRMAN. Were they cutting on the allotment next to you on the same side where they cut this timber?

Mr. FORD. No, sir.

Senator LA FOLLETTE. Was that all the timber cut upon your land?

Mr. FORD. That is all.

Senator LA FOLLETTE. That is all.

STATEMENT OF CHARLES JUDSON SMITH.

CHARLES JUDSON SMITH, a white man, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you reside?

Mr. SMITH. North side of Grindstone Lake.

The CHAIRMAN. About how far from here?

Mr. SMITH. About 6 miles.

The CHAIRMAN. Did you ever work for the firm of Signor, Crisler & Co?

Mr. SMITH. Yes, sir.

The CHAIRMAN. About how long ago?

Mr. SMITH. Why, two years ago.

The CHAIRMAN. I think you are mentioned here in connection with a complaint as to classification and scaling of timber.

Mr. SMITH. Yes; I believe so.

The CHAIRMAN. Do you know anything about that?

Mr. SMITH. I made that statement there.

The CHAIRMAN. Make it now.

Mr. SMITH. Well, the statement I made there is that the scaler, Mr. Bateman, was scaling white pine for Norway.

The CHAIRMAN. Where?

Mr. SMITH. On my landing where I was landing logs on the inlet on the Grindstone Lake.

The CHAIRMAN. While working for the company?

Mr. SMITH. While I had a contract logging.

The CHAIRMAN. When did this occur?

Mr. SMITH. Two years ago.

The CHAIRMAN. In this connection, do you make a complaint as to the character of the scaling itself?

Mr. SMITH. Why, I make this statement, that that is what they were doing.

The CHAIRMAN. Yes; they were scaling white pine for Norway?

Mr. SMITH. Yes.

The CHAIRMAN. Do you complain of the scaling?

Mr. SMITH. Yes; I complain of the scaling.

The CHAIRMAN. Itself?

Mr. SMITH. Itself; that I didn't get the right scale.

The CHAIRMAN. What did you say the name was?

Mr. SMITH. Bateman.

The CHAIRMAN. How long did that continue?

Mr. SMITH. All winter; from the time the scaler come on. He come on in about January some time, I guess.

The CHAIRMAN. Did you communicate that fact to anyone?

Mr. SMITH. I did, to Mr. Young, yes. I drove the scaler off the landing at one time and told him that he wasn't giving me a fair deal.

The CHAIRMAN. You communicated that to Mr. Theodore Young?

Mr. SMITH. Yes; and to the farmer besides. I told him to tell them if they were attending to their business properly they would find it out.

The CHAIRMAN. Is that the way you put it to him?

Mr. SMITH. Yes; that is the way I put it to them. Mr. Young called me a liar and I made him take it back.

The CHAIRMAN. Did you specifically charge that they were making false classification and false scaling?

Mr. SMITH. Yes, sir; I did to Mr. Young.

The CHAIRMAN. About when was that, if you can tell?

Mr. SMITH. That was in February; that was in about March, I think, two years ago.

The CHAIRMAN. In March?

Mr. SMITH. Yes; about the 1st of March, I think. Yes; just about the 1st of March. It wasn't the 1st of March I drove the scaler off, though.

The CHAIRMAN. When did you drive him off?

Mr. SMITH. It was early; in the first of the scaling.

The CHAIRMAN. Did he come back again?

Mr. SMITH. Yes; Mr. Young and the farmer let him come back.

The CHAIRMAN. When you drove him off and he came back, did you have any talk with Young or the farmer with reference to this matter at that time?

Mr. SMITH. Young said he thought he could fix the matter up and it would be all right.

The CHAIRMAN. What talk did you have with them?

Mr. SMITH. With the scaler?

The CHAIRMAN. No; with Young or the farmer.

Mr. SMITH. I didn't have much talk with them; only the scaler went away and he came back again and I seen Mr. Young and he said he had fixed the matter all up.

The CHAIRMAN. Did you tell him what the matter was?

Mr. SMITH. Yes; I told him I didn't think I was getting the right scale.

The CHAIRMAN. How long was the scaler gone at that time?

Mr. SMITH. He was gone, I think, about two or three days.

The CHAIRMAN. Who scaled in the interim?

Mr. SMITH. Well there wasn't anybody?

The CHAIRMAN. The next time you talked with them was in March?

Mr. SMITH. That was when I talked with the farmer and Mr. Young.

The CHAIRMAN. And you told them then that he wasn't scaling it fair, and that he was making a false classification?

Mr. SMITH. Yes, sir.

The CHAIRMAN. And that if they would attend to their business they would know what was going on?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Did you see them again after that?

Mr. SMITH. No, sir; never again after that. They sent for me to come down to Mr. Signor's and fix the matter up. Mr. Young asked me at that time if I made that statement and I told him no; I had other objects at that time. I was going to use it in a different way. I told him no, it was not so; and afterwards, in the spring, I told him it was so, and I made the statement here to the Indians several times and wanted him to take it up.

The CHAIRMAN. First you made the charge and then you told him it was not so?

Mr. SMITH. Yes, sir.

The CHAIRMAN. And then afterwards told him it was so?

Mr. SMITH. I told him it was so in the spring.

The CHAIRMAN. What time in the spring was it—the last time you told him it was so?

Mr. SMITH. That was along in April or May sometime. I was done logging.

Senator LA FOLLETTE. Why did you withdraw the statement?

Mr. SMITH. I had other objects.

Senator LA FOLLETTE. What were those objects?

Mr. SMITH. I was looking out for Mr. Signor then, and I thought maybe it might be some damage to him. I wanted to favor him in that way if I could. It wasn't none of my business.

Senator LA FOLLETTE. It was a loss to the Indians?

Mr. SMITH. Yes; but it was no loss to me. I warned the Indians of it and I gave Mr. Young an insight of it, and he paid no attention. I let it drop. I didn't think it would make any difference.

Senator LA FOLLETTE. You thought it might injure your relations with Mr. Signor, and if nobody paid any attention to it you did not purpose to jeopardize your business?

Mr. SMITH. That is it, sir. I seen him scaling some logs that way and then I sent my boy and he was with the scaler four or five days, and they drove him away, would not let him stay with them no longer; the scaler said that Mr. Signor said not to let him stay any longer.

Senator LA FOLLETTE. That is your boy?

Mr. SMITH. Yes.

Senator LA FOLLETTE. How old is he?

Mr. SMITH. Twenty-three years old.

Senator LA FOLLETTE. Did he understand the business of scaling?

Mr. SMITH. Well, he is not a practical scaler, but he knew how to scale a log. He is a very well-educated boy and he knows how to scale a log.

Senator LA FOLLETTE. When did you first notice that they were scaling white pine for Norway pine?

Mr. SMITH. It was along in the middle of the winter when there were a lot of logs on the landing.

Senator LA FOLLETTE. About how long did that continue?

Mr. SMITH. I could not say for that matter how long. The boy was with him four or five days, and he said they scaled several logs that way.

Senator LA FOLLETTE. During the time that he was with them?

Mr. SMITH. Yes, sir.

Senator LA FOLLETTE. Did you yourself afterwards observe that he was doing the same thing?

Mr. SMITH. No, sir; I didn't pay any more attention to it.

Senator LA FOLLETTE. How soon after you first noticed that this was going on did you inform Mr. Young and Mr. Jacobs?

Mr. SMITH. Not until along in March, until the time that they came down to my place.

Senator LA FOLLETTE. Did you see them in the meantime?

Mr. SMITH. I never seen Mr. Young but once during the winter and he was crossing the ice with Mr. Jacobs after the time I made the scaler go, and during the time that they were scaling these logs this way until he come down to my place. That is the time I told him if he was attending to his business he would see more of the scaling.

Senator LA FOLLETTE. When did you first inform the Indians of what was going on?

Mr. SMITH. It was along early in the scaling.

Senator LA FOLLETTE. Who did you tell?

Mr. SMITH. Mr. Isham here and several of them down there at the store.

Senator LA FOLLETTE. What did you say to them?

Mr. SMITH. I told them they had better send somebody around there to watch the scale; that I thought they were getting a bad scale.

Senator LA FOLLETTE. Did you have any further conversation with the Indians after that time about it?

Mr. SMITH. I told them any time they wanted my testimony in that regard they could have it. That is all, one way or the other.

Senator LA FOLLETTE. What is your business?

Mr. SMITH. I keep a summer resort.

Senator LA FOLLETTE. How long have you lived here where you now live?

Mr. SMITH. I have lived here six years. I have lived in Hayward twenty-four years.

Senator LA FOLLETTE. Hayward is how far from where you live now?

Mr. SMITH. Seven miles.

Senator LA FOLLETTE. You have lived in that neighborhood for about a quarter of a century?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Do you keep what is called "Smith's place?"

Mr. SMITH. Yes, sir.

Mr. LENROOT. How did you ascertain the scale was wrong?

Mr. SMITH. I was standing with the scaler one time; I was standing behind him and he was scaling some logs, and he scaled it white pine and marked it "Norway."

Mr. LENROOT. You saw him make the entry?

Mr. SMITH. Then I saw him make that mark. I didn't think very much about it. I told the boy, "I think there is a nigger in the fence; you just go on and watch them for a few days to see what they are doing." So he did.

Mr. HOLCOMBE. Who was the scaler?

Mr. SMITH. Bateman. There are two of them boys. The youngest fellow, Arthur.

Senator LA FOLLETTE. Who drove your boy off?

Mr. SMITH. The scaler told him that Mr. Signor told him that he didn't want him there; that he had better come in. I asked him why—I thought he had a right to the landing there as well as Mr. Signor had—and he said, "No; he objected to him." He said he could do the work himself.

Senator LA FOLLETTE. Did you have any conversation with Signor about it?

Mr. SMITH. No, sir.

Mr. HOLCOMBE. Where is your boy now?

Mr. SMITH. He is in Hayward, and will be to my place to-night, I guess. He has been there all summer.

Senator LA FOLLETTE. Can you have him come up here to-morrow morning?

Mr. SMITH. If he is at home I can. I will have to bring him up.

The CHAIRMAN. Have you ever had any trouble with Signor?

Mr. SMITH. Nothing very much. Yes, I have had trouble with him. I tried to get a settlement with him and could not. I tried for pretty nearly a year, and finally they sued me for $400. That is about all the trouble I have ever had. As far as words, I have never had any. I could never get an appointment with them to settle any place.

Mr. HOLCOMBE. Did you tell Mr. Isham of this scale before you had any trouble with Mr. Signor?

Mr. SMITH. Yes, sir.

Senator LA FOLLETTE. When did you have this trouble with Mr. Signor?

Mr. SMITH. Only this last year. That is all the trouble ever I have had with him.

Senator LA FOLLETTE. Then you had had no trouble with him at the time you reported the matter to Mr. Young and to the Indians.

Mr. SMITH. No. Mr. Signor and I at that time were good friends, as far as I know.

Senator PAGE. You said you had had unfair treatment in the scaling of your logs.

Mr. SMITH. Yes, sir.

Senator PAGE. In what respect?

Mr. SMITH. I don't think I got scale enough to the number of logs.

Senator PAGE. Explain how you thought you were wronged about that.

Mr. SMITH. I think it only took about 25, and they took all the way up to 30.

Senator PAGE. How do you scale—by measuring the small end or do you have calipers?

Mr. SMITH. The small end.

Senator PAGE. What is the length of the logs?

Mr. SMITH. The lengths is 22, 16, and 18—all lengths.

Senator PAGE. Then the small end was measured and you entered on the book that you had a certain number of logs of a given length and a given amount of timber was put on.

Mr. SMITH. Yes, sir.

Senator PAGE. Do you think if they measured a log that measured 11 inches they would put down 10 inches?

Mr. SMITH. Yes, sir.

Senator PAGE. What is the rule for measuring logs?

Mr. SMITH. They have the Scribner, I guess, the standard rule.

Senator PAGE. Do you ever use the diameter by half the diameter rule in measuring logs?

Mr. SMITH. No, sir. In fact, I ain't a scaler. I don't understand much about scaling myself.

Thereupon, at 6.30 o'clock p. m., the committee adjourned.

LAC COURT D'OREILLE RESERVATION,
COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Reserve, Wis., September 22, 1909.

The committee met at 9 o'clock a. m.

Present, Senators Clapp (chairman), La Follette, and Page; also S. W. Campbell, esq., United States Indian agent; E. P. Holcombe, chief supervisor, Indian Office, and Hon. Irvine L. Lenroot, Representative from the State of Wisconsin.

STATEMENT OF H. BARNABY.

H. BARNABY, having been first duly sworn, testified as follows:

The CHAIRMAN. Your name is H. Barnaby?

Mr. BARNABY. Yes, sir.

The CHAIRMAN. You are the owner of allotment No. 506?

Mr. BARNABY. Yes, sir.

The CHAIRMAN. Did you have any burned timber on that allotment?

Mr. BARNABY. Yes, sir.

The CHAIRMAN. Did you have any trouble about getting it cut?

Mr. BARNABY. Yes, sir.

The CHAIRMAN. You may proceed and state it.

Mr. BARNABY. Well, I have made three trips to the reservation here. I went to see the farmer, Mr. Jacobs, and he sent me to Mr. Signor. At that time I had to go back home, and I made an extra trip purposely to see Mr. Signor, and when I saw him he said he would go out and look it over. So I went back home and came back and met him the day he appointed. We all met there, and they claimed that the timber was damaged.

The CHAIRMAN. Where is your allotment?

Mr. BARNABY. On the Chippewa River.

The CHAIRMAN. About how far from here?

Mr. BARNABY. About 14 or 15 miles. I tried to make a contract to sell it, the party to whom I wanted to sell it offering me $10 on the bank.

Senator LA FOLLETTE. Who was it?

Mr. BARNABY. Mr. Shaw was the buyer, but I would have to sell to Mr. Ralph, who was dealing with Mr. Shaw.

Senator LA FOLLETTE. Henry Ralph, of Hayward?

Mr. BARNABY. Yes, sir. So I could not make a contract with them unless I got a clear deed of it. On the way I asked Mr. Signor if I could get a clear deed and he said it was a thing I could not do; it had to go through his hands, and he wanted a dollar a thousand percentage for closing the deal and handling the contract, so the party who wanted to buy the logs would not have anything to do with it.

The CHAIRMAN. Would Signor buy them of you?

Mr. BARNABY. No, sir.

The CHAIRMAN. He would not buy them himself?

Mr. BARNABY. No, sir.

Senator LA FOLLETTE. And he wanted a dollar a thousand in order to pass his rights and let you sell them to some one else?

Mr. BARNABY. A dollar a thousand, but it would have to go through his hands; he would have the management of it, and the party I would have sold the logs to would have nothing to do with it in that regard. If I had had a clear right myself to deal with it I would have disposed of my timber.

Senator LA FOLLETTE. How much did you have?

Mr. BARNABY. In the neighborhood of a couple of hundred thousand or more.

Senator LA FOLLETTE. Has it been cut at all yet?

Mr. BARNABY. It has been cut.

Senator LA FOLLETTE. Who cut it finally?

Mr. BARNABY. I think Mr. Tourish cut it.

Senator LA FOLLETTE. Did you ever make a contract with anybody to cut it?

Mr. BARNABY. No, sir,

Senator LA FOLLETTE. Did you cut it for Signor?

Mr. BARNABY. I did not make the contract. I was not married at the time, and I asked Tourish.

Senator LA FOLLETTE. Who was this man that you say cut it?

Mr. BARNABY. It was at the time Mr. Tourish logged on the reservation.

Senator LA FOLLETTE. How long ago was that?

Mr. BARNABY. That is about fifteen years ago.

Senator LA FOLLETTE. I know, but lately it has not been cut, has it?

Mr. BARNABY. No, sir.

Senator LA FOLLETTE. The timber that you tried to sell to Ralph never has been cut?

Mr. BARNABY. No, sir.

Senator LA FOLLETTE. Is it spoiled from not being cut?

Mr. BARNABY. It is spoiled. It is middling small timber, and last winter it would not have been damaged, but this winter it would be damaged, more or less of it.

Senator LA FOLLETTE. Can you tell how much would have been damaged by your not being able to sell it—how much a thousand?

Mr. BARNABY. It would cut quite a figure. There is a good deal of difference in the buyers. As long as the timber stands there burned and standing, the more waste there is every year.

Senator PAGE. Can you not give some estimate as to how much there was damaged by the thousand, this last winter?

Mr. BARNABY. Yes; I guess I could; but it would be hard to do unless you went over it and looked at it. It shows a good deal more this fall than it did last spring.

Senator PAGE. Would a dollar a thousand probably cover it?

Mr. BARNABY. It would not any more than do so.

Senator LA FOLLETTE. What kind of timber is it?

Mr. BARNABY. Mostly white pine and Norway.

Senator LA FOLLETTE. Is there more white pine than Norway?

Mr. BARNABY. It is, I judge, about equal.

Senator LA FOLLETTE. How near is it to where Signor was lumbering?

Mr. BARNABY. It is about eight or ten miles, but the timber could be landed right on the river; the allotment joins the river. Mr. Ralph cut the timber on both sides of the land.

Senator LA FOLLETTE. Could it have been run right down?

Mr. BARNABY. It was run right down. He was turning his logs for Mr. Shaw, and the timber would have gone to Mr. Shaw.

The CHAIRMAN. That is, if Ralph had cut it?

Mr. BARNABY. Yes, sir.

The CHAIRMAN. How convenient was it to any timber that Signor was cutting?

Mr. BARNABY. It must have been about eight or nine miles.

Senator LA FOLLETTE. Could it have been run down in this stream to where he was doing lumbering?

Mr. BARNABY. No, sir; it could not. It was run down to Eau Claire.

Senator LA FOLLETTE. Was that the reason he could not take it at that time; is that the reason he gave, that it was away off from where he was at work and he could not handle it himself?

Mr. BARNABY. I do not know what the reason was.

Senator LA FOLLETTE. It is a fact that it would have been difficult for him to have handled it, is it not?

Mr. BARNABY. It would have been as long as he had nothing there to handle it with.

Senator LA FOLLETTE. But what you wanted——

Mr. BARNABY. Was to give me the right to handle it myself.

Senator LA FOLLETTE. And not suffer damage to it by having it stand?

Mr. BARNABY. Yes, sir.

Senator LA FOLLETTE. Did you apply to the department for the right to dispose of it yourself?

Mr. BARNABY. Mr. Jacobs told me I could go on and cut it myself, but it would have to be under his control, and in that way I could not dispose of it.

Senator LA FOLLETTE. Did you apply to the Indian Office in Washington?

Mr. BARNABY. No, sir; I did not. It was late then and I would not have had time to do anything by the time I got the answer.

The CHAIRMAN. You said Jacobs told you you could cut it, but it would be under his, Jacobs's, control, or Signor's control?

Mr. BARNABY. It would be under Signor's control.

Senator LA FOLLETTE. Did this man that you wanted to sell it to state that he would not have anything to do with Mr. Signor?

Mr. BARNABY. No, sir; that was the only thing he said, "You get the deed to it and I will deal with you; otherwise I will not have anything to do with it."

(The witness was thereupon excused.)

STATEMENT OF THOMAS TAINTER.

THOMAS TAINTER, having been first duly sworn, testified as follows:

The CHAIRMAN. Your name is Thomas Tainter?

Mr. TAINTER. Yes, sir.

The CHAIRMAN. You have allotment No. 55?

Mr. TAINTER. My wife has. Her name is Katie Thayer.

The CHAIRMAN. Is there timber on that allotment, or was there?

Mr. TAINTER. Yes, sir; there is now.

The CHAIRMAN. Was it burned?

Mr. TAINTER. Part of it was burned.

The CHAIRMAN. Did you try to dispose of it in any way?

Mr. TAINTER. I asked Mr. Signor for permission to sell the timber.

The CHAIRMAN. Did you have an offer for the timber?

Mr. TAINTER. I had at one time, but not last fall. I could have sold it to other parties; I am very confident I could have sold it to some parties.

The CHAIRMAN. Did you ever ask him to contract for it and cut it himself?

Mr. TAINTER. No, sir; I asked him one time to buy and he said he would not.

The CHAIRMAN. And then you tried to get him to consent to your selling it?

Mr. TAINTER. It was Monroe Signor, I think, and I asked John, too, and they said they would not buy it.

The CHAIRMAN. Where is that allotment?

Mr. TAINTER. It is on section 33.

The CHAIRMAN. I mean how far from here?

Mr. TAINTER. It is about 13 miles from here.

The CHAIRMAN. Have they lumbered that neighborhood?

Mr. TAINTER. No, sir.

The CHAIRMAN. How near is the nearest lumbering that they have done to that?

Mr. TAINTER. Eight or nine miles.

The CHAIRMAN. When he would not cut it you tried to get him to let you sell it?

Mr. TAINTER. Yes, sir.

The CHAIRMAN. What did he say to that?

Mr. TAINTER. I asked him for permission to sell the timber and he said, "You have my permission." I said, "Give me a written permission." I said, "I understand that the farmer says you can give a written permission to dispose of it." He said, "My written permission would not be any good." I said, "A verbal permission is no good, if a written permission is no good. I will take the chances if you give me a written permission to sell." He said he could not do it, and when I spoke to him again that same day he said, "If I could sell it, if I could get a buyer, to fetch him over to his office and he would

contract with him for 50 cents a thousand, but I would have to pay him 50 cents a thousand for letting me have the right to sell the timber.

The CHAIRMAN. Do you live anywhere near Barnaby?

Mr. TAINTER. I live about 10 miles from him.

The CHAIRMAN. Is this allotment there?

Mr. TAINTER. Yes, sir; right across the river. He is in 29 and I am in 33.

The CHAIRMAN. Has that timber been cut yet?

Mr. TAINTER. No, sir.

The CHAIRMAN. Is there much timber around there?

Mr. TAINTER. Yes, sir; there is considerable timber there.

The CHAIRMAN. What kind of timber was yours?

Mr. TAINTER. Mostly hemlock.

Senator LA FOLLETTE. How much of it was burned over?

Mr. TAINTER. There has been considerable on the south and west side of it.

Senator LA FOLLETTE. Can you give us an estimate of the stumpage that was burned over?

Mr. TAINTER. Somewhere in the neighborhood of 150,000 to 200,000. There was a good timber man in there with me and he thought there was probably 150,000 or 200,000 that was burned.

Senator LA FOLLETTE. Do you know for how much you could have sold it?

Mr. TAINTER. I was offered one time $2,000 for it.

Senator LA FOLLETTE. In lump?

Mr. TAINTER. Yes, sir.

The CHAIRMAN. When was that?

Mr. TAINTER. Three years ago.

Senator LA FOLLETTE. Was that after it was burned over?

Mr. TAINTER. Before?

Senator LA FOLLETTE. For how much could you have sold it after it was burned over?

Mr. TAINTER. I do not know what I could have sold it for then.

Senator LA FOLLETTE. If it had been cut right away after it was burned over? Was it so damaged that you would have had to sell it for less on account of the fire?

Mr. TAINTER. Yes, sir; part of it; but the value was not there as it was before it was burned.

Senator LA FOLLETTE. Have you any idea how much it depreciated in value; can you give us a general idea, on account of the fire? You said you were offered $2,000 for it before the fire.

Mr. TAINTER. Yes, sir. It had depreciated, I think, somewhere in the neighborhood of $350 or $400, as near as I can judge.

Senator LA FOLLETTE. How long has it been since that fire?

Mr. TAINTER. It is a year ago next month, I think.

Senator LA FOLLETTE. If you could dispose of it pretty soon you could dispose of it for more than you could following the fire immediately, could you not?

Mr. TAINTER. Yes, sir; I think I could.

Senator LA FOLLETTE. But if it stands very long I suppose it will depreciate the value of it very considerably?

Mr. TAINTER. Yes, sir.

(The witness was thereupon excused.)

STATEMENT OF GEORGE CORBINE.

GEORGE CORBINE, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You have allotment No. 645, have you?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. Do you live on the allotment?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. You have some improvements there, have you?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. You have some timber on that allotment, have you not?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. Did you cut down some of that timber?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. What did you do with it, or what did you try to do with it?

Mr. CORBINE. I cut it up into wood.

The CHAIRMAN. Did you sell the wood?

Mr. CORBINE. Yes, sir.

The CHAIRMAN. Who did you sell it to?

Mr. CORBINE. I sold stove wood to people here on the reservation, and other wood I shipped and sold.

The CHAIRMAN. What did you get for the wood a cord?

Mr. CORBINE. $3.25 a cord.

The CHAIRMAN. Did you have to get a permit to sell that wood?

Mr. CORBINE. No, sir.

The CHAIRMAN. Did you ever make a contract with Signor, Crisler & Co. to sell your timber?

Mr. CORBINE. No, sir.

The CHAIRMAN. Did you understand when I asked you if you had to get a permit to sell your wood?

Mr. CORBINE. No, I did not.

The CHAIRMAN. I thought not. Mr. Interpreter, I wish you would explain this to him: The complaint is that he could not sell his wood without a permit, and that he could make more selling it as wood than he could get out of it for lumber, if he sold timber to Signor, Crisler & Co., and we want to ascertain what there is in this complaint.

(The above having been interpreted:)

Mr. CORBINE. I see that I could get more for my timber by selling it without getting a permit than for my wood.

The CHAIRMAN. Is there anything to prevent your going on and clearing your land and selling your wood if you want to? I want to be fair with you. The complaint is that you can not get your land cleared because you can not get rid of this stuff, and we want you to understand the question. Now, you say you did not have to get any permit. I doubted whether you understood my question.

Senator LA FOLLETTE. Did you explain, Mr. Interpreter?

IRA O. ISHAM (the interpreter). Yes, sir.

The CHAIRMAN. Is there any Chippewa word for "permit?"

IRA O. ISHAM (the interpreter). No, sir, there is not.

The CHAIRMAN. Ask him if he has to see Mr. Jacobs or anybody else before he can sell any cordwood or bolts, or such things.

(The interpreter having interpreted the above:)

Mr. CORBINE. I do not know, but I found out later that I had to get a permit for such; that they would not let me sell this wood without I did ask a permit.

The CHAIRMAN. Did you ask for a permit after you found that out?

Mr. CORBINE. I heard that such was the case; that I could not cut my wood and sell it. Then when I found out that I had to see the farmer I did so.

The CHAIRMAN. Did the farmer let you cut your wood?

Mr. CORBINE. No, sir.

The CHAIRMAN. How much wood did you cut?

Mr. CORBINE. Twenty-eight cords.

The CHAIRMAN. How many bolts did you cut?

Mr. CORBINE. That is what I have reference to, bolts.

The CHAIRMAN. Does that include the wood and bolts both?

Mr. CORBINE. No, sir.

The CHAIRMAN. How much wood did you get cut?

Mr. CORBINE. I do not know, but I cut quite a bit.

The CHAIRMAN. Did you ever ask Signor to buy the timber?

Mr. CORBINE. No, sir.

The CHAIRMAN. How far is your allotment from here?

Mr. CORBINE. Five miles.

The CHAIRMAN. What kind of timber has it on it?

Mr. CORBINE. Pine, oak, birch, alum, ash, and balsam.

The CHAIRMAN. Did you get your pay for the wood and bolts that you sold?

Mr. CORBINE. Yes, sir.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF GEORGE CARUFEL.

GEORGE CARUFEL, having been recalled for further examination, testified as follows:

The CHAIRMAN. Do you know the number of your allotment?

Mr. CARUFEL. It is No. 80.

The CHAIRMAN. You testified yesterday about some trespass.

Mr. CARUFEL. Yes, sir.

The CHAIRMAN. You were the man who was put in jail, were you?

Mr. CARUFEL. I was threatened with being put in jail.

The CHAIRMAN. Tell us about that.

Mr. CARUFEL. Well, I went into the government farmer's office one day and talked about this trespass on my 40, and asked the farmer what he could do to help me out. The farmer said he did not know; that he did not know what to do, and I told him that it was his place to know what to do to help the Indians out; that that was what he was there for, and I asked him if he was going to help me out. He said he could not do anything about it. He told me to go and see the company about it. I went down to Signor's and tried to get my pay out of it, and I could not get any satisfaction out of it. I came back and told the farmer that I did not get anything out of it. On another day I was sitting outside of the store there, and an Indian came along and asked me if I would not go up to the farmer's office to do the interpreting for him. I said yes I would, and went up to the farmer's office and walked in. I said everything that the Indian wanted me to say to the farmer.

The CHAIRMAN. What was it that he wanted you to talk about; what did he want you to say?

Mr. CARUFEL. That this Indian's wife had some money coming from Ashland, some timber money, and he wanted to find out if he had anything coming to him. I asked the farmer, and the farmer got kind of angry and walked to the door and opened it and told us to get out.

The CHAIRMAN. What about this jail matter?

Mr. CARUFEL. That was another thing. When I went to the farmer and spoke about my 40 again and tried to get something out of it, he told me if I did not quit talking about my affairs, about my own business, he said he would put me in the coop. I said "What do you mean by the coop?" I knew what he meant, all right, but I wanted to get the main words out. He said the jail; he kind of pointed out doors and said, "Do you see that jail out there?" I said, "Yes." He said, "Well, I will put you in there if you do not keep quiet, and send you down to Madison." That is just what he said.

The CHAIRMAN. I thought this was the man who said he was put in jail.

Mr. ISHAM. Peter Cloud was.

Senator LA FOLLETTE. What had you said to Mr. Jacobs just before he told you he would put you in jail if you did not stop talking about the matter?

Mr. CARUFEL. I said "It is your place to try to help me out," and he got kind of mad. He said I did not have any business about that 40 across there where the trespass was done no more than that little lake in front of the office there. That is what the farmer told me.

Senator LA FOLLETTE. He said that you did not have any business about it, or he did not?

Mr. CARUFEL. He told me that I did not have any more business about that 40 than that lake out there.

Senator LA FOLLETTE. What did you say then?

Mr. CARUFEL. I told him I did not see why; I had a claim to that 40.

Senator LA FOLLETTE. What did he say then?

Mr. CARUFEL. I do not know what he said right then.

The CHAIRMAN. Was it your 40 that you were talking about?

Mr. CARUFEL. Yes, sir; it was my 40 that I was talking about.

Senator LA FOLLETTE. Did you use any bad language to him in any way?

Mr. CARUFEL. No, sir.

Senator LAFOLLETTE. Was he angry?

Mr. CARUFEL. Yes, sir; he was real angry.

Senator LA FOLLETTE. What made him angry?

Mr. CARUFEL. He was talking there. I do not know what made him angry, just talking to a man. I did not say any bad language. He talked rough to me first and then I commenced to get a little angry too, and talked rough to him also.

Senator LA FOLLETTE. What did you say to him when you talked rough?

Mr. CARUFEL. I did not talk rough; I just talked loud, the way he talked to me. I did not call him down or anything like that.

Senator LA FOLLETTE. Did you call him any names?

Mr. CARUFEL. No, sir.

Senator LA FOLLETTE. Did you swear at him?

Mr. CARUFEL. No, sir.

Senator LA FOLLETTE. You say he opened the door and told you to go out?

Mr. CARUFEL. That was the time I went in with the other Indian.

Senator LA FOLLETTE. At the time he ordered both of you to go out had any bad language been used by either of you?

Mr. CARUFEL. No, sir.

Senator LA FOLLETTE. He has certain days in the week when he talks to the Indians about their business, has he?

Mr. CARUFEL. Yes, sir.

Senator LA FOLLETTE. Was this on one of these days?

Mr. CARUFEL. Yes, sir; but I do not know just exactly what date it was that we went in there. It was through the week, anyhow.

Senator LA FOLLETTE. Did he complain because you had not come on a business day—was that the reason?

Mr. CARUFEL. No, sir.

Senator LA FOLLETTE. He did not raise that question at all?

Mr. CARUFEL. No, sir.

(The witness was thereupon excused.)

STATEMENT OF PROSPER BELELLE.

PROSPER BELELLE, having been first duly sworn, testified as follows:

The CHAIRMAN. You have an allotment on this reservation?

Mr. BELELLE. Yes, sir.

Senator LA FOLLETTE. Do you know the number of it?

Mr. BELELLE. No, sir; I do not know the number of it.

The CHAIRMAN. About how far is it from here?

Mr. BELELLE. It is about 5 or 6 miles from here, at that big lake below here.

The CHAIRMAN. Did you live on it?

Mr. BELELLE. I do not live on it now.

The CHAIRMAN. Where do you live?

Mr. BELELLE. I stay with Billy Boy.

The CHAIRMAN. You have made a complaint here in regard to work. You have worked for the firm of Signor, Crisler & Co., have you not?

Mr. BELELLE. Yes, sir.

The CHAIRMAN. What have you to say about that?

Mr. BELELLE. Well, all I have to say about that is that last spring J. M. Signor, in the first place, hired me to drive, and I went over, and at the same time J. C. Signor hired another man, a white man, and he went over there to drive at the same time that he hired me to drive. When I got over there the white man had the team, so I got another job, the shortest job. So that gives the white man a better chance than the Indian.

The CHAIRMAN. What is the difference in the wages?

Mr. BELELLE. I do not know what they paid for the team, but I know they paid me $1.75 for tying edgings.

The CHAIRMAN. You hired out in the first place to drive a team?

Mr. BELELLE. Yes, sir.

The CHAIRMAN. What were they to pay you?

Mr. BELELLE. They did not say what they were going to pay me.

The CHAIRMAN. There was no price fixed, was there?

Mr. BELELLE. No, sir.

The CHAIRMAN. Then when you got over there and tied edgings they paid you $1.75?

Mr. BELELLE. Yes, sir.

Senator LA FOLLETTE. You say that was a short job.

Mr. BELELLE. That was a shortest job. The other man drove the team and is driving the team yet.

Senator LA FOLLETTE. He is still at work, is he?

Mr. BELELLE. Yes, sir.

Senator LA FOLLETTE. How long did you work tying edgings?

Mr. BELELLE. Not quite two months.

Senator LA FOLLETTE. You are a teamster, are you not; you understand horses?

Mr. BELELLE. I drove a team for that company two or three summers.

Senator LA FOLLETTE. You have driven teams for them at other times; you have been a teamster for them for two or three summers?

Mr. BELELLE. Yes, sir.

Senator LA FOLLETTE. Before that?

Mr. BELELLE. Yes, sir.

The CHAIRMAN. Do you know whether they pay white men any more than they pay Indians for the same kind of work?

Mr. BELELLE. I do not know anything about that.

The CHAIRMAN. Well, you say in this statement here that they force the Indians to sign a contract.

Mr. BELELLE. I do not say that they force a man to sign a contract, but I know that they have done it.

The CHAIRMAN. It reads, "And they also force the Indians to sign a contract with them." Did you draw that up [indicating paper]?

Mr. DENNIS. Yes, sir. What this man is saying now is about another thing. That other part that goes on was made by the band.

The CHAIRMAN. Have you any other complaint to make here except this complaint that you have stated, that they hired you to drive a team and when you got there they turned your team over to a white man and sent you to do other work?

Mr. BELELLE. At another time this summer—some time the last part of August—they were hauling timber from Chief Lake. They sent me over to drive the team again, and when I got over there Mr. Champion, the yard farmer, had brought another man over to drive the team. So I had to leave the team again.

The CHAIRMAN. What did you do then?

Mr. BELELLE. I loaded lumber for a couple of days.

The CHAIRMAN. Now, except for the fact that the teaming work is usually the longest and steadiest part——

Mr. BELELLE. Yes, sir.

The CHAIRMAN. And except for any difference in wages that there might be, is it, or is it not, more desirable to drive a team than to do the other work?

Mr. BELELLE. I think the driving of the team is the longest work. I do not know what they are paying wages for the teamsters.

The CHAIRMAN. But if both kinds of work are of the same length, would it be considered more desirable to drive a team, or not?

Mr. BELELLE. Any way at all. I think when they first had us fellows to drive a team, we expected to get the team.

The CHAIRMAN. I am speaking now generally with reference to the work.

Mr. BELELLE. It does not make any difference at all.

The CHAIRMAN. Except that one is more apt to be longer than the other; is that what you mean?

Mr. BELELLE. Yes, sir.

The CHAIRMAN. But whether there is any difference in the wages, you do not know?

Mr. BELELLE. I do not know anything about the wages.

The CHAIRMAN. I asked you, and will ask you again, whether you know that they pay white men more than they pay Indians for the same kind of work?

Mr. BELELLE. I do not know anything about that.

Senator LA FOLLETTE. I suppose you have no way of knowing what they do pay the white men?

Mr. BELELLE. No, sir.

Senator LA FOLLETTE. You did not see their books?

Mr. BELELLE. No, sir.

Senator LA FOLLETTE. Or time checks?

Mr. BELELLE. No, sir; I did not see anything.

Senator LA FOLLETTE. Do you know whether they pay white men in time checks and coupons?

Mr. BELELLE. I know that they have paid some white men in time checks.

Senator PAGE. Do you not know what they pay the other boys in the mill for doing the same class of work—that is, the bundling of edgings?

Mr. BELELLE. There was only one man tying edgings.

Senator PAGE. And you got $1.75 a day?

Mr. BELELLE. Yes, sir.

Senator PAGE. Is that not more than they paid anyone for a like class of work, as far as you know?

Mr. BELELLE. I do not know anything about the other men's work at all.

Senator PAGE. You did not talk the matter over with the boys, as to what you got?

Mr. BELELLE. No, sir.

(The witness was thereupon excused.)

STATEMENT OF HENRY A. LA RUSH.

HENRY A. LA RUSH, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. LA RUSH. Right here in the village.

The CHAIRMAN. How long have you lived here?

Mr. LA RUSH. About twenty-three years.

The CHAIRMAN. What degree of Indian are you?

Mr. LA RUSH. Quarter.

The CHAIRMAN. Are you educated?

Mr. LA RUSH. Well, not very much.

The CHAIRMAN. Do you read and write.

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. And you talk good American.

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. Do you know, generally, about the matter here of paying the men by Signor, Crisler & Co.—that is, how they pay them.

Mr. LA RUSH. Well, I know that they paid all of us Indians in time checks.

The CHAIRMAN. What do you do with the time checks?

Mr. LA RUSH. We try to cash them sometimes and sometimes we can not.

The CHAIRMAN. Do you get the full amount of them?

Mr. LA RUSH. No, sir.

The CHAIRMAN. How much do you have to discount them for?

Mr. LA RUSH. Sometimes we discount them at 10 cents on the dollar.

The CHAIRMAN. Where do you get them discounted, generally?

Mr. LA RUSH. Sometimes you can not get them cashed at all, and then again you run across a man who will cash them.

The CHAIRMAN. Just as it happens?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. There is nobody here who makes a business of buying them, is there?

Mr. LA RUSH. There was one man here last winter.

The CHAIRMAN. Who was that?

Mr. LA RUSH. His name was Fossum, of Rice Lake.

The CHAIRMAN. Did you have to send the checks there, or did he come here?

Mr. LA RUSH. We had to send them there or go down there ourselves.

The CHAIRMAN. About how much would he discount them for?

Mr. LA RUSH. He discounted them for 2 per cent.

The CHAIRMAN. Do Signor, Crisler & Co. run a store anywhere?

Mr. LA RUSH. They do, down here at the dam.

The CHAIRMAN. How, generally, do they use these time checks instead of cash?

Mr. LA RUSH. Do you mean how often?

The CHAIRMAN. I mean do they pay in cash, and if so, much or little?

Mr. LA RUSH. I have never seen any cash paid by Signor, Crisler & Co.

The CHAIRMAN. Are there white men working for them?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. Do you know of your own knowledge whether they issue time checks to the white men.

Mr. LA RUSH. No, sir; but I have spoken to the white men who work in the camp with me a good many times and they told me that they received bank checks and that us fellows were not getting treated right.

The CHAIRMAN. They get bank checks, do they?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. And you only get time checks?

Mr. LA RUSH. That is all I ever got.

The CHAIRMAN. How, generally, have you worked for them?

Mr. LA RUSH. I worked for them the second winter, I think it was, here, and a little while the next winter, and then I would not work for them any more by the day.

The CHAIRMAN. In your talks with the white men—if you have talked with them any—have you found that they paid more wages to the white men for the same work than they do the Indians?

Mr. LA RUSH. That is what they tell me.

The CHAIRMAN. That is what the white men tell you?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. Were they doing the same kind of work?

Mr. LA RUSH. They were doing the same kind of work.

The CHAIRMAN. Do any Indians drive teams?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. Do you know of any instance, of your own personal knowledge, where there is a difference in the pay to the white teamster and to the Indian teamster?

Mr. LA RUSH. No, sir; I do not.

The CHAIRMAN. Do you recall the kind of work that was referred to when you talked with the white men who told you that they were getting more than the Indians?

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. What kind of work was it?

Mr. LA RUSH. Loading.

The CHAIRMAN. What were they paying the Indians for loading at the time?

Mr. LA RUSH. From thirty to thirty-five dollars.

The CHAIRMAN. And what were they at the same time paying the white men according to what the white men told you?

Mr. LA RUSH. From thirty-eight to forty dollars.

The CHAIRMAN. Have you noticed any difference as to the length of the jobs; for instance, if they had to cut down their force anywhere, whether they let the Indians out, or let the white men out.

Mr. LA RUSH. I did, at the time I loaded for them. I was in there in the early fall and started decking and went to loading. Of course I supposed I would have the recognized chance because I was in there first. Me and another fellow started loading, and in the spring of course they had to cut down one loading gang. They cut down the Indian loading gang and put them at a dollar a day work.

The CHAIRMAN. And at lower wages?

Mr. LA RUSH. Yes, sir; and let the white men load until we could not haul any more.

The CHAIRMAN. They did not put any white men in the place of those Indians that they took off the roll, did they?

Mr. LA RUSH. No, sir; they only needed one gang at a time.

The CHAIRMAN. It was a gradual cutting down of the force, was it?

Mr. LA RUSH. Yes, sir; still, in a general way, in all camps the first crew that goes in in the fall generally gets the longest length of the loading. That is the way I have always found it.

The CHAIRMAN. Do you care to make any additional statement with reference to matters here?

Mr. LA RUSH. Well, I can say something with regard to the time checks.

The CHAIRMAN. That is what we would like to hear.

Mr. LA RUSH. Last spring after I got through working in the woods, my father had a check and so did my mother, and I was sent down to Rice Lake to cash those checks. I could not cash them up here any place. I tried it at Court d'Oreilles, and at Reserve, and I could not get the money, and I had only $1 in my own pocket of my own money. I earned that in the reservation. I went down to Rice Lake and tried to cash the checks. I went in every saloon and

every bank and store and could not get the checks cashed. Finally a fellow came up and said "I know where you can cash your checks." One was for $28. I went into this place that they call Fossum's and they cashed this one check for me but I could not cash the other one. The other was for $45, or something near $45. Then I went back home. I could not cash it. I went down purposely to cash those two checks. I went back and stayed there but I could not get them cashed. A little while afterwards I went down and tried it all over and Fossum could not cash it. He said he had all his money out on these checks and could not cash it. Then a fellow told me that there was a fellow at Court d'Oreilles who could cash it. This was where Signor was operating. He was cashing them at ten cents on a dollar discount. I thought I would not cash it there but would hold on and I ran across a storekeeper who cashed it for me. It cost me $6 to cash that check.

Senator LA FOLLETTE. Did the storekeeper discount it in cashing it?

Mr. LA RUSH. He discounted it at 2 per cent I think. I had to pay my fare down there and back and I had to stop over night there.

The CHAIRMAN. Is there anything else, while you are on the stand, that occurs to you that you would like to speak about? Have you seen the white men paid in checks?

Senator LA FOLLETTE. He said in bank checks.

Mr. LA RUSH. They have told me so, but I have not seen it myself.

The CHAIRMAN. Have you ever seen white men with time checks?

Mr. LA RUSH. No, sir; I have not seen any white men with checks at all.

The CHAIRMAN. There is some statement here in regard to payment by coupons.

Mr. LA RUSH. Yes, sir.

The CHAIRMAN. What about that?

Mr. LA RUSH. I go in Signor & Crisler's store and have always seen somebody buying some stuff there with coupons and they told me I could not get anything else.

The CHAIRMAN. Those people that you saw buying were men that you saw working for the company, were they?

Mr. LA RUSH. Yes, sir.

Senator LA FOLLETTE. Were they Indians?

Mr. LA RUSH. Yes, sir.

Senator LA FOLLETTE. Are any of them here now?

Mr. LA RUSH. I think there are a good many of them.

Senator LA FOLLETTE. Who have been paid in coupons?

Mr. LA RUSH. I have not worked for them since they have been paying in these coupons. I quit working for them after I found out the way they were using us. I would not work for them by the day.

Senator LA FOLLETTE. I would like to ask you to state if you will what the difference in the quality of work or service performed by the Indians and white men is, if there is any difference, in these logging camps?

Mr. LA RUSH. No, sir; there is not.

Senator LA FOLLETTE. Are the white men better workers than the Indians?

Mr. LA RUSH. No, sir; the companies that I have worked for claim that the Indians are as good lumbermen as any, if not better.

Senator LA FOLLETTE. One thing more. What about the Indians sticking to their work and quitting work, or not being as dependable

as white men, if there is anything in that? We want to get at the truth of the matter if we can.

Mr. LA RUSH. There is some, but still the Indians have not had a fair show here to show that they would stick with this company.

Senator LA FOLLETTE. Because they do not get the same kind of treatment, you mean?

Mr. LA RUSH. Yes, sir.

Senator LA FOLLETTE. And the same kind of pay?

Mr. LA RUSH. I have known of men who worked all winter outside of those camps but they would not work more than a week for Signor & Crisler.

Senator LA FOLLETTE. The same men?

Mr. LA RUSH. Yes, sir.

Senator LA FOLLETTE. If there is anything further that you desire to state you may state it—if you can think of anything.

Mr. LA RUSH. No, sir; that is all.

The witness was thereupon excused.

The CHAIRMAN. Are there any other men here who can speak with regard to this coupon business?

Mr. DENNIS. Billy Boy can speak with regard to the coupons. He was paid with coupons.

STATEMENT OF LEWIS DENNIS.

LEWIS DENNIS, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You live here at Reserve?

Mr. DENNIS. Yes.

The CHAIRMAN. How long have you lived here?

Mr. DENNIS. About fifteen years.

The CHAIRMAN. What degree of Indian are you?

Mr. DENNIS. One-half.

The CHAIRMAN. You read and write?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. How old are you?

Mr. DENNIS. Thirty-seven.

The CHAIRMAN. Are you more or less familiar with the methods used in logging operations?

Mr. DENNIS. Yes; I have been working for them ever since they started.

The CHAIRMAN. There has been some reference made to paying off in coupons. Will you tell us what that is?

Mr. DENNIS. Yes; I have worked for them since they have been on here and I never could get money yet—cash. I was always paid every spring either by time check—never had a bank check; also right along time coupons. A year ago last winter I had $150 worth of coupons. Had very little along in the spring, and had to take a time check.

The CHAIRMAN. What has been the rule with regard to being able to get your money on time checks, both as to the ease of getting it and discount?

Mr. DENNIS. Signor, Crisler & Co., they say that they have work every winter up to April 15, but there is hardly a year when they have worked up to that time. Many years they break camp in the first part of March. You can't get no money. They won't give you a

thing, only time checks. You take a time check anywheres and it won't be accepted, as Mr. La Rush said, only at certain places. Two years ago last spring I had a time check here and Peter C. T. Wolf went down to Rice Lake and could not get anything on it. I tried to get something on it, and I could get it provided I took it out in trade. So I did that, and then, besides, 10 per cent discount.

The CHAIRMAN. In regard to this coupon business, what are the coupons used for?

Mr. DENNIS. Just to go to their store to trade.

The CHAIRMAN. Any other store, or just that store?

Mr. DENNIS. Just their store.

The CHAIRMAN. Is there any opportunity to sell these coupons?

Mr. DENNIS. No, sir.

The CHAIRMAN. Practically the only thing you can do with them is to trade them out?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. Some reference has been made to being obliged to sign contracts in regard to these matters?

Mr. DENNIS. Yes, sir; I worked over to Eddy Creek last fall when they first started their operations up there and we were the first ones there the first day they started up, and day after day the Indians come over there to look for work, and they would not hire them. And every train that come in, twice a day, there would be white men to come, and they were put to work right away. After a while, after working about a week or ten days, the night foreman come to the sleeping camp and says, "You boys come in the office." I didn't know what was up when I went in there. He was sitting there, and he told us, "Now, if you fellows want to work here you have got to sign this contract, and if you don't want to sign the contract you can not get employment from us." Of course, all of us here we have families and we needed the work and we signed the contract.

The CHAIRMAN. Do you know what the contract was?

Mr. DENNIS. The contract read something like if we did not stay until spring we would get our wages cut away down. That is, getting $24 or $26 a month, if they quit they would be paid off at $22 a month.

The CHAIRMAN. Was there anything in your contract about your taking time checks or coupons, that you remember?

Mr. DENNIS. No, sir. Later on when we wanted stuff we were told we would get orders on the company. That is out of the coupon books. They had a store at Eddy Creek and also this store down here. The coupon was good only at these stores.

The CHAIRMAN. What, if anything, do you know about white men having to sign such contracts?

Mr. DENNIS. No, sir. I worked side by side with white men and they said they did not.

The CHAIRMAN. You talked it over with them?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. Have you ever talked to white men working for the company in regard to their being required to sign those contracts?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. What did they say?

Mr. DENNIS. That they were not required to sign them.

The CHAIRMAN. Have you ever talked to the workmen working for the company in regard to their pay?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. What did they get?

Mr. DENNIS. I and my sawing partner were paid $1 a day or $28 a month, and the white men were paid at the rate of $30 and $32.

Senator LA FOLLETTE. Did they saw more than you did per day?

Mr. DENNIS. No, sir.

Senator LA FOLLETTE. Did they stick to their jobs any differently than you did?

Mr. DENNIS. No, sir.

The CHAIRMAN. When you went up there that time and they would hire white men and would not hire Indians, did they give any excuse for that?

Mr. DENNIS. No, sir.

The CHAIRMAN. They didn't claim the Indians could not work as well, did they?

Mr. DENNIS. No, sir.

Senator LA FOLLETTE. Did they claim that they would not stick to their work, would not be as faithful?

Mr. DENNIS. No, sir. They said, "We ain't got no axes; you come to-morrow or the day after and we will have some axes and put you to work." That same afternoon when the train come there was seven of them come. They found axes for them and they were put to work right away.

The CHAIRMAN. Seven white men?

Mr. DENNIS. Yes, sir; and there is some of the parties present now that refused to sign this contract. Also went over to look for work and were sent back.

The CHAIRMAN. Were you there when they refused?

Mr. DENNIS. Yes, sir.

The CHAIRMAN. What are the names of some of them?

Mr. DENNIS. Mose Condon, Ed Condon, Michael Condon, Prosper Guibord.

Senator LA FOLLETTE. You have traded at other stores besides the company's store?

Mr. DENNIS. I did when I had the cash.

Senator LA FOLLETTE. Can you state anything about the matter of prices at this store as compared with other stores on the things you bought with coupons?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. Tell the committee.

Mr. DENNIS. We have two merchants here on our reservation and they buy their goods out here at retail from a retail merchant and haul their stuff 14 miles here, and Signor's company is buying by the wholesale and their stuff is delivered there right by the train, and our merchants here sells a good deal cheaper than they do in dry goods and also groceries. There are times when we have to pay at Signor's a shilling a pound for pork and our merchants sell it for 10 cents. The same way with dry goods. With rubbers they charge $2.50 and $3.50 and our merchants charge $1.75.

Senator LA FOLLETTE. Name something else, if you can.

Mr. DENNIS. Tobacco, tea, lard.

Senator LA FOLLETTE. Have you in mind the difference in prices on those things?

Mr. DENNIS. Well, it is always 5 and 10 cents. Tobacco, 5 cents. They are selling for 35 and we can buy for 30 cents. Tea, 40 and 45; we can buy it for 25 cents.

Senator LA FOLLETTE. The same brand of tobacco?

Mr. DENNIS. The same brand of tobacco—Adams's standard. Also this other tobacco we can buy cheaper.

Senator LA FOLLETTE. In giving the comparative prices which you just now have been giving, have you had in mind the same standard of goods?

Mr. DENNIS. Yes, sir; even our pork was a good deal better than they sold.

Senator LA FOLLETTE. Did they keep at the company's store as good class of goods right through on the average as kept by the merchants who sold for cash?

Mr. DENNIS. On some things.

Senator LA FOLLETTE. Did they keep any better goods than these other merchants?

Mr. DENNIS. No, sir; not as good.

Senator LA FOLLETTE. I don't know whether it will be claimed or not that the Indians who seek work from this lumber company are not as good hands to employ on account of their having drinking habits, if such a claim is made; but I am going to ask you, so that this record will show. You have had some experience working in lumber camps?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. Have you ever worked in lumber camps other than for this company?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. Will you state what their habits are with respect to this matter—whether they are responsible, faithful loggers in the lumbering business?

Mr. DENNIS. They are. They are the best that is to be found in the country, either in logging operations or on the drive. They can not be beat. You put them to any class of work and they are as good as the white men. They are steady workers. For the Rice Lake Lumber Company, working around in this neighborhood, and all the loggers around here, they always started out in the fall and stayed until the spring. Now, with this company, a very few will stay the year round. They will stay a week or two or a month, and because, I guess, they ain't getting just treatment, they are going outside. Another thing is, they claim why they get white men in is that they can not get the Indian to work, because he is lazy. That ain't so. The boys say, "We don't want to work for time checks or coupons." Otherwise, if they were put on a cash basis, they could get all the men they wanted and the men would stay the year round with them, but unless we can get that we would rather go outside to work. We go up to Winters & Wolf lake operations here. Why do we do it? If we work a day and quit to-morrow, we get cash. That is the only reason.

Senator LA FOLLETTE. Is it habitual with these Indians as soon as they get a little money to quit work and go and spend it at saloons?

Mr. DENNIS. I don't know.

Senator LA FOLLETTE. If it were habitual with them you would know it, wouldn't you?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. That is all.

STATEMENT OF JOHN LA RUSH—Continued.

JOHN LA RUSH resumed the stand and testified as follows:

The CHAIRMAN. One of the complaints here is that the government farmer does not give the Indians a chance to sell their stuff to these summer people, but he sells stuff to them.

Mr. LA RUSH. That is a different case. Just next to that.

The CHAIRMAN. State what your case is.

Mr. LA RUSH. About taking labor from the Indians. Four or five of us were sitting in the store one day waiting for the train——

The CHAIRMAN. How long ago?

Mr. LA RUSH. This summer when the fishing season was pretty good, and some summer resort man on Grindstone Lake come there, and he hired Willis Isham to go over to his place to take him across, and said he would pay him a dollar and a half. Willis agreed to this and the man said, "I have got a little business up town and I will go up and do it and we will go right out." He went up toward Mr. Jacob's place and he came back and told us that Mr. Jacobs had told him that he was going up that way, that he would take him free. So he knocked this Indian out of a dollar and a half, and this was off the reservation and I do not see what business Mr. Jacobs had over there as there is no other business matter over there.

The CHAIRMAN. Is there anything more?

Mr. LA RUSH. That is the complaint I have got. I was witness to that.

STATEMENT OF IRA O. ISHAM—Continued.

IRA O. ISHAM resumed the stand and testified as follows:

The CHAIRMAN. You heard me state what this general complaint is. You may state what you know in regard to it.

Mr. ISHAM. Well, in putting these complaints in, we were working on the basis of the promises that was made from the Government to the Indians and the work of Mr. Jacobs as government farmer, what his rules are and what he has to do, and what rights he had and what we had to depend on. We Indians understand that the Government appointed the government farmer for us, for the Indians, being that they were ignorant and could not understand, and he was put here to chastise the Indian and learn him what to do and learn him how to work, and he was here for that purpose, and we did not understand that he was here to compete with us; not to trade or traffic with the Indian or do any selling or anything; not to raise any stuff here on this reservation on the ground which belongs to the Indians, that was reserved for government farmers' purpose. That he was not to sell any vegetables or anything of that kind that he would raise to outside parties or to anyone on the reservation, nor to ship it nor to take any work away from them, and this Mr. Jacobs, since his time here, has went to work and raised corn and potatoes and other stuff here on the reservation and sold to outsiders, and also has sold it to some of our own people here. And he has got stock on here.

The CHAIRMAN. How much?

Mr. ISHAM. Well, he has got a couple of cows, and raises young stock, and as fast as they get old enough so as to amount to anything he disposes of them, sells them. He has chickens here, and he sells

chickens as well as eggs and butter. He also buys wood from different parties, buys more wood than he can use, and he sells it to these summer resort people at different times. We thought they would buy wood from us, and instead of that he sells this wood to them and deprives us of the sale of this wood which we need. He also hires the team. We understood from Captain Scott, when he was agent, when the team was purchased it was purchased with tribal money and the team was put here for government purposes and also for the Indians, if they needed it. He has taken that team and at different times has hauled sportsmen to their places; and we have teams here on the reservation depending on such things and we could have done it just as well as he could. He is here under a salary, as we understand, from the Government, and he has to look upon them for his work, for his pay. He is not here, as we understand, to take the work away from us, and that is the reason why we put in these complaints, and if we are right or wrong we want to learn it. We would like to learn what is the rules, as we have understood before now that those were his rules.

The CHAIRMAN. There is some charge here, a very vague charge, in regard to some matter as to some woman. Do you know anything about that? You simply say here you can not state it here. You may state what you know of that.

Mr. ISHAM. Well, there was some time here——

The CHAIRMAN. How long ago?

Mr. ISHAM. I think it is three years, between two and three years. There was a few of the Indians here belonging on the reservation who told some women—an indictment was against them for selling whisky, and they were taken to La Crosse by Mr. Jacobs and they were down there some time, probably three or four or five days.

The CHAIRMAN. These parties were Indians?

Mr. ISHAM. These parties were Indians, and squaws, and on their way back in the train the folks were tired, the women folks, and there were a couple of them sitting in a seat together, I think there was three or four of them in the gang, and there was two of them sitting together in a seat. The seat was throwed out wide, as I understand, as I interpret it, and they were asleep in the seat, and this was along toward morning, and Mr. Jacobs, they testified, walked up and he had a duster or some kind of a coat and he walked up and throwed it upon their legs and they were asleep, and he got to feeling around their legs and ran his hand up and under their dresses. And those charges were put up against him.

The CHAIRMAN. Were they ever investigated?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Who investigated them?

Mr. ISHAM. I can not recall the inspector's name.

The CHAIRMAN. An inspector came here?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. An Indian inspector?

Mr. ISHAM. Yes, sir; he was sent from Washington.

The CHAIRMAN. About how long after this thing happened did the inspector come?

Mr. ISHAM. Probably a year. I don't think it was that long. I have forgotten exactly. He called these three women up.

The CHAIRMAN. Who did?

Mr. ISHAM. This inspector, in Mr. Jacobs's house, there in the office, and took their testimony, and those were the testimony which they give.

The CHAIRMAN. Did you interpret for them?

Mr. ISHAM. Yes, sir; I did. That is, Mr. Jacobs asked a brother of mine to do the interpreting and the parties then wanted me to come in and do the interpreting.

The CHAIRMAN. Who wanted you?

Mr. ISHAM. The parties.

The CHAIRMAN. The Indians?

Mr. ISHAM. The Indians, yes, sir. They asked me, and also the inspector was informed that they thought I could do the interpreting a little better, and they asked me, and I interpreted it; so their testimony was taken.

The CHAIRMAN. Do you remember what those women testified to at that time?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Well, you may repeat their testimony—you interpreted it for them at the time.

Mr. ISHAM. Well, as I stated before, one of them was called up. The first, I don't know which one it was by name—when she was called up I sat this way, the inspector sits here, the witness here, Mr. Jacobs here, and in the door Mrs. Jacobs stands, having her face facing this crowd [indicating]. When the inspector asked this woman what happened in the car she went on and she said that they were coming up in the train and that they were tired and sleepy and then when it come to where he wanted her to state what happened she hesitated, she didn't know what to do, he said, "What is the matter, can't you tell me what is the matter?" Well, she laughed, and she didn't seem that she is ashamed. He says to me, "You tell her not to be ashamed, to go right through the maneuvers that was done." I stated it to her. I said, "You are asked to say everything that happened." Well, she didn't like to, but I says, "You must do as you are told; you are here to give your testimony;" I says, "You will have to do it." Well, she went at it. He questioned her and asked what Mr. Jacobs had done, as I said before, he covered their laps and had his hand down here to his feet and ran his hand up and under her dress. Up as high as here [illustrating]. And then she said, "I looked up and I seen who it was and I just jumped and threw his hand away and tried to get away." And he got up and left them. That is her testimony. The other one, she testified about the same. Mr. Jacobs had come to her a little while afterwards; they fell asleep again; and he come to them the second time. He also asked them if they were drunk——

The CHAIRMAN. The inspector did?

Mr. ISHAM. Yes, sir. "Were you drunk?" No; they were not. "Well," he says, "why was you to sleep?" "Because we were tired, we had a long ride, and we had to ride all night, and we were tired." That is what their testimony was as near as I can recollect, the principal part of it. I think that these women are here on the reservation. If they are not, I think that there is one of them down here at Cranberry Farm picking cranberries.

The CHAIRMAN. Did the farmer deny this in their presence and in your presence?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. What did he say about it?

Mr. ISHAM. He said that he didn't do anything of the kind. He went and sat in the seat with them, but he denied doing what they testified. Then my testimony was taken.

The CHAIRMAN. What was your testimony?

Mr. ISHAM. My testimony was this: Mr. Jacobs one day was hauling wood from up here in the woods, about a mile and a half, and I was over towards the depot, and we met in the field when he was on his way up in the woods and I was on my way home. He said, "Mr. Isham, where are you going?" "I am going home." "Jump in and ride with me." I jumped in and rode with him. This is what he said to me, "Mr. Isham, did you hear the testimony that those women testified against me?" I said I heard them talking about it and the testimony that they gave down here at the office, this other house, at Dennis's. I said, "Yes." He said, "Do you know that they are damned bitches?" I said, "I don't know anything about that, Mr. Jacobs. I didn't know that a squaw was a bitch. As near as I can understand a squaw is a human being and a bitch is a four-legged dog. Can you swear that a squaw is a bitch?" He says, "I can." "Very well; we will see. We will make you prove that." I said, "You are not here to use such language. You can not use such language. My mother was a squaw." I said, "That is something I don't like. You know better than that." He said, "Very well, probably at the time when this testimony will be taken." I said, "Will you be ready to prove that these people are bitches?" He said, "I will." I gave my testimony just like that. That was all to that.

The CHAIRMAN. When the inspector was here you gave this testimony as you give it now?

Mr. ISHAM. Yes, sir. When I got through the inspector asked Mr. Jacobs if he had anything to say. Mr. Jacobs said, "No, every word Mr. Isham has said is true; but I will say I was mad. I said something I ought not to say." He said, "Mr. Isham's testimony is true, I can not deny it." Then the inspector said, "Don't you know you are not to use such language here, you must try and control your temper." That is what he said to Mr. Jacobs. That was my testimony.

The CHAIRMAN. When he first started this talk when you were riding with him, did you understand that he meant these two women?

Mr. ISHAM. He meant the two women, and that there was a lot more on the reservation of that class. I did not know who he meant, and that is the reason I told him that my mother was a squaw.

The CHAIRMAN. Do you know of any other instances, whether there has been general talk or complaint of his attitude toward the women, aside from this trip on the cars?

Mr. ISHAM. No; I don't know any more than that. I have heard it said that there is women who have went over to his office for information and he has put them out.

The CHAIRMAN. Has there been a general talk or complaint here of his improper attempts toward women?

Mr. ISHAM. No.

The CHAIRMAN. You know what I mean by "improper?"

Mr. ISHAM. Yes, sir.

The CHAIRMAN. This is the only instance?

Mr. ISHAM. This is the only instance of that kind.

Senator LA FOLLETTE. Had these two women bad reputations?

Mr. ISHAM. That is what he claimed.

Senator LA FOLLETTE. I am asking you what their reputations are, not what he said. I mean among their neighbors, among their people, did they have bad reputations?

Mr. ISHAM. I could not say that they had any bad reputations. Anything I don't know I don't want to say. I don't know whether they had any bad reputations.

The CHAIRMAN. What became of the liquor part of that trip? They were taken down there to be prosecuted or as witnesses?

Mr. ISHAM. I think they were taken down as witnesses, as near as I can understand.

Senator LA FOLLETTE. What has Mr. Jacobs done on this reservation in the way of instructing the Indians in farming?

Mr. ISHAM. Well, I don't know as I ever seen him instruct anybody any more than that he has raised a good garden there. I have never known him to go out to instruct these people here on our reservation, to show them how.

Senator LA FOLLETTE. Do any of the Indians farm on this reservation?

Mr. ISHAM. Work the land for them?

Senator LA FOLLETTE. Do any of the Indians work land for themselves on this reservation, raise crops, and things of that sort?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Does the Indian farmer give some attention to that and assist and direct them?

Mr. ISHAM. I don't know whether he does to outsiders. When I was living right there he and I used to talk about farming, raising potatoes, and he spoke of certain things we have raised. He said, "Mr. Isham, you are doing better than I have with the potatoes."

Senator LA FOLLETTE. I don't know myself whether it is the business of the Indian farmer to give instructions to the Indians, to assist and encourage them to farm their lands. I supposed it was. I am inquiring now for information, whether this Indian farmer does endeavor to teach the Indians something with respect to farming?

Mr. ISHAM. No, sir.

Senator LA FOLLETTE. What crops do the Indians raise, any of them—what Indians till their lands?

Mr. ISHAM. Quite a number of them here. That is not their own land, but in places where they are living they have all got little pieces of garden. A number of them live out in the woods on allotments and raise hay and potatoes and corn. Quite a number of them live here and do not live out on the allotments, and the biggest part of them raise their own potatoes and garden stuff.

Senator LA FOLLETTE. Do any of the Indians raise anything on their land here to sell, to market, to take away?

Mr. ISHAM. There is no encouragement here for the Indians to raise anything. There was a time in early days here that they started, when they had money here, to raise stuff to take it away to the nearest market, which was Hayward, and they raised potatoes and turnips and onions and done very well for a couple of years and hauled it out there, and when they got it out there they got nothing for it hardly, and they had to fetch it back home because Hayward then was monopolized with one company, the North Wisconsin

Company, and they sent everywhere and had stuff shipped in there at a price, and they didn't want to buy theirs. We had no encouragement—that is, had no market here nor never did have a market.

Senator LA FOLLETTE. There are farmers, white men, around there, around the reservation, who cultivate farms and who sell their crops?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. At Rice Lake and Hayward and other places?

Mr. ISHAM. Well, there is not any here who is shipping any off. There is one or two farmers here that has got from 17 to 19 acres of rice hay since Signor & Crisler has come in here, which he promised to buy anything that the Indians had to raise. There is some Indians, two or three, raised hay more than they wanted and they have tried to sell hay to Mr. Signor, and Mr. Signor would not buy of them. I will name one in particular here, John King. He has got hay, and he has held it over there for a year, from one year's end to the other.

Senator LA FOLLETTE. Does the farmer here supervise the work of lumbering as carried on by Signor & Crisler Company?

Mr. ISHAM. I think he does; yes, sir.

Senator LA FOLLETTE. What does he do in the way of supervision?

Mr. ISHAM. Well, he goes out and he goes to the camps and goes into the woods and looks after the logs. He has been doing that. He has also looked after the scale and reported the scale, as I understand it. He has reported it to Major Campbell.

The CHAIRMAN. In this logging operation, so far as you know, by observation or complaints of the Indians, has the logging been done clean—that is, where they have taken a contract to take the timber, have they practically taken it all?

Mr. ISHAM. They have lately, but the first winter and the second winter they did not; but they are taking it cleaner than they were then, when they first started, cutting it cleaner.

The CHAIRMAN. Has the farmer been in the habit of going around and seeing how they were doing this logging and looking after it in a general way?

Mr. ISHAM. Yes, sir; he has been out. I have seen him.

The CHAIRMAN. Is there any complaint that he has not done that as much as he ought to?

Mr. ISHAM. Well, I could not call to that and say that there is. There is probably others that would answer to that.

Senator LA FOLLETTE. I will just read this allegation into the record. It is No. 17. "The farmer in charge of the reservation shall, under the direction of the agent, be required to supervise the logging on the reservation under these regulations, and to see that no injustice is done to the Indians, and no timber is cut or removed except in accordance with these regulations, and all moneys for stumpage shall be paid to the agent or to the farmer, for the agent, if the agent should so direct, for the Indian owners of the allotments, to be by him deposited and accounted for in accordance with the foregoing regulations." Do you understand that provision, Mr. Isham?

Mr. ISHAM. Yes, sir; I understand some of it.

Senator LA FOLLETTE. Have you any complaint to make that the Indian farmer has not complied with that regulation in protecting the Indians and in supervising the work? If you have, we are here to hear it. I mean aside from what has already been testified to.

Mr. ISHAM. There is where our trouble is with us people, with us Indians; we don't understand everything that is in this contract. We don't know what we are bound to do or what these officials have to do for us. We don't understand that thoroughly. The Indian in making a contract is supposed to know and understand everything that is in this contract, but I dare say that there is not one here on the reservation that understands this contract thoroughly, because it is not read to them. There is some of the half-breeds that can read and write, but do not all understand it, and so it lays here; the ignorant Indian, he can not read; it has got to be interpreted to him; but there is a lot of these contracts made with the poor Indians that is not interpreted to them. They don't know the rules that the government farmer has got to observe.

The CHAIRMAN. Do the Indians feel that the government farmer does not pay enough attention to this matter?

Mr. ISHAM. That is just what I am coming to now.

The CHAIRMAN. We must come to it.

Mr. ISHAM. They don't understand what the government farmer has to do according to this contract for the benefit of the Indians. They understand that this contract being made with the Indians and with Signor & Crisler, that the government farmer is there in the interest of the Indian and to instruct him and to see that the timber and the moneys derived from that goes to the Indian——

The CHAIRMAN. Do they feel that he has done that?

Mr. ISHAM. No, sir.

The CHAIRMAN. In what respect has he failed to do that—in looking after their affairs?

Mr. ISHAM. In cutting the timber, when the timber is cut in the spring they expect a settlement, and all they get is their scale report. They don't know what that is. They have to get an interpreter. The scale report is given and then the poor Indian takes it, and if he asks some young people what it is—"It is nothing but a scale report." "What does that amount to?" "Don't know, go to the farmer, the farmer will tell you." Quite a number of times these people come in with scale reports to Mr. Jacobs and ask him to figure up and tell them what it is. "I can't do it."

The CHAIRMAN. He says he can't do it?

Mr. ISHAM. That is the answer he gives the Indians. The Indian then finally gives up; he can't get any information from the farmer—"What am I going to do—I have got to give it up."

The CHAIRMAN. That is one complaint; that he does not give this information that they want?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Is there any general complaint that they do not get a fair scale?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. That is a complaint among them?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Is there any general complaint that they do not get a proper classification?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Well, then, is there any complaint as to not having the land cut clean?

Mr. ISHAM. Yes, sir; there is.

The CHAIRMAN. That is what we want, those complaints.

Senator LA FOLLETTE. Do you know whether Mr. Jacobs has ever interested himself to see that the Indians were paid money instead of time checks?

Mr. ISHAM. No, sir.

Senator LA FOLLETTE. Do you mean that he has not interested himself?

Mr. ISHAM. That is, he has not interested himself in seeing that the Indians would get cash.

Senator LA FOLLETTE. Have the Indians complained about not being paid money and being paid in time checks or coupons instead, to Mr. Jacobs?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. What has been his answer in reference to that matter?

Mr. ISHAM. He said he was authorized not to do so, that he could not do it, by Mr. Campbell. That he could not allow them to get the money without the approval of the Indian agent and the commissioner.

The CHAIRMAN. In regard to the men who work for wages—we are not speaking now about logging money—have the Indians complained to Mr. Jacobs or of Mr. Jacobs that he ought to make this company pay the money instead of time checks?

Mr. ISHAM. They have; yes, sir. They have made the complaint to Mr. Jacobs.

The CHAIRMAN. What was his answer to that?

Mr. ISHAM. That I could not say, only that probably some are here that could answer for that themselves.

The CHAIRMAN. When you speak about his getting the approval of the agent to pay money, do you mean to collect the wages for them or do you mean logging money?

Mr. ISHAM. No; for the contract money which was promised, which they understood.

The CHAIRMAN. The logging money—stumpage?

Mr. ISHAM. Yes, sir, they understood that they were to receive $25 at the signing of the contract.

The CHAIRMAN. That is true, the contracts provide they should have $25.

Mr. ISHAM. And they never got it, most of them.

Senator LA FOLLETTE. Also that they should be given preference in employment. If paid in time checks and coupons they are not given an equal show with the white men. It is as much a violation of the contract not to pay them in money as any other provision, and if the farmer has neglected that, that is a dereliction of duty. If there are any Indians here who have made these complaints, that is, made any complaints that the contract is not carried out according to its terms, either with respect to the employment of Indians on equal terms with whites, at least, or either have a preference, and these complaints have been carried to the Indian farmer and made to him, we would like to have that testimony, because no testimony has been given on that point other than what you have stated here now.

STATEMENT OF PROSPER GUIBORD.

PROSPER GUIBORD a Lac Courte d'Oreilles Indian, having first been duly sworn by the chairman, testified as follows:

The CHAIRMAN. Do you live in this neighborhood, Mr. Guibord?

Mr. GUIBORD. Yes, sir.

The CHAIRMAN. How old are you?

Mr. GUIBORD. Thirty-four.

The CHAIRMAN. Do you read and write?

Mr. GUIBORD. A little bit.

The CHAIRMAN. Have you ever worked for this company, Signor, Crisler & Co.?

Mr. GUIBORD. Yes, sir; I have worked some for them.

The CHAIRMAN. What did you have to take for your pay?

Mr. GUIBORD. Well, I worked in the summer time and I got paid in cash on pay day.

The CHAIRMAN. Have you ever had to take time checks or coupons?

Mr. GUIBORD. I did last fall. I went up to work for them—it was not for them, it was their jobber, and I worked two days and the second day he told me he wanted to see me in the office. He said, "I will set your wages," and he gave me a piece of paper and he said, "Sign your name here," and I never looked to see what it was until I had it signed. It said on there that I would have to sign my name to that payable April 1—1st or 15th, I could not say for sure—$20 a month. So I told them then I would not work under a contract like that. I was sorry I didn't look at it first. I worked three days and the next morning the clerk there gave me a time check for $2.19, and I took it in to Mr. Monroe Signor and I wanted him to cash that and he said, "Did you sign the contract?" I said, "Yes." I said, "That is why I ain't going to work no more." I said, "I want to get that cashed." So he gave it back to me. I said, "Are you going to pay that?" And he says, "No." He said, "I will give you a coupon for that." As it was only $2.19 I thought I might as well take the coupon and be done with it. So he gave me a $2 coupon and there was 19 cents besides, and I said to give me a half pound of Standard, that is generally 30 cents a pound, 15 cents for a half pound, and he gave it to me and said, "That is just right, 19 cents."

The CHAIRMAN. Did you ever complain to the farmer about this?

Mr. GUIBORD. About work?

The CHAIRMAN. About the way they treated you?

Mr. GUIBORD. No; I never went to complain with him only a year ago I was up there to the farmer, and I had a little trouble with another company over at Bridgewood. I worked for them a little over three months in the woods, and I had a little trouble and I quit, and they docked me $5 a month. They wouldn't pay me what they promised me in the fall, $35. They paid me $30. I took this up to Mr. Jacobs and asked him if he could get this for me. He kind of looked at me a little while and he said, "To hell with such fellows that do such things. If you said that you would go to them in the fall and stay; of course, now they have rules that they have to have that they will give a man so much if he stays and dock him if he quits." He says, "I don't think you can get it." I says, "Just write for me and try it." Then I says, "I will get somebody else."

So he wrote, and the next time I go there he had my check. So I said, "They finally decided to pay me." He said, "I guess that they thought they would pay you when the government's farmer gets after them." That is all.

The CHAIRMAN. Do you know of other people who have made complaints to him in regard to having to take time checks and coupons and not getting a fair show with white people?

Mr. GUIBORD. I could not say personally. I have heard lots of them. Some of them had to go down and get lawyer Heintz in Rice Lake to collect their pay. I don't know any by name. I have heard of it.

The CHAIRMAN. What we want now is the name of any Indian who has made complaint to Mr. Jacobs about his treatment by the company in regard to time checks or coupons or anything of that kind.

STATEMENT OF CHARLIE SMITH.

CHARLIE SMITH, a Lac Courte d'Oreilles Indian, having been first duly sworn, by the chairman, testified as follows:

The CHAIRMAN. You live in this neighborhood?

Mr. SMITH. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mr. SMITH. I have been here steady about seven years.

The CHAIRMAN. You know most of these Indians?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Do you know about this company, Signor & Crisler Company?

Mr. SMITH. Yes, sir.

The CHAIRMAN. About their lumbering here?

Mr. SMITH. Yes, sir.

The CHAIRMAN. About their paying in time checks?

Mr. SMITH. Yes, sir.

The CHAIRMAN. About their paying in coupons?

Mr. SMITH. Yes, sir.

The CHAIRMAN. Have you worked for them?

Mr. SMITH. Well, I have been working for them about four years.

The CHAIRMAN. What do you know about their giving white men a better chance for work than Indians?

Mr. SMITH. Only last fall we went over there, quite a few of us, looking for work. When we got there there was this man running the camp there named Rooney. He was the man who hired us and he told us he was paying $22 a month and if you quit you got $20 a month, and you had to sign a contract up to April 15, and we had to take it, we had to work, we wanted work, and a lot of white men there got not less than a dollar a day, thirty, or twenty-six days a month.

The CHAIRMAN. Doing the same work?

Mr. SMITH. Yes, sir. So we went to work and we had to get our supplies off the store? We could not get no money to pay. We could not get nothing here. The coupons were not good here, so we had to take the stuff from the store.

The CHAIRMAN. Have you ever complained to the farmer, Mr. Jacobs here, about these things?

Mr. SMITH. No; I never did.

The CHAIRMAN. Haven't you ever talked with him about the fact that you had to take coupons and time checks?

Mr. SMITH. No, sir; I never have talked with the farmer about that at all.

The CHAIRMAN (addressing Mr. Dennis). Do you understand what we want to know? He says he never talked with the farmer about these things. [Addressing the witness:] Did you ever talk to the farmer about these people making you sign this contract?

Mr. SMITH. No, sir; I never did. The first time I knew it was last fall.

The CHAIRMAN. If they made you do it, didn't you talk to the farmer about it?

Mr. SMITH. No, sir; I never did.

The CHAIRMAN. Haven't you talked to the farmer about the fact that the company gives white men a better show than Indians?

Mr. SMITH. I never did myself.

The CHAIRMAN. Have you heard the Indians talking to the farmer about these things?

Mr. SMITH. No; I never went in the farmer's house, hardly.

Mr. DENNIS. There was a council here and they all explained that to Mr. Jacobs.

The CHAIRMAN. Who was at the council—were you there?

Mr. DENNIS. I wasn't there.

The CHAIRMAN. Were you there, Mr. Isham?

Mr. ISHAM. I have been at pretty near every one of the councils.

The CHAIRMAN. Have you been at the councils when the Indians talked to the farmer about these things that we are talking about now?

Mr. ISHAM. Yes; different ones have spoken about it.

The CHAIRMAN. You may take the stand then.

STATEMENT OF IRA O. ISHAM—Continued.

IRA O. ISHAM resumed the stand and testified as follows:

Mr. ISHAM. Will you allow me to speak to the people in regard to that?

The CHAIRMAN. Yes.

(Thereupon Mr. Isham spoke in Chippewa to the Indians present.)

The CHAIRMAN. You may tell us what you know of complaints being made to the farmer about the way that Signor, Crisler & Co. have treated the Indians with reference to giving them time checks and coupons and giving white men better jobs or making them sign contracts or anything where the Indians have made complaints to the farmer about the way the Indians were treated.

Senator LA FOLLETTE. Either in council when Mr. Jacobs was present or at any other time.

Mr. ISHAM. We have had councils, and called Mr. Jacobs to attend, which he has attended, and here is the question that has been asked him: Why is it that Signor & Crisler pays us these coupons when he promised us the cash; we were promised that we were to be paid cash for our labor here on the reservation every Saturday night if we wanted it, and that we had the privilege of going and buying with the cash anywhere that we wanted to go—any store—but this coupon and the time checks we could not do anything with them

We took them to Hayward and they would not look at them, and we ask you to help us to find out why they don't pay us the cash. That is what we have said to him; that is, in general.

The CHAIRMAN. What was his answer to those questions?

Mr. ISHAM. He said that they were paying according—that he didn't know what they were doing; that they hired their men, and if they agreed to pay cash they paid it, and if they did not, they paid them otherwise.

The CHAIRMAN. Did you make complaints about their giving white men better chances for work?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. What complaints did you make to him and what answer did he make to those complaints?

Mr. ISHAM. They complained to him that they have went to Signor & Crisler at different times for work and he has refused them Walked from here down to Eddy Creek, 9 miles, for work, four or five of them. Two or three in a bunch go down there and ask for work and he would refuse them; would not even give them supper and bedding. White men, Norwegians, would come in and get work right there in their presence. Then the answer would be from Mr. Jacobs, "Because you fellows won't work—won't stay—they have got to have somebody else that will work. This work has got to be done, and somebody has got to do it."

Senator LA FOLLETTE. Was that the fact? Was that the truth?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. I mean that the Indians won't work.

Mr. ISHAM. Won't work? No, sir; they are good workers.

Senator LA FOLLETTE. Was Mr. Jacobs's statement that that was the reason why they had to take this pay and this sort of stuff was because they would not work—would not stay—was that statement the truth?

Mr. ISHAM. No; Mr. Jacobs said that he would do all he could for them to get them work—get Mr. Signor to give them work.

The CHAIRMAN. You don't understand the question. Doesn't the Indian work just as well as the white man?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. If he gets the same kind of pay?

Mr. ISHAM. Some of them complain that they don't.

Senator LA FOLLETTE. I say if he gets the same kind of pay?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. Do you know whether they pay the Indians the same rate of wages that they pay white men for the same kind of work?

Mr. ISHAM. Well, their general complaint is that they don't get the same wages, not here on the reservation.

The CHAIRMAN. Do you know of any complaints being made in regard to the Indians being required to sign these contracts that have been testified to?

Mr. ISHAM. What is that?

The CHAIRMAN. It has been testified here that the company has made them sign contracts that they would have to work clear through to get their money. You have heard that testimony?

Mr. ISHAM. Yes, sir.

The CHAIRMAN. Have you been present when that complaint has been made to him?

Mr. ISHAM. No, sir.

The CHAIRMAN. That is all, unless you people yourselves have something—some of you want to say something which we have overlooked or you may not have thought of before.

Mr. DENNIS. If you want to have two more men who attended this council, they are here, also that Mr. Campbell was there.

The CHAIRMAN. Yes; call them.

STATEMENT OF JOHN LARUSH—Continued.

JOHN LARUSH resumed the stand and testified as follows:

The CHAIRMAN. Were you present at any council or gathering of the Indians where complaints were made with reference to Indians having to take time checks or coupons?

Mr. LARUSH. Yes, sir.

The CHAIRMAN. And Mr. Jacobs was present?

Mr. LARUSH. Yes, sir.

The CHAIRMAN. And Mr. Campbell was present?

Mr. LARUSH. Yes, sir.

The CHAIRMAN. You may state what the nature of the complaint was.

Mr. LARUSH. It was that the white men were given better treatment than we were. They were getting bank checks and we were getting time checks.

The CHAIRMAN. And what reply did Mr. Jacobs make the farmer?

Mr. LARUSH. This was to Major Campbell.

The CHAIRMAN. What was his reply?

Mr. LARUSH. He said he would see to that, and after the council I went into the office with Major Campbell, and Mr. Jacobs was present and Mr. John Signor was present.

The CHAIRMAN. Tell us what took place there.

Mr. LARUSH. Mr. Campbell asked me those questions and Signor denied all of them, and I told him that he did, and Major Campbell spoke up and said, "Well, we will let the past go and look to the future." That is all he said.

The CHAIRMAN. When was that?

Mr. LARUSH. That was last fall.

The CHAIRMAN. Were there other complaints made besides the complaint as to the white men getting bank checks and the Indians time checks?

Mr. LARUSH. Well, it was about signing this contract.

The CHAIRMAN. Signing a contract?

Mr. LARUSH. Yes, sir.

The CHAIRMAN. Was that brought in when Mr. Campbell was present?

Mr. LARUSH. Yes, sir.

The CHAIRMAN. What did he say about that?

Mr. LARUSH. That is all he said about that, "We will let the past go and look to the future."

The CHAIRMAN. Was any complaint made in regard to white men being given preference in work?

Mr. LARUSH. Just as I have stated there, that they were given more pay than we were and given bank checks instead of time checks.

Major CAMPBELL. Didn't I send for Signor, Crisler & Co. at that time and have John Signor come up to this council?

Mr. LARUSH. Yes, sir.

Senator LA FOLLETTE. Do you know whether Signor, Crisler & Co. are cutting clean?

Mr. LARUSH. Cutting clean in places; yet we find a lot of logs laying in the woods. I have seen that myself.

Senator LA FOLLETTE. Recently?

Mr. LARUSH. Yes, sir; this spring.

Senator LA FOLLETTE. And where they have been cutting the last winter?

Mr. LARUSH. Well, I wasn't over there. This was cut two or three years ago. Logs are there yet; last winter; there is plenty of logs laying in the woods never was scaled. Laying in the woods yet.

Senator LA FOLLETTE. Who made that complaint?

Mr. LARUSH. William Wolf told me of this personally.

STATEMENT OF PROSPER GUIBORD—Continued.

PROSPER GUIBORD was recalled and testified as follows:

The CHAIRMAN. Were you present at any time when complaint was made in regard to the treatment of the Indians with reference to this logging, when Major Campbell was there?

Mr. GUIBORD. Yes, sir.

The CHAIRMAN. When was that?

Mr. GUIBORD. That was last winter; some time the forepart of the winter.

The CHAIRMAN. And what was the complaint made?

Mr. GUIBORD. Well, to start with, it was on account of this burnt timber that they had the council for, and then they brought up this about the Indians not getting work from the company.

The CHAIRMAN. And what else?

Mr. GUIBORD. And about these coupons and time checks.

The CHAIRMAN. What else?

Mr. GUIBORD. That is all I can remember.

The CHAIRMAN. Was there nothing said about these contracts?

Mr. GUIBORD. No; there wasn't anything said about contracts. Well, there was something else, too. Changing the committeemen; reduced that to three.

The CHAIRMAN. When these complaints were made and Major Campbell was there, what did he say?

Mr. GUIBORD. He said he would call Mr. Signor up.

The CHAIRMAN. Did he call him up?

Mr. GUIBORD. Yes, sir; I think he did. I think he did that night. I left there at 6 o'clock.

The CHAIRMAN. You weren't with this man when he was with them all?

Mr. GUIBORD. No; not when Signor come. That was after supper. I was there all day, though.

The CHAIRMAN. Do you remember anything else that Major Campbell said?

Mr. GUIBORD. No; all he said was that he was going to, perhaps, pay for that burnt timber; try to see if he could not get it logged.

Senator LA FOLLETTE. Did either Major Campbell or Mr. Jacobs have anything to say at that time about the way in which you were being paid in time checks?

Mr. GUIBORD. No, sir.

Senator LA FOLLETTE. Didn't Major Campbell call Signor into council at one of those times and ask him what he had to say in response to the charges?

Mr. GUIBORD. I left for home, and he come in the evening after supper. They met again after supper, but I wasn't present after supper.

STATEMENT OF JOHN LARUSH—Continued.

JOHN LARUSH resumed the stand and testified as follows:

Mr. LARUSH. This was in the office in the evening. There was only a couple or three there. I think Frank Cadot was there and George.

Senator LA FOLLETTE. Did Mr. Signor deny that he was paying any time checks or coupons?

Mr. LARUSH. He denied that he was paying bank checks to white men; denied that he was paying more. I told him that he did.

Mr. CAMPBELL. What else did he state?

The CHAIRMAN. With regard to what?

Mr. CAMPBELL. The whole thing. Didn't he say that the white men had to sign contracts as well as Indians?

Mr. LARUSH. Yes; I think he did.

Mr. CAMPBELL. Didn't he say he paid the Indians the same money, the same thing as white men?

MR. LARUSH. Yes, sir.

MR. CAMPBELL. What we went into the office for, then, was more particularly to see if you wanted a contract to log some of your own timber, and that is what we went into the office for, to see if I could not make an arrangement to allow you to log your own timber from your allotment and from the allotment of your sister, isn't that so?

Mr. LARUSH. Yes, sir.

Mr. CAMPBELL. And that was my whole object in going before this council and calling it was to get this burnt timber saved for you?

Senator LA FOLLETTE. Was an arrangement made that night so you could log this burnt timber?

Mr. LARUSH. Yes, sir; it was partly made. There wasn't no contract or nothing made, but it was in words.

Senator LA FOLLETTE. Did you log it?

Mr. LARUSH. Yes, sir.

Senator LA FOLLETTE. Did you sell the logs to Signor & Crisler?

Mr. LARUSH. Yes, sir.

Senator LA FOLLETTE. That is all.

STATEMENT OF WILLIAM WOLF.

WILLIAM WOLF, a Lac Court d'Oreilles Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Mr. WOLF. I live right here in this village.

The CHAIRMAN. How long have you lived here?

Mr. WOLF. I was born and raised here.

The CHAIRMAN. Are you familiar with this country around here?

Mr. WOLF. Yes, sir.

The CHAIRMAN. Do you know of the fact that Signor & Crisler Company have logged here for some years?

Mr. WOLF. Yes, sir.

The CHAIRMAN. What do you know about their logging the land clean where they have contracts?

Mr. WOLF. I have an eighty back here to Eddy Creek.

The CHAIRMAN. How far away from here?

Mr. WOLF. Well, it is about where they had the camp last winter, about 10 miles.

The CHAIRMAN. Go on.

Mr. WOLF. I was up to Odanah and I came down and my father and my brother went up to look at it and I heard that they were cutting it. I went across one forty and I seen lots of logs laying there.

The CHAIRMAN. What kind of logs?

Mr. WOLF. This was hard wood.

The CHAIRMAN. When was that logged?

Mr. WOLF. Last winter.

The CHAIRMAN. You say you saw lots of logs laying on the ground?

Mr. WOLF. Yes, sir; after they had been there on the branch and they moved to the next eighty.

The CHAIRMAN. Had they cut the timber pretty clean?

Mr. WOLF. They cut it pretty clean, but didn't take it up.

The CHAIRMAN. They cut it clean, but didn't take it off the ground clean?

Mr. WOLF. Yes, sir.

The CHAIRMAN. Quite a number of them laying there?

Mr. WOLF. Yes, sir; quite a number of them. I know what we run across, I think I can—I have got a list of them over at the house.

The CHAIRMAN. As near as you can tell us, what were there?

Mr. WOLF. About 67 logs, just what I run across.

The CHAIRMAN. On one of your forties?

Mr. WOLF. Yes, sir.

The CHAIRMAN. Those were logs that had been cut last winter?

Mr. WOLF. Yes, sir.

The CHAIRMAN. Were they good merchantable logs?

Mr. WOLF. They were sound. Some of them were hollow, but I found some of them sound.

The CHAIRMAN What did you think was the reason they left them there after cutting them?

Mr. WOLF. I don't know. May have been carelessness of the teamsters; I couldn't say.

The CHAIRMAN. Generally speaking, they were worth hauling away, were they not?

Mr. WOLF. Yes, sir. I seen some birch there I could say were over 2 feet through and sound.

The CHAIRMAN. Sound birch 2 feet through and left on the ground?

Mr. WOLF. Yes, sir; that was the first birch we run across.

The CHAIRMAN. Do you know whether that was picked up afterwards?

Mr. WOLF. Well, I told the farmer about it when we come home here, and he answered me, and he says, "I will see Signor about it." I told him, "All right." After they got done logging, I guess they got through around there, I went into the farmer's office here and I asked him, and he says, he told me, they haven't been done yet when I was up there. This spring there was a man making sugar up on my eighty, and he said the logs were just the same way. My father went up again this spring, and he said everything was just the same.

The CHAIRMAN. As far as you know, they haven't been taken off?

Mr. WOLF. No, sir.

The CHAIRMAN. Is your father here to-day?

Mr. WOLF. Yes, sir; he is right here.

Mr. CAMPBELL. What time was this?

Mr. WOLF. This was the latter part of February.

Mr. CAMPBELL. That you saw these logs there?

Mr. WOLF. Yes, sir.

Mr. CAMPBELL. Do you know that the scale inspector goes over the cuttings of what timber has been cut in the winter, after the snow leaves, and scales up all that is left that is merchantable?

Mr. WOLF. When my father went up there he seen everything the same way. I suppose the logs would have been marked if they were scaled.

Mr. CAMPBELL. What time was he there?

Mr. WOLF. He was there this spring after the snow was gone.

Senator LA FOLLETTE. How far is that from here?

Mr. WOLF. That is about 10 miles from here, east of here.

Senator LA FOLLETTE. Why does this scaler wait until the summer to do that work?

Mr. CAMPBELL. The snow gets on some of these logs and buries them, and after the snow leaves, as a precaution, we have the inspector with some men go over and all merchantable logs like that are scaled up and charged to the contractor.

Senator LA FOLLETTE. Doesn't he do that work until the summer?

Mr. CAMPBELL. He goes there with the inspector.

Senator LA FOLLETTE. When does he do that?

Mr. CAMPBELL. The scaler does that. He inspects and scales about once a month here in this reservation.

The CHAIRMAN. Do you know the number of your allotment?

Mr. WOLF. 664.

The CHAIRMAN. Do you know the government description?

Mr. WOLF. No, sir.

Mr. DENNIS. West half of NW. ¼ sec. 38, township 39, R. 7.

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Reserve, Wis., September 22, 1909.

AFTER RECESS.

The subcommittee reassembled at 1.15 a. m.
Present, Senators Clapp (chairman), La Follette, and Page.

The CHAIRMAN. We have gone over this complaint, I think, very thoroughly, and unless there is someone else who desires to be heard, the committee will pass on to some other matter.

Mr. IRA O. ISHAM. Mr. Peter Wolf desires to make a statement.

The CHAIRMAN. The committee will hear him.

STATEMENT OF PETER WOLF.

PETER WOLF, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Where do you live?

PETER WOLF. Over here at the thoroughfare.

The CHAIRMAN. How far is that from here?

PETER WOLF. About a mile.

The CHAIRMAN. How long have you lived here?

PETER WOLF. As long as I can recollect.

The CHAIRMAN. Do you know anything about Signor, Crisler & Co.?

PETER WOLF. I know of them.

The CHAIRMAN. Do you know anything about their having a contract to cut your son's allotment?

PETER WOLF. Yes, sir.

The CHAIRMAN. Do you know when they cut the lumber on his allotment?

PETER WOLF. Yes, sir.

The CHAIRMAN. When was it?

PETER WOLF. Last winter.

The CHAIRMAN. Were you on your son's allotment last spring?

PETER WOLF. Yes, sir.

The CHAIRMAN. After the snow went off?

PETER WOLF. Yes, sir; I was there after the snow had gone. It was bare ground.

The CHAIRMAN. Was your son with you?

PETER WOLF. The first time?

The CHAIRMAN. When was the first time; was that before the snow was gone?

PETER WOLF. They were working there when we went the first time logging.

The CHAIRMAN. Then you were there afterwards, after they had quit logging?

PETER WOLF. I was there alone.

The CHAIRMAN. Can you tell us about when that was, what time in the spring.

PETER WOLF. I do not recollect the date, but I can tell the month.

The CHAIRMAN. What month was it?

PETER WOLF. In April.

The CHAIRMAN. Did you see any logs laying on the ground on his allotment when you were there in April?

PETER WOLF. Yes, sir.

The CHAIRMAN. Did you see many of them?

PETER WOLF. Yes, sir; I saw the skidways and I saw the logs. Quite a good many of the logs were on the skidways. There was some basswood there.

The CHAIRMAN. Can you count?

PETER WOLF. Yes, sir; I can count.

The CHAIRMAN. Did you count the logs that you saw there in April?

PETER WOLF. Yes, sir; I counted them.

The CHAIRMAN. How many did you count?

PETER WOLF. I do not recollect, but I think there was 66 or 68. I do not recollect just which number, but it was either 66 or 68.

The CHAIRMAN. Was there any birch among them?

PETER WOLF. Yes, sir.

The CHAIRMAN. What was the condition of those logs; were they sound?

PETER WOLF. There were some of them that had a hole in the end but the other end was sound; there were a few of them like that, and the rest were sound logs.

The CHAIRMAN. Did you notice particularly a very large birch log there that was sound when you were there in April?

PETER WOLF. Yes, sir; I saw one.

The CHAIRMAN. Have you been there since April?

PETER WOLF. No, sir; I was only there twice.

The CHAIRMAN. When you were there in the spring with your son the first time were they then hauling logs off the land?

PETER WOLF. No, sir; they were hauling logs from another allotment.

The CHAIRMAN. Then they were not working on this allotment when you were there in the winter with your son?

PETER WOLF. No, sir.

The CHAIRMAN. When you were there in April you say there were some of those logs on the skidways. Were there any logs lying around on the ground there on your son's allotment?

PETER WOLF. Yes, sir. I will state that differently. I meant that the skids were left there, and I have seen logs on those skidways before. The logs had been taken off, but these logs that composed these skidways were left there.

Senator LA FOLLETTE. Were those logs marked with any scale mark showing that they had been scaled.

PETER WOLF. No, sir.

Senator LA FOLLETTE. At either time, the first or last time?

PETER WOLF. No, sir.

Senator LA FOLLETTE. Do you mean to say that the only logs that were there were the logs that were laid down for skidding purposes, or were there other logs scattered about besides the logs that had been laid down and used as skidways?

PETER WOLF. I saw the timber; I did not count the logs that would be cut out of those skids that were left as skids, but I counted those other logs that were out on the ground.

Mr. HOLCOMBE. Did you look particularly to see if there was any marking showing that they had been scaled?

PETER WOLF. Yes, sir; I did. I could see nothing.

The CHAIRMAN (to the interpreter). How old is this man?

IRA O. ISHAM (the interpreter). About 26.

(The witness was thereupon excused.)

STATEMENT OF OPWAGAN.

OPWAGAN, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn, to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Do you live in this neighborhood?

OPWAGAN. Right here.

The CHAIRMAN. Have you an allotment?

OPWAGAN. Yes, sir.

The CHAIRMAN. Do you know the number of it?

OPWAGAN. No, sir.

The CHAIRMAN. Do you know anything about Signor, Crisler & Co.; did you ever hear of them?

OPWAGAN. I know of two of the company, but I do not know the balance.

The CHAIRMAN. Did you have a contract with them to cut the timber of your allotment?

OPWAGAN. I have a contract, but I have not got it with me. It is at home.

The CHAIRMAN. Did they cut any timber on your land?

OPWAGAN. Yes, sir.

The CHAIRMAN. When?

OPWAGAN. The first winter that they operated or logged here.

The CHAIRMAN. Have they cut any since?

OPWAGAN. No, sir; they have not.

The CHAIRMAN. Have they cut all the timber of your land?

OPWAGAN. No, sir; they did not cut it all; there is quite a lot of good timber on there yet.

The CHAIRMAN. Is it live or dead?

OPWAGAN. No, sir; it has never been destroyed; it is green.

The CHAIRMAN. Do you know why they did not cut it?

OPWAGAN. They went to another place to log and left that place.

The CHAIRMAN. Was there any burned timber on your land?

OPWAGAN. No, sir; there never was anything burned there.

The CHAIRMAN. What kind of timber was it on your land?

OPWAGAN. There was pine, birch, and basswood. There was no other timber, such as hemlock, on there.

The CHAIRMAN. After they quit logging did they leave any logs on the ground?

OPWAGAN. Yes, sir; they left logs on the land after they quit logging there.

The CHAIRMAN. Were the logs sound or rotten?

OPWAGAN. It was sound timber that they left. In cutting down the timber, if there was a tree that was hollow in the butt, they cut a chunk off and they also left that. They left good sound logs in the wood.

The CHAIRMAN. Can you count?

OPWAGAN. Yes, sir; I can count in the Indian way of counting, but in the white man's way of counting I do not know how to count.

The CHAIRMAN. Aside from those butts that were thrown out while they were hollow, how many good logs were left there?

OPWAGAN. They left 30 trees—30 whole trees—where they cut two logs from each tree, those were left in the wood.

The CHAIRMAN. Were the tops cut off.

OPWAGAN. They cut the tops off.

The CHAIRMAN. What time of the year did you see those logs?

OPWAGAN. After they got through hauling and quit working there it was bare ground.

The CHAIRMAN. Do you know anything about scale marks that are put on logs sometimes?

OPWAGAN. Yes, sir; I saw marks and saw them scaling logs.

The CHAIRMAN. Did you see any scale marks on those logs on your land that were left after they quit logging?

OPWAGAN. I did not see any marks of any kind. I saw those logs just as they were cut. If they had scaled them and put any mark on them they would have moved those logs, but the logs were left just as they were cut off.

The CHAIRMAN. Did you look to see if there were any scale marks?

OPWAGAN. Yes, sir; I did.

Senator LA FOLLETTE. How many times were you over there afterwards to see whether they were scaled after that time?

OPWAGAN. I went there after what they call the middle of the summer; it was July.

Senator LA FOLLETTE. Were there any scale marks on the logs when you were there about the middle of July?

OPWAGAN. No, sir; it was just the same as when I first saw them.

Senator LA FOLLETTE. Have you been over there since?

OPWAGAN. Yes, sir; I was there last spring hunting partridges, and I saw those logs, and they are in the same shape yet.

Senator LA FOLLETTE. Were there any scale marks on them when you were there last spring?

OPWAGAN. Yes, sir; I noticed that there was none—no marks. Those logs that are left now are rotting.

Senator LA FOLLETTE. Did you ever say anything to the farmer about those logs being left there, either in council, when he was present, or at any other time.

OPWAGAN. I recollect one time when we had a meeting, or council, and I spoke up and asked them all how would it be if I would ask about my timber; now was a good time to do it; but I was told by the rest of them, "I guess we had better let it alone now." Therefore I did not. Some time afterwards I met the surveyor and called his attention to it, and went with him and showed him these logs and asked him to take this matter up and look after it for me and he said to me, "I will do so; I willcall the council's attention to it, and also the company will call the attention of the farmer to it, and I will see that they look after that and see that they haul it." They hauled some logs about 2 acres from there.

The CHAIRMAN (to the interpreter). What do you understand that he means by stating 2 acres from a place?

IRA O. ISHAM (the interpreter). He used a word that means a square piece of land.

The CHAIRMAN. But what would be your understanding of about how far it would be, as we understand distances.

IRA O. ISHAM (the interpreter). Well, I do not know what that is. I could not answer that question.

Senator LA FOLLETTE. What kind of logs were these?

OPWAGAN. It was white pine, birch, and basswood, but the other timber that was cut there I did not mention; it was popple that they cut.

Senator LA FOLLETTE. And left there?

OPWAGAN. Yes, sir; they were left.

Senator LA FOLLETTE. Was there much of that?

OPWAGAN. There were three trees of that, about two logs in the tree, and they were sawed off.

(The witness was thereupon excused.)

STATEMENT OF WA-MA-ZLEI-GA-FO-GWI-AKO-GI-JIG.

WAMAZLEIGAFOGWIAKOGIJIG, having been first duly sworn, and his interpreter, Ira O. Isham, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You have allotment No. 685, have you?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir.

The CHAIRMAN. Did you ever contract with Signor, Crisley & Co. to cut the lumber on your land?

WAMAZLEIGAFOGWIAKOGIJIG. I have not the contract with me, but I have a contract with them.

The CHAIRMAN. Did they cut timber on your land?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir.

The CHAIRMAN. Do you know what year they cut it in?

WAMAZLEIGAFOGWIAKOGIJIG. I think it was the third winter that they logged here that it logged.

The CHAIRMAN. 1906. What kind of timber did you have on that land?

WAMAZLEIGAFOGWIAKOGIJIG. There was pine, white oak, red oak, basswood, birch, elm, and maple. There were only about three or four trees of elm on there that I know of on the land, but there were two of the elm trees cut.

The CHAIRMAN. Did you have any hemlock on the land?

WAMAZLEIGAFOGWIAKOGIJIG. No, sir.

The CHAIRMAN. Are you sure about that?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir.

The CHAIRMAN. There was no hemlock on the land when they took the contract to cut the timber?

WAMAZLEIGAFOGWIAKOGIJIG. No, sir; there was not.

The CHAIRMAN. Did anybody go over the land with you to see what kind of trees were on the land?

WAMAZLEIGAFOGWIAKOGIJIG. No, sir; nobody went with me. I went alone on my land.

The CHAIRMAN. Did you go all over it?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir; I go over the land every little while.

The CHAIRMAN. Were you on the land while they were logging?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir; I live there.

The CHAIRMAN. You live on the land?

WAMAZLEIGAFOGWIAKOGIJIG. Yes, sir.

The CHAIRMAN. How long have you lived on it?

WAMAZLEIGAFOGWIAKOGIJIG. I have lived there eleven years.

The CHAIRMAN. How much land have you cleared?

WAMAZLEI. I could not tell you how much I have cleared, but I have cleared land there. On this land that is cleared I reserved some big trees, nice trees, standing there which are maple. I could not tell you how much land I have.

The CHAIRMAN. When Signor, Crisler & Co. were cutting the timber on your land were they cutting any timber on land that adjoins this at the same time?

WAMAZLEI. Yes, sir.

The CHAIRMAN. How near to yours?

WAMAZLEI. There were two sides. On one side there was a person that had a piece of land who had had his timber cut, and on another end a corner that cornered me there, and his timber was cut.

The CHAIRMAN. Did you ever see the trees on the land of the person whose timber was being cut next to you?

WAMAZLEI. Yes, sir; I saw it.

The CHAIRMAN. Were you around there when they were cutting on these other two pieces?

WAMAZLEI. Yes, sir.

The CHAIRMAN. Was there any mark on those other two pieces where they were cutting?

WAMAZLEI. No, sir.

(The witness was thereupon excused.)

The CHAIRMAN. Insert the following note in the Record:

(THE SCALE OF MARCH 3, 1906, ON THIS ALLOTMENT SHOWS 41 MERCHANTABLE HEMLOCK LOGS, AND THE SCALE FOR FEBRUARY 17 SHOWS 20. THE 61 LOGS SHOW A TOTAL 1,530 FEET.)

IRA O. ISHAM. This man says that he can give you other parties who know about this matter.

Senator LA FOLLETTE. Are they here?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. We want them.

STATEMENT OF JOHN QUARTERS.

JOHN QUARTERS, having been first duly sworn, testified as follows:

The CHAIRMAN. Do you know the witness who has just testified, Wa-ma-zlei-ga-fo-gwi-ako-gi-jig?

Mr. QUARTERS. Yes, sir.

The CHAIRMAN. Do you know where his allotment is?

Mr. QUARTERS. I do not know the description of the allotment.

The CHAIRMAN. But you know it?

Mr. QUARTERS. Yes, sir.

The CHAIRMAN. Were you there before Signor, Crisler & Co. lumbered that allotment?

Mr. QUARTERS. I was there before; yes, sir.

The CHAIRMAN. How long before?

Mr. QUARTERS. I was there about three years before he was over in there cutting his timber.

The CHAIRMAN. And at that time the old man was living on the allotment?

Mr. QUARTERS. Yes, sir.

The CHAIRMAN. Do you go over that allotment very much?

Mr. QUARTERS. I was there three or four times in that time.

The CHAIRMAN. Were you over the allotment pretty generally?

Mr. QUARTERS. Last winter I was.

The CHAIRMAN. But at that time, three years before the logging?

Mr. QUARTERS. Yes, sir.

The CHAIRMAN. Did you see any hemlock trees on that allotment?

Mr. QUARTERS. No, sir; I never saw any hemlocks through there.

The CHAIRMAN. Do you know that they scaled hemlocks on his allotment?

Mr. QUARTERS. I just noticed it last winter when he showed it to me.

The CHAIRMAN. You have been there since, on his allotment?

Mr. QUARTERS. Yes, sir; I was there this spring.

The CHAIRMAN. Did you see any sign of hemlock there then?

Mr. QUARTERS. No, sir.

The CHAIRMAN. Is there any hemlock standing on his allotment?

Mr. QUARTERS. No, sir.

The CHAIRMAN. What do you know about hemlock being on the allotment that adjoins his?

Mr. QUARTERS. I never saw any hemlock around there. There is no hemlock in that town anyhow.

Senator PAGE. What is the average length of logs as they cut them, should you guess?

Mr. QUARTERS. About 14 feet.

Senator PAGE. Those average about 25 feet to the log. That would make only about 6 or 7 inch logs.

Mr. QUARTERS. I do not know just how small they cut.

Senator PAGE. Would you cut a hemlock down to 6 inches?

Mr. QUARTERS. No, sir; I never saw them cutting any hemlock. I saw them outside cutting. They cut them down to 4 inches.

Senator PAGE. The hemlock?

Mr. QUARTERS. Yes, sir.

Mr. LA FOLLETTE. As this scale shows on its face, the bulk of the timber seems to have been basswood. Now, I want to ask you, from your knowledge of that piece of land, before any cutting was done, was the principal part of it basswood or was it some other kind of wood?

Mr. QUARTERS. It was mostly basswood that I saw on that allotment.

Senator LA FOLLETTE. It was mostly basswood?

Mr. QUARTERS. Yes, sir.

Senator LA FOLLETTE. What would you judge was the total amount of white pine on that allotment?

Mr. QUARTERS. All the white pine, I should judge, could not be over 10,000 feet, the time I saw it. Of course it was cut then when I first saw it.

The CHAIRMAN. That was the old cutting?

Mr. QUARTERS. Yes, sir.

Senator LA FOLLETTE. So far as these scales show, I think they will show 120 trees. Do you think that is about right, judging from your recollection?

Mr. QUARTERS. I guess that is about right.

Senator LA FOLLETTE. Footing up about 6,210 feet. That is the way the scale shows on the white pine. How about birch?

Mr. QUARTERS. They did not have much birch there, that is they did not have a great deal of birch.

Senator LA FOLLETTE. According to this scale, he seems to have had more birch than white pine.

Mr. QUARTERS. Yes; they had a little more birch than white pine. He had lots of small stuff in birch.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF FRANK THAYER.

FRANK THAYER resumed the stand for the purpose of making an additional statement.

The CHAIRMAN. Do you desire to make further statement?

Mr. THAYER. Yes, sir. I think Major Campbell will understand the matter when I explain it; it has been before him, I think. It is in regard to an old contract that was made quite a number of years ago.

In the fall of 1888 and winter of 1889 a contract was made between England & Thomas (layers) and Bisan i ga bow i kwe Bo ko way. (See patent for descriptions of the allotment.) The price named in the contract was $2.50 for every thousand feet cut, and the timber was landed on Pa-ka-ga-ma Lake and the logs were scaled by George Allen or P. H. Collins; and about 350,000 feet was cut, or more, from this allotment. When the contract was made James Hogan was manager or walking boss for the company of England & Thomas, and Edward Dingley was interpreter; contract witnesses, James Hogan, Edward Dingley; and the company promised to pay the stumpage on April 15, 1889, and the pay day was at Lac Court d'Oreilles. I was present at the time to draw the pay for stumpage for my daughter, Bo sa ne ga twa we kwe Ba bo ko way, and as there was a big crowd at the paying office of Dobie & Strahan, as Indian Agent J. T. Gregory was there for the part of the Indians, and I asked to be next to settle up for my daughter, Besa ne ga twa we kwe, timber, and George Thomas got up and asked Indian agent if it would be safe to put off the payments of all parties from the post until after everything was settled up at Reserve. Then the agent told me to go home, wait for about ten days. Then Mr. George Thomas, one of firm of England & Thomas, and Mr. William Russeller, government farmer, would come over at the post and settle with those at Pahquanhwang. About twenty days after George Thomas and James Hogan and Farmer Russeller came over and commenced to settle up all parties concerned, and the business was done at the old boarding house at the post. Antoine Denasha was present and F. H. Thayer acted as interpreter, and George Thomas issued a bank check for something over $700, nearly $800, and gave it to me as pay for my daughter, Bisan i ga bow i kwe Bo ko way. In a few minutes Mr. Thomas demanded the check from me and I gave it back to him, and then he said I tell you Ba bo Kaway I think it will be better for me to pay this money over to the Indian agent, for this reason: your daughter's patent is not come yet. Mr. Wm. Russeller, Indian farmer, said it will be better to do that and the money will be paid over to the Indian agent at Indian office at Ashland,

and as soon as the patent comes present it to the incoming Indian agent, and this money will be paid over to you or your daughter, and this was the way I lost the money. Some time during the same summer the Indian agent and his chief clerk came over at post. Meantime my daughter's patent had come, and I presented it to the agent and demanded the money for my daughter, and my agent asked his clerk to look his papers over and see if there was any money for Bisan i ga bow i kwe Bo ko way, and Clerk Rodman said there was not any money ever was paid to the Indian office for this man or his daughter. So I have been after every Indian agent come in office ever since to look it up for me. None has ever done anything that I know of. Any further information in regarding of this Mr. Antoine Denasha and F. H. Thayer can give the same.

The CHAIRMAN. You were present at the time this matter occurred, that you have stated?

Mr. THAYER. Yes, sir.

The CHAIRMAN. And he turned this check back as he states he did?

Mr. THAYER. Yes, sir; he gave it to the company. They were the ones who issued it. He returned it to Mr. Thomas.

The CHAIRMAN. Do you know anything further about it?

Mr. THAYER. Yes, sir; I know something about it—that is, I knew the beginning of the transaction. The old gentleman's name is given as Ba-bo-kannay. He refused the contract, as his daughter's patent had not come in from the department, and for that reason he did not want to present the contract. But they made a couple of trips over there for this purpose, and at last they told the old gentleman that as far as the patent's not being here was concerned, it would not make a bit of difference as the patent was on the way, so he could contract this, and that he would see that it would be all right. That was the farmer.

The CHAIRMAN. Who was the agent at the time, if you know?

Mr. THAYER. J. T. Gregory, I think his name was.

The CHAIRMAN. I understood that Gregory appeared for the Indians.

Mr. THAYER. No, sir; he appeared in the payment for the Indians. I was present at the time that this old gentleman presented his patent, or his daughter's patent, to the agent, I think Mr. Leahey; I think he was the agent then.

Mr. CAMPBELL. He wrote me, and I took it up with Thomas, did I not?

Mr. THAYER. I think the old gentleman presented a paper about similar to that to you, and I was with him one time when he went to see you about what was done afterwards.

Mr. CAMPBELL. There was nothing in the records up there that led me to think that I could do anything, and Thomas was a bankrupt at the time that it was given into my hands, and we could not collect anything from them.

The CHAIRMAN. How long ago is that?

Mr. THAYER. In 1889.

Mr. CAMPBELL. He brought it to my notice after I became agent, and I did everything I could in the matter.

Mr. HOLCOMBE. Do you know whether the check was ever paid to the agent?

Mr. THAYER. I do not; it was not paid that I know of.

The CHAIRMAN. You say the old Indian handed the check back to Thomas?

Mr. THAYER. Yes, sir; because it was demanded of him.

The CHAIRMAN. Did you see Thomas give a check then to the agent?

Mr. THAYER. No, sir; not to the agent—to the farmer.

Mr. HOLCOMBE. Who was the farmer?

Mr. THAYER. William Russeller.

The CHAIRMAN. After the old Indian handed the check back to Thomas, then did Thomas give a check to the farmer for that amount?

Mr. THAYER. No, sir; he took the check and put it away.

The CHAIRMAN. Your best judgment would be that the farmer never got this money—that is, you had no reason to suppose that he got it, had you?

Mr. THAYER. No more than that he told this Indian that that would be all right. That is all.

The CHAIRMAN. There is no transaction that came to your notice that would lead you to believe that it was paid to the farmer?

Mr. THAYER. No, sir; I could not say that because I did not see it.

The CHAIRMAN. I understand that Thomas did not deliver the check to the farmer.

Mr. THAYER. No, but the way I told you was the way it was. When it came up to this old fellow to settle up with him, Thomas said: "All right; I will have to give you a bank check." Ba-bo-Kannay said that was all right, and the check was issued.

The CHAIRMAN. Did you notice at the time whether the check was in the name of the old Indian, or did you not notice that?

Mr. THAYER. No, sir; I could not say that. I did not notice it.

The CHAIRMAN. It was handed to the old Indian first?

Mr. THAYER. Yes, sir; it was handed to the old Indian and then at this time Mr. Russeller, the government farmer, whispered over to this man who issued this check, and said something to him.

The CHAIRMAN. To Thomas?

Mr. THAYER. Yes, sir; but I can not say what it was that he said, and Mr. Russeller demanded this check back from this Indian; and he is the one who got the check and handed it back to the farmer. That is the full substance of that transaction.

The CHAIRMAN. The last you saw of the check it was with Thomas, was it?

Mr. THAYER. Yes, sir.

The CHAIRMAN. Is this girl living now?

Mr. THAYER. No, sir; she is dead, but her two sisters are living.

The CHAIRMAN. Here on the reservation?

Mr. THAYER. Yes, sir; one of them is here now. I do not know whether she is in the audience, but I have mentioned it at different times to see if something could be done for the pay. It has come to a time now when one of these women, the sole heirs of this claim, has become a widow and she is hard up and ought to have something of this because it is hers. They are the sole heirs of these two girls.

The CHAIRMAN. What did you say the farmer's name was?

Mr. THAYER. William Russeller.

Mr. CAMPBELL. He is dead, is he not?

Mr. THAYER. I never heard of his death.

The CHAIRMAN. Do you know whether about this date that the check went back to Thomas whether this old Indian or any of this family ever applied to the farmer, Russeller, for the money?

Mr. THAYER. No, sir; I do not think they did, because Russeller went out of office just at that time and there was the new farmer in.

The CHAIRMAN. Then when the patent came, do you know anything about their applying for the money then?

Mr. THAYER. Yes, sir; I was present. I interpreted that.

The CHAIRMAN. You were present then?

Mr. THAYER. Yes, sir.

The CHAIRMAN. Who was farmer then?

Mr. THAYER. Morgan, if I remember right.

The CHAIRMAN. What did Morgan say about it?

Mr. THAYER. This did not come up to Morgan. It came up to the new agent.

The CHAIRMAN. Who was the new agent?

Mr. THAYER. I think his name was Leahey, if I remember right.

The CHAIRMAN. What did he say when this request was made?

Mr. THAYER. His clerk was with him then over at the post. That was the first opportunity that this old Indian had to present his patent for the money, and the agent asked his clerk—his clerk was with him; they went there on some business—he asked his clerk to look up and see if there was any money in the office for this woman, and Mr. Rodman looked up the records that he had with him and said there was no money in the office for this purpose.

The CHAIRMAN. Have you any more papers with relation to this matter?

Mr. THAYER. I had one; that is, when they had this same woman give these papers over to several relatives of theirs at Odanah, and this is a letter written to this party.

The CHAIRMAN. Who is the letter from?

Mr. THAYER. It is from this same old man, Bokoway. [The letter was handed to the chairman.]

Mr. THAYER. This party to whom this letter was addressed was a relative of theirs, and they wanted to see if they could not do something over there at the Indian Office.

The CHAIRMAN. This letter does not shed any light on it. Do you know of anything that would seem to show whether or not the farmer ever got this money? Do any of you people know?

Mr. THAYER. Why, I do not. I would not say that I do when I do not.

The CHAIRMAN. I do not mean whether you know positively, but are there any circumstances that you know of that would seem to show?

Mr. THAYER. No more than that at this time when he demanded this check he got the check back.

The CHAIRMAN. But he handed the check then back to Thomas?

Mr. THAYER. Yes, sir.

The CHAIRMAN. That would not show that he got it?

Mr. THAYER. Well, that is the only thing I know.

The CHAIRMAN. Do any of you know of any circumstance that would tend to show that the farmer ever had it?

Mr. THAYER. I do not think there is anybody here, because that was a transaction that was fought over there.

Mr. CAMPBELL. He promised me he would look up his bank account, and I have written him several letters on the subject.

The CHAIRMAN. Who is that?

Mr. CAMPBELL. Mr. Thomas. I saw him and had an interview with him in Duluth, and asked him why he would not answer my letters. He told me he was going to look up the bank account in Eau Claire—I think it was Eau Claire—and he promised me when he looked up the bank account he would let me know, and I have never had any reply to my letter. I am very certain that I have written to him several times on the subject.

(The witness was thereupon excused.)

STATEMENT OF DAVID E. JACOBS, GOVERNMENT FARMER.

DAVID E. JACOBS, having been first duly sworn, testified as follows:

The CHAIRMAN. You are the government farmer here?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. How long have you been here?

Mr. JACOBS. Five years the 1st of November.

The CHAIRMAN. What is the general area of this reservation?

Mr. JACOBS. It is 66,136 acres.

The CHAIRMAN. Do you know anything about whether the entire reservation has been allotted?

Mr. JACOBS. All I know about is that when I came here the former farmer informed me that every allotment had been allotted to some Indian. Afterwards, in talking to Major Campbell and his chief clerk, I asked them the same question, and the chief clerk and Mr. Campbell both said that every allotment on this reservation had been allotted.

The CHAIRMAN. You submitted to the committee this morning a number of old certificates of patents for allotment?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Those are patents that are unclaimed, are they?

Mr. JACOBS. Those are patents that were turned over to me by the former farmer.

The CHAIRMAN. Do you know how many there are of them?

Mr. JACOBS. No, sir; I told you that I thought there would be 40 or 50, and that I did not count them. I ran in and got them in a hurry this morning. I would further state that I think I have given out 40 or 50, because I have sent word out that I consider it safer for the Indians to keep them than it was for me to keep them.

(The list is as follows:)

List of unclaimed patents in the custody of David E. Jacobs.

No.	Name.	Male or female.	Description.
476	Ma-ka-to-gog	.....	W. ½ SW. ¼ sec. 20, T. 39, R. 7.
.....	Mi-she-ke	.....	E. ½ SW. ¼ sec. 22, T. 40, R. 8.
.....	Wa-bish-ko	.....	W. ½ SW. ¼ sec. 14, T. 40, R. 8.
.....	John Bennett	.....	N. ½ NE. ¼ sec. 15, T. 39, R. 7.
.....	Bodon-Ne-we-osh	.....	E. ½ SW. ¼ sec. 7, T. 39, R. 8.
.....	Gi-be-wi-kwe	.....	N. ½ NW. ¼ sec. 24, T. 40, R. 8.
.....	Wa-bi-zhu-she	.....	Lots 9 and 10, sec. 4, T. 38, R. 8.
.....	Ni-ba-in-kwe	.....	NW. ¼ SW. ¼ SW. ¼ NW. ¼ sec. 24, T. 40, R. 8.
.....	Ka-ne-munch 3rd	F	E. ½ NW. ¼ sec. 27, T. 39, R. 8 W.
.....	Ajawi-gi-ji-go-kwe	F	E. ½ SE. ¼ sec. 6, T. 38, R. 8.
.....	Wa-josh-Mitti-go-mish	F	NE. ¼ SW. ¼ NW. ¼ SE. ¼ sec. 20, T. 39, R. 7.
.....	Asha-wa-ka-mi-go-kwe	F	W. ½ SW. ¼ sec. 8, T. 38, R. 8.
.....	Alex. Whitefeather	M	NW. ¼ SW. ¼ SW. ¼ NW. ¼ sec. 10, T. 40, R. 8.
.....	David Corbine	M	NE. ¼ NE. ¼ sec. 8, SE ¼ SE. ¼ sec. 7, T. 39, R. 7
.....	John Ki-we-ish	M	W. ½ NE. ¼ sec. 14, T. 39, R. 8.
.....	Susan Blanchor	F	NE. ¼ NW. ¼, lot 3, sec. 23, T. 40, R. 8.
.....	Cele Kin-a-bi-go-kwe	F	W. ½ SE. ¼ sec. 14, T. 40, R. 8.
.....	Au-ji-ga-bow	M	E. ½ NE. ¼ sec. 36, T. 39, R. 8.
.....	Au-ji-gi-zis	M	W. ½ NE. ¼ sec. 25, T. 39, R. 9.
.....	Wa-pa-gis	M	E. ½ SE. ¼ sec. 15, T. 39, R. 7.
.....	Awan-ee-kway	F	N. ½ NW. ¼ sec. 13, T. 39, R. 7.
.....	Be-ane-gi-jig	M	E. ½ NW. ¼ sec. 12, T. 39, R. 8.
659	Pa-sa-wa-bi-ghish	.....	Lot 3, sec. 26, T. 40, R. 7.
657	O-gua-gan No. 6	M	NE. ¼ SW. ¼ and lot 2, sec. 30, T. 40, R. 6.
696	Susan-ghi-wa-ka-gan	F	E. ½ NW. ¼ sec. 19, T. 39, R. 7.
545	Joe Gordon	M	E. ½ SW. ¼ sec. 24, T. 39, R. 9.
.....	Sa-wa-ti	F	N. ½ NW. ¼ sec. 23, T. 39, R. 8.
.....	Mad-ji-osh	M	S. ½ SW. ¼ sec. 24, T. 40, R. 8 W.
.....	Baptiste-Min-di-Modu	F	W. ½ NW. ¼ sec. 22, T. 39, R. 8.
682	Rosalind Wa-sa-bis	F	Lot 1, sec. 33, T. 40, R. 8.
.....	Na-way-go-jig	M	E. ½ NE. ¼, T. 40 R. 8.
.....	Ho-watch	M	N. ½ NE. ¼ sec. 25, T. 40, R. 8.
.....	Peter-Sha-bo-gi-jig	M	N. ½ SW. ¼ sec. 11, T. 39, R. 8.
.....	Lizzie Oma-na-meg	F	Lots 1 and 2, sec. 1, T. 40, R. 8.
.....	Mis-ko-kwi-wi-cuis	M	SW. ¼ NE. ¼ sec. 7, T. 39, R. 8.
.....	Mitto-go-mish-Au-ge-ga-bow	.....	NW. ¼ SE. ¼, NE. ¼ SW. ¼ sec. 30, T. 39, R. 7.
.....	James Omajik	M	Lot 2, sec. 18, NW. ¼ NE. ¼ sec. 9, T. 40 R. 8.
.....	Martha Farr	F	NW. ¼ NW. ¼ sec. 20, T. 39, R. 7, NE ¼ NW ¼ sec. 23, T. 40, R. 8.
.....	Bi-son-i-gi-jig	M	SW. ¼ NE. ¼ sec. 18, T. 38, R. 8, SE ¼ NW ¼ sec. 28, T. 39, R. 7.
.....	August Carroll	M	E. ½ NW. ¼ sec. 35, T. 39, R. 8.
.....	Ira Nesvolt	M	Lot 1, sec. 20, NW. ¼ NE. ¼ sec. 21, T. 40, R. 8
.....	Na-ghi-na-kwe-ni-gi-gi-zis	F	NW. ¼ SE. ¼ sec. 24, NE. ¼ SW. ¼ sec. 25, T. 40 R. 7.
.....	Aga-sa-Cowon	F	S. ½ SE. ¼ sec. 34, T. 39, R. 8.
.....	Wazhuskous Ga-gwe-losh	F	N. ½ SE. ¼ sec. 2, T. 39, R. 7.
.....	Oshaus Ari-gi-gi-zis	F	Lots 4-6, sec. 36, T. 40, R. 7.
.....	Mo-ni-da-gi-ji-go-kwe	F	SW. ¼ SW. ¼ sec. 1; lot 1, sec. 2, T. 40, R. 8.
.....	Ida-Gulash-ki-bosh	F	Lot 6, sec. 9, T. 39, R. 7.
.....	Na-ba-oz	.....	NE. ¼ NW. ¼ sec. 29, T. 39, R. 7; lot 4, sec. 36, T. 40, R. 7.

The CHAIRMAN. Now, generally speaking, do you know, or is it known, as to the identity of the Indians?

Mr. JACOBS. No; I have never given a patent away unless I have had some member of the business committee or Mr. Isham tell me that this is a person who is coming after a patent. I have never given a patent out on my own responsibility. We take receipts when we give the patents out—if that is what you mean.

The CHAIRMAN. I am speaking of these patents that are here now with you, whether you understand that there are Indians on this reservation who can be identified as the allottees named in these patents generally, and if not, about how many could not be identified.

Mr. JACOBS. To the best of my knowledge, from conversations I have had with the business committee in talking the matter over,

there were six that could not be identified, and one of them has afterwards turned out to be this man Pimosigijig—this John Thayer. There were six with that.

The CHAIRMAN. Has that patent been issued?

Mr. JACOBS. Yes, sir; that patent has since been given to John Thayer; since he said that he was the heir.

The CHAIRMAN. The business committee decided that, did they?

Mr. JACOBS. Yes, sir; not the heir, but Pimosigijig.

The CHAIRMAN. The identical man?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Speaking of heirs, where these allottees die, are their estates probated in the county probate court?

Mr. JACOBS. There has never been any probate since I have been here, for the reason that they have all seemed to agree with the business committee, or, in other words, seemed to be satisfied. The timber on this reservation is so small, and so little to cut, that a great many of them would not pay the probate court fees.

The CHAIRMAN. Now, where one of these allottees die, what has been done toward showing the title of the heirs?

Mr. JACOBS. As a general thing, some one would produce the patent when they meet before the business committee to decide. There is generally some one of the family who are heirs, who will produce the patent, and then the business committee goes over the patent. I can speak a little further, probably, to make it a little clearer, that whenever we have occasion to cut 13, 14, 15, or 37 or 38 acres, whatever it is, the contractors apply to me and say, we desire to cut such and such allotments this winter. Then I generally call Mr. Isham in, and we carefully go over every name that is contained in these three or four different sections where we are going to cut that winter. We do that to facilitate, or economize time. Mr. Isham is so familiar with all of the names that he will say, "Here is allotment so and so. Here is an heirship, allotment so and so." We have had to spend two days in the matter on some occasions. Then when the business committee meets, I produce the list that Mr. Isham and I have formally prepared that should be acted on at this meeting so that they would be able to make a contract.

The CHAIRMAN. Well, that is all right for the lumber business, but after the Indian allottee dies, the land would still be there. Now, what disposition is made as to dividing that land?

Mr. JACOBS. It is divided according to the laws of the State of Wisconsin; the widow gets one-third, and the children get an equal division of the rest.

The CHAIRMAN. But are patents issued to them?

Mr. JACOBS. No, sir.

The CHAIRMAN. What is the evidence? Here is an Indian allottee who dies. Now, then, with regard to the land, it is divided, is it?

Mr. JACOBS. The results from the timber are reserved.

The CHAIRMAN. I am not speaking of the timber, but of the land; what becomes of the land?

Mr. JACOBS. There has never been anything done with the land.

The CHAIRMAN. It still remains without any division?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Do you make any record of it?

Mr. JACOBS. Yes, sir; it is recorded in our books.

The CHAIRMAN. You keep a regular record of that, do you?

Mr. JACOBS. Yes, sir.

Senator LA FOLLETTE. Do you keep an heirship record?

Mr. JACOBS. Yes, sir; it is all shown on the books who are the heirs. I can go back to the time Mr. Rodman, my predecessor, came here. I do not find anything before that.

Senator LA FOLLETTE. Where are those records kept?

Mr. JACOBS. In my office.

Senator LA FOLLETTE. Have you a safe place to keep them?

Mr. JACOBS. No, sir.

Senator LA FOLLETTE. Have you no safe?

Mr. JACOBS. No, sir.

Senator LA FOLLETTE. If you should have a fire, your records might be destroyed?

Mr. JACOBS. They might be burned, and that is one reason why I have urged the Indians to come and get the patents, but the Indians will come in and insist upon my keeping them. I have had to take patents from Indians and keep them because they considered it safer for me to keep them than to keep them themselves.

Senator LA FOLLETTE. Major Campbell, you have the heirship certificates, have you?

Mr. CAMPBELL. Yes, sir; I have them.

Senator LA FOLLETTE. Then they are guarded?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. Do you recall any complaints of white men—from a Mr. Smith, who testified last night in regard to irregular scaling?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. What do you say as to that?

Mr. JACOBS. Why, I think I would say that Mr. Smith was mistaken.

The CHAIRMAN. Well, what do you say as to it? Do you recall it? What was said, if anything?

Mr. JACOBS. How do you mean?

The CHAIRMAN. He stated last night that he intimated to you that there was irregular scaling and nothing was done about it.

Mr. JACOBS. He did not do that until a long time after he quit logging.

The CHAIRMAN. Are you sure about that?

Mr. JACOBS. Yes, sir; I am very positive about it.

The CHAIRMAN. Then did he afterwards tell you there was nothing to it?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. And then did he afterwards tell you that there was something to it?

Mr. JACOBS. Not until I heard it here last night.

The CHAIRMAN. What do you know, within your own personal knowledge, as to scaling here after the cutting?

Mr. JACOBS. I think, according to Mr. Smith's statement, it would be impossible for him to know with a little scale book in a scaler's hand, whether——

The CHAIRMAN. No; I am asking you what, if anything, you know of the scaling of these cuttings after the logging has ceased—"pick-ups" we call them.

Mr. JACOBS. After the logging has ceased?

The CHAIRMAN. Yes.

Mr. JACOBS. Why, we never commenced that until Mr. Campbell sent Mr. Young here.

The CHAIRMAN. How long ago?

Mr. JACOBS. Three years ago, I think it was; and the first thing that Mr. Young did when he came to take charge of the cutting—when he came down in the winter—was to first inspect the scaling. We had six camps, I think, going that winter, and then the first summer after Mr. Young took charge of the reservation he came down first himself, and found the work was damaged more than he expected, and he sent back to Mr. Campbell and got two more scalers, and ever since then—every summer afterwards—well, any month after the snow has all gone, Mr. Young—and part of the time I have accompanied him—has been on every allotment that has been cut during the previous winter, and any log that they found that had not been scaled they just put a mark on it and scaled it, and any tops that had been left too long, wood has been cut a little further up; they put two or three of them together and make ten feet of them, and the second season he did not have a quarter to scale on as he did before. The last season there has been practically nothing, only what has been reported—what we have reports for—and all of those are handed in to us just the same as the scale report that was given by the scaler when he scaled. There had never been any scale reports given out on this reservation until I came here. I took the matter up with Mr. Campbell and suggested that I thought an Indian had a right to a scale report. He acquiesced with me and told me to notify the contractors to prepare scale reports. Ever since that for every piece of timber that has been cut there has been a duplicate that is on file in my office, and also another one to give to every Indian who has an allotment cut.

The CHAIRMAN. You heard Young Wolf's testimony, did you?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Do you know anything about that matter?

Mr. JACOBS. Within ten minutes after Mr. Wolf told me I had notified Mr. Monroe Signor, of Eddy Creek, and in ten minutes after he notified me he replied back and transmitted to me a communication; he said, "We are not through cutting there yet; but as soon as we are through cutting we will see to it." There are so many rocks on one road that when they got barred they had to switch off and haul from another allotment.

The CHAIRMAN. What became of it, if you know?

Mr. JACOBS. Afterwards every log and everything that was left on the allotments was scaled up, for the reason that Signor, Crisler & Co. would not settle with Woodstock and the other man and pay them for their timber; they would not settle with them, because they wanted all those logs cut in; they did not settle with that firm for the logs down there that season, and Signor & Crisler would have to pay for those logs, and for that reason they did not settle with them, and that is the reason I think every log was afterwards picked up and scaled.

The CHAIRMAN. Are the Indians furnished with a copy of the pick-up scale?

Mr. JACOBS. Yes, sir; everyone is, from my office; they can have them at any time.

The CHAIRMAN. Are the pick-ups scales delivered to them?

Mr. JACOBS. Just the same as the other scales are, if they call for them.

The CHAIRMAN. You do not deliver the other scales if they call for them, do you?

Mr. JACOBS. No, sir; but I often call them in and tell them to take their scales. A great many Indians do not care about it; some do not want it.

The CHAIRMAN. Did you ever talk with Young Wolf about this pick-up scale?

Mr. JACOBS. As I told you, I notified Mr. Signor within ten minutes of the time he notified me. Mr. Signor, some time after that, said: "Every log has been taken care of on that allotment."

The CHAIRMAN. But did you notify Mr. Wolf?

Mr. JACOBS. I told him so probably the next time I saw him.

The CHAIRMAN. Did you tell him there was a pick-up scale for him?

Mr. JACOBS. He has been in my office a good many times, and I am quite sure I told him; but I can not remember.

The CHAIRMAN. Do you recall now giving out any pick-up scales—do you recall any instances?

Mr. JACOBS. No, sir; I can not recall any names. The only way I can tell is that when I give out a scale I stamp the name on it and file it in a letter book with my scale report, until we get so many that we have to pack them up and tie them in bundles and lay them away.

The CHAIRMAN. What do you know about this matter of issuing time checks or coupons?

Mr. JACOBS. Well, when the Indians have talked to me, I have talked to Mr. Signor. I have done some talking with John Signor, the president of the company, more than I have with Monroe Signor. Monroe Signor did not come until two years ago. He brought out Mr. Oscar Hewer, of Rice Lake, and he said that was what they were doing on all places—they were giving out these coupon books as a matter of convenience in their bookkeeping. It is easier to charge a ten-dollar coupon than it is to charge the different items as they purchase them.

The CHAIRMAN. Well, that would be all right so far as the bookkeeping is concerned.

Mr. JACOBS. And I will state furthermore that there is a schedule of prices typewritten and published up in the store. I will further state that the schedule of those prices from time to time are also sent to the agent.

Senator LA FOLLETTE. Do you know whether that is the schedule that they sell on?

Mr. JACOBS. Yes, sir.

Senator LA FOLLETTE. How do you know?

Mr. JACOBS. By purchasing and seeing that those are the prices that are on the schedule.

Senator LA FOLLETTE. They might be the prices that they sell on to you, but do you know that they are the prices that they sell on to these Indians on the coupons?

Mr. JACOBS. They do not sell any cheaper to me than they do to the Indians.

Senator LA FOLLETTE. How do you know that?

Mr. JACOBS. Because I do not want them to.

Senator LA FOLLETTE. It is not a question of what you want, but how do you know it?

Mr. JACOBS. I know that they give me so many pounds of granulated sugar, for instance, and they give the Indians so many.

Senator LA FOLLETTE. How do you know that they give the Indians so many?

Mr. JACOBS. They say so at the store.

Senator LA FOLLETTE. You have not cross-examined the Indians on that subject, have you?

Mr. JACOBS. No Indians have ever made complaint to me on that score.

The CHAIRMAN. With regard to furnishing wood and vegetables and things of that character to these summer residents around here; what do you know about that?

Mr. JACOBS. I will state that I am a practical farmer; I was born and raised on a farm; I ran a large stock farm in Illinois a good many years before I came here. I was off the road twenty-two years, and took agricultural papers all the time I was off. When I came here I raised seven varieties of potatoes the first season and three varieties of corn. That season I sold a few sacks of sweet corn to some people who wanted it badly, and the Indians made a complaint. I have never done anything of the kind since.

The CHAIRMAN. How long ago was that?

Mr. JACOBS. That was the first summer I came here. As I say, the Indians made a complaint, and I have not ever done anything of the kind since. I thought I was trying to teach the Indians something; trying to show them how much I could raise on a little piece of ground. I raised 70 bushels of potatoes and a great deal of stuff, and I explained to the Indians, "If you had a little piece of ground no bigger than this, you could raise more than your family could eat." I think I preached that to a hundred Indians or more, and I showed them the potatoes and what I could raise on the ground.

The CHAIRMAN. And since that year you say you have never sold any?

Mr. JACOBS. No, sir.

The CHAIRMAN. How about selling wood to these summer people?

Mr. JACOBS. Every bit of wood that I get I give the Indians $3 for in the timber. There have been a few occasions when they could not buy wood, and I sold them the wood at the price I paid for it. On one occasion I got 25 cents extra. The last season I supposed that I was going away, and I hauled up three loads, I think. On account of my daughter's death and my wife's sickness I resigned, to take effect the 1st of July, and I sold this season, but I have not before since the first time. I sold it to two parties because I thought I was going to leave on the 1st of July, but there has never been any wood sold since the first time—probably once. Probably I took up one little load once. This was wood that I paid the Indians $3 in the cord for, and let the Indians have it. I sold it because they could not get it any other place.

The CHAIRMAN. Do you know anything about Signor, Crisler & Co. giving white men a better chance to work than the Indians?

Mr. JACOBS. Well, I have talked with them about it; I have talked with the bookkeeper about it. He said, "You can come and look at our books," and I have looked at their books lots and lots of times, and I have not found that a white man gets any more wages than the Indians. I have investigated that matter several times.

The CHAIRMAN. You have investigated that matter; you have examined their books?

Mr. JACOBS. Yes, sir; from the accounts where the Indians worked by the month. I have spent several hours with Mr. Bull, and also Mr. Brown, the president, and also Mr. Atkinson, who was the bookkeeper there.

The CHAIRMAN. What do you know about their giving them a better show to get work?

Mr. JACOBS. Well, I think last winter I tramped around in the snow 50 or 60 times, trying to get Indians to go down to Etter Creek to work. They would go and work a few days and quit and come away. I do not know whether they do not give them as much work or the kind of work that they want, but I have sent Indians down there and have seen them back again in two or three days. I have said to them, "I thought I sent you down there and told you you could have a job." They would say, "Well, I went there and I did not say anything to anybody." At Signor's last season or part of the season their wages were $2 higher than was paid a good many loggers. A good many loggers are only paid $18 when they first started in last season—that is, for common swampers. They pay $30 to $35 to other men—teamsters and such as that. I have tried as hard as I could to secure them work, but I think you will find it the same here as on all other reservations, that it is pretty hard to keep an Indian at work. He will work a little and then quit. I found a few of them very good—satisfactory men who will work the year round; but 75 per cent of them will not.

Senator LA FOLLETTE: There is a matter that I desire to speak of at this point, in order that it may not be forgotten. Mr. Rice, of the Rice Lake Lumber Company (who will meet us anywhere in order that we may take his testimony on this point, and I want to call him as a witness), said to me that he had employed men from this reservation, and that they were as good workers as he could get anywhere.

Mr. JACOBS. I can further state that Mr. Signor and Mr. Crisler have told me that they prefer Indian labor for the reason that most of them will trade out their labor as fast as they earn the money, while the white men will buy a pair of shoes and stockings, and things of that kind, and wait until the 15th to purchase, and take almost all of his money away. All three of the partners—John Signor, Monroe Signor, and Mr. Crisler—have told me that they very much preferred giving the Indians labor, as they considered them, man for man, better than the cheap men that they send here from Minneapolis and St. Paul; that they are better woodsmen; and for the reason that I have stated before, most of the Indians trade out their labor almost as fast as they earn it, most of them. Of course there are exceptions to the rule.

Senator LA FOLLETTE. There was testimony here this morning in regard to an incident some time ago with respect to taking some witnesses to Eau Claire, including a couple of women, which was the subject of investigation afterwards, and it was reviewed somewhat

this morning. Do you want to make any statement in regard to that?

Mr. JACOBS. The first that I knew of it was when I received a letter from Mr. Campbell stating that charges had been preferred against me for improper conduct with some women on the way from La Crosse. I think in a week or ten days, maybe a shorter time, Mr. Campbell came down and took Mr. Denomie, who was then the hotel keeper, and Willis Isham, the policeman, and went around with me and called on all three of those women.

The CHAIRMAN. Were there three in the party?

Mr. JACOBS. There were three that were mentioned in the charges. We called on them, and Mr. Campbell went back home. I do not know what kind of a report he made. The commissioner afterwards sent a letter to Mr. Campbell, and he sent me a copy of the letter. I have seen the charges wherein it was stated that charges had been made against David W. Jacobs, and that the charges had been dropped. It went along a year from that time, when a gentleman came in and told me that he was an inspector of Indian schools. I afterwards found out that he was a chief clerk in the Indian Office. After he talked with me a while he told me that his business there was to investigate the charges, among other things, about these women. I said, "I am afraid that some of them are off blueberrying." I heard that some of them had gone off blueberrying. He said, "We will have to have them." I said, "If they are still on the reservation we will have them." So I sent my policeman, and he found two that were named in the charges—Mary Cragin and Wa-wa-an-ba-go-kwe. Mr. Conser had these two women brought into my sitting room. Mr. Isham this morning stated that he was there. Mr. Ira O. Isham is mistaken. Willis Isham interpreted for those women. Mr. Campbell probably can tell you the report that Mr. Conser gave after an examination of those women. I do not think it was possible for me in the crowd—the fair was going on at the same time, that is the La Crosse northern Wisconsin fair—because being badly crowded by people going home from the fair, and a good many people had to stand up all night pretty nearly—and I hardly think that I would want to try to have anything to do with a woman on a crowded car sitting two and three in a seat. I will further state—well, I guess I will not either. Mr. Campbell I have never had a report from. Mr. Conser is here, and I guess he can give you what he reported after interviewing the women.

Mr. CAMPBELL. I never received anything except the extracts from the report. As to what the commissioner reported, I think I sent you a copy of that, did I not?

Mr. JACOBS. You told me what the copy was, but you never sent it to me.

Mr. CAMPBELL. I think I sent you a copy of that.

The CHAIRMAN. You have been present here yesterday afternoon and this forenoon at this meeting, have you not?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. Is there anything that has been developed here that you care to speak about at this time?

Mr. JACOBS. I think I can say a few things. With regard to Mr. Kakak's timber that we made a report on, we sent the surveyor there afterwards, and the surveyor reported that there was no timber

cut on his allotment. This man, Pimosigjig, over there, has quick ears. They notified me that there had been a trespass, and I notified Signor, Crisler & Co. The next morning the surveyor and another man, Mr. Thompson, came up. I told them that the charge was that they had cut over the line on Pimosigjig's land. They ran the line before they got to the corner, and the timber was all gone and the brush cut away, and there was nothing to blaze a line on. They went there and instead of finding 67 trees, as Mr. Pimosigjig found, they found twenty-some-odd trees on the opposite side of the line. They scaled the stumps where it was cut off and made a report. In the meantime Signor, Crisler & Co. had paid another Indian, Go-go-shef, for those logs. I reported the case to Mr. Campbell, and just as soon as we sent in this report the credit was taken from Go-go-shef, and a check for $6.90 sent to me, adding the scale. The reason why Mr. Signor afterwards paid this man $10.83 was that I suggested to Mr. Signor to pay him that much more. I said, "You pay the scaling and pay him that much more." So the timber amounted to $9.60 actually that was cut off his allotment. Now, if you desire to ask me about anything else I will be glad to give you what information I can.

The CHAIRMAN. No; the committee does not desire to ask you anything, unless you care to state something.

Mr. JACOBS. Those are the facts. Another Indian had credit, you understand, for those logs, and when we surveyed them we found twenty-odd logs, and they were all scaled up carefully and the accounts taken from Go-go-shef and the credit given to this Indian here. He got paid for them, more than paid; he got $10.83.

Now, Mr. George Carufel stated that the company offered him $7 for the logs that are cut on his allotment, and he said afterwards that he never got anything. Mr. Farr and Mr. Campbell were riding through the timber and I said, "Right there are some logs that this Mr. Phelan cut over the line, and there were some little sticks, and he cut and built a logging-camp barn." I asked Mr. Farr what I ought to charge the lumber company, and he spoke up quick and said, "Charge them $7, and it will teach them to be awful careful hereafter." I met Mr. Carufel afterwards and said to him, "If you go down to the company they will pay you $7." He stated to you in his testimony yesterday that they offered him $7 once. He is right. When he spoke of our inspector going there to scale the logs. That is very little. All that is cut is cut down to make the floor; they cut little pieces for the floor. Most of them were cut on Bal-the-mah's land; that they took to make the mangers and stalls, and when the inspector went there he did not know that they were taking it from there. I afterwards wrote Mr. Campbell that Mr. George Carufel refused to take the $7 that the contractors offered him, and Mr. Campbell replied to have the merchantable timber scaled up and the two trees amounted to 60 cents, and less the scale report it was 55 cents, and I delivered the check to him for 55 cents.

The CHAIRMAN. Have you on file the pick-up scales?

Mr. JACOBS. Yes, sir; one copy of them.

The CHAIRMAN. Have you examined the Wolf pick-up scale since the matter came up?

Mr. JACOBS. Yes, sir.

The CHAIRMAN. You have that there, have you?

Mr. JACOBS. I let the inspector, Mr. Young, take it to-day.
The CHAIRMAN. That is all.
The witness was thereupon excused.

STATEMENT OF THEODORE F. YOUNG.

THEODORE F. YOUNG, having been first duly sworn, testified as follows:

The CHAIRMAN. What is your business?

Mr. YOUNG. I am, I believe, what they designate as "scale inspector."

The CHAIRMAN. Where is your work done?

Mr. YOUNG. On all of these reservations, that is the Court d'Oreilles, Bad River, and Lac du Flambeau, nearly all of it. Once in a while a little outside.

The CHAIRMAN. What is your work here with reference to scaled logs that are left on the ground after they quit lumbering?

Mr. YOUNG. Ever since I have been inspector——

The CHAIRMAN. How long is that?

Mr. YOUNG. Five years ago the 1st of December, I commenced on Bad River. I was not given charge of the scaling on this reservation until three years ago the first of next month. For three years I have had charge of scaling on this reservation, but I had also scaled the pick-ups on all cutting that was done four years ago, but just came here one trip when they were finishing up the logging in the spring, and reported to Major Campbell that there was considerable stuff left, and he sent me down, and I was here from the 5th of July until the 28th, having three and four, and some of the time five, men with me, as we had a lot of land to go over, but we only went over what was cut that winter, four years ago.

The CHAIRMAN. Speaking now with reference to the Wolf case that occurred this last winter and summer. Do you know anything about that?

Mr. YOUNG. I was out when that case was being spoken about. Do you remember the number of it?

Mr. JACOBS. It is 664.

Mr. Young. I was told afterwards that that matter came up. When we scaled the pick-ups there were five or six copies made. The contractors have a copy, one copy was forwarded to Major Campbell, the farmer has a copy himself, and the Indians' copy is left with the farmer for the reason that the Indians, many of them, do not go to the post-office, and we do not know their addresses. I sometimes hand them to the Indians myself if I see them. I never put them into the farmer's office. If there is a subcontractor, he has to have a copy also.

The CHAIRMAN. Have you this particular one?

Mr. YOUNG. I have this one of Mr. Jacobs. My copies are all up in Ashland [handing the chairman a paper].

The CHAIRMAN. When was this made out?

Mr. YOUNG. I think April 2 is the date.

The CHAIRMAN. Do you know when they had quit logging on that place this last season?

Mr. YOUNG. We had a thaw and the snow all ran off, and they commenced to haul logs down on 31, and 28 was pretty near 4 miles to that camp; and it froze up again, and they went back, I think, and hauled some more, but I was not here at that time.

The CHAIRMAN. When you made this scale out they had quit logging?

Mr. YOUNG. Oh, yes, sir. They had quit logging and gone when this scale was made. I will explain a little about this scale. This timber was cut by subcontractors. Signor & Crisler let it to Winestock & McKann, and every season they close the logging season. They go over the cuttings, but I wait until the snow goes off so that I can be there to see all the logs. Mr. Signor was very anxious to have the cutting gone over as soon as it was done, but in many places there was brush and snow; but he wanted to settle with Winestock & McKann; he had a contract with them by which they were to pay him for all the logs that were left in the woods, and he had to pay the agent, and he did not want to settle with them until he knew what logs they had left. He wanted me to come, but I told him I could not come because I was busy. We do not have to do that at any certain time; the logs will stay there, but he told me he wanted to settle, and he was going to send a scaler, Mr. John McLoud, a man that I know; he was going to have him go there and settle up with them. I said, "Mr. Signor, you can do that, but that does not bind anybody—that is, Mr. John McLoud's scale—unless I O. K. it." It was after the first or second day of May that he came down here to go in there, and I notified Mr. Jacobs. Mr. McLoud sent the scaler around, but I notified Mr. Jacobs not to give out any of these scale reports until I had been up there and looked over the work. I think it was about the first or second day of May; at any rate, there came a snowstorm while I was up there—the last big snow that we had—and I just walked up to the work, and I thought Mr. Signor had put it to Mr. Winestock & McKann pretty well, and I thought he had found a few—I could not hardly see where he had found so many logs. I thought it was picked up clean.

The CHAIRMAN. Did you notice whether those logs had a scale mark on them?

Mr. YOUNG. They were pretended to be marked.

The CHAIRMAN. Did you notice the marking?

Mr. YOUNG. Yes, sir; I noticed marks on many of them. I do not suppose that I saw all the marks that they had. I went up one road and down the other.

The CHAIRMAN. What was the quality of those logs?

Mr. YOUNG. There were some tops that were left, and quite a lot of skids left. They were frozen down and hard to get up, and I guess they thought they had better leave than try to get them up.

The CHAIRMAN. Were there not other logs aside from the skids lying there?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. What was the character of those logs?

Mr. YOUNG. Pretty nearly the average logs. There may have been a few defective logs, but I think they were pretty nearly the average logs. They get covered up in the brush, and sometimes they are what they call "swampers buy them." It is only a saying. The swamper

covers them up and goes out and leaves them. He will take some logs that will swamp easier and keep the team going with less work.

The CHAIRMAN. Who is this McLoud?

Mr. YOUNG. He is a scaler. He scaled there.

The CHAIRMAN. Whose scaler is he?

Mr. YOUNG. He is the scaler of the contractors, and the agent, Major Campbell. He is the regular scaler. He is the scaler who scaled there all winter. In fact, I think he scaled all the logs that were cut at Eddie Creek.

The CHAIRMAN. And this scale was made by him?

Mr. YOUNG. Their regular scaler, who scaled there all winter.

The CHAIRMAN. And you simply went down to inspect it?

Mr. YOUNG. Just to verify the scale in my mind. Now, there are some of those logs that you can mark. A log that is sawed off, if there is no frost or anything in it, you can mark it pretty well, but take cheap logs where they cut them with the axe, and they are rough, sometimes you can not make a mark on them. They will make a swipe on them to show that the scaler has been there.

The CHAIRMAN. Have you ever detected, in inspecting his work and reports as they came under your observation, that he has falsified the classification of lumber?

Mr. YOUNG. No, sir; not in a single instance. I have never known it to be done anywhere on any reservation since I have been around here.

The CHAIRMAN. Is there any statement that you want to make on your own responsibility in connection with this matter?

Mr. YOUNG. I have heard some of the testimony.

The CHAIRMAN. I will call your attention to the Smith testimony. What do you know about that?

Mr. YOUNG. I am sorry Mr. Smith's son is not here. It was two years ago last winter that Mr. Smith logged up there; he also logged three years ago, but I only came here in the spring, but this same man, Boteman, scaled for me all the logs he ever scaled on the reservation every year, and never one word of complaint from Mr. Smith or any other man on this reservation to me, and I never heard of any complaints by anyone else that the scale was not full and perfect, and a good, fair, round, upright scale.

The CHAIRMAN. Has he lumbered since this time that he spoke of yesterday?

Mr. YOUNG. He was wrangling at that time with the Signors about their logging. That was the windup of the logging.

The CHAIRMAN. So Boteman has not scaled any of his cutting since then?

Mr. YOUNG. He has not had any work; he has not done any since that season; but that fall they commenced decking the logs on skids preparatory to decking them quite early in the season, and when the logs are decked the allotment number must be put on them. That is the invariable rule that the allotment number must be put on when the logs are decked, and before they leave the land, but I went up there several times logging in the forepart of the winter and I had a good deal of trouble—that is, a good deal of annoyance, not much trouble. He had always promised that he would mark them, but I would find logs not marked, sometimes half a deck. He would say,

"Well, my boy is attending to that, and he has gone to Hayward, and he will be back, and you will see that they will be all marked the next time you come." And he got them pretty well marked before they commenced to haul, but he was careless about it, and this time that we had the argument I called him a liar, as he said, and that was true, too.

Senator LA FOLLETTE. Is the other part of it true, that he made you take it back?

Mr. YOUNG. I have not as yet. It may be true some time, but has not been true as yet, because I reiterated it after he told me he would knock my damned old face off with a hammer if I called him a liar. I went up to the landing and saw that a load of logs had been thrown off, and Mr. Jacobs sat in the cutter—we drove up in a sleigh—and I saw that there was no allotment number on that end, but it might be on the other end, and I went to the other end and said, "Jacobs, these logs are not marked at all." I commenced to look along, and I should say that I found about six or eight loads—not very large loads—where I went on the ice, that were not marked. Well, after all the talk that we had had I was kind of half mad before I left the landing, and I said, "Well, I will drive right up and see Smith. We have got to stop this thing. It won't do, hauling logs down on the landing; but I know where they came from; they could not come from any other place. They came from allotment 217."

I went over to Mr. Smith. I had had a good deal of annoyance with him just on that very thing. He was working on the barn fixing up the stalls, and his two sons were there—that is, the one he spoke of yesterday and the other one, Howard, who was working in the bank at that time. I spoke out pretty plain and went for him pretty rough, and asked him what he meant by hauling logs down there and putting them on the landing without marking them. I said, "You know just what the consequence of that kind of work is. We have had all kinds of trouble with you." I think I did scold pretty hard. He said, "God damn it, you have no business to complain. You have not been on my landing before this winter." I said, "You are a liar, Mr. Smith." He said, "You had better look out how you call me a liar, or I will smash your damned old face with this hammer." I said, "If you say I have not been on that landing before this winter, you are a liar." Then Mr. Jacobs said, "Old man, you are not attending to your business very well there." Well, we had some little more talk, and Mr. Smith said, "I will raise the devil (or hell, or something) with all of you fellows the first thing you know. How is it about their scaling all this white pine as Norway?" I said, "I do not know how that is, Mr. Smith. I never heard of such a thing before." Well, of course he was fighting mad at that time, and I said, "Mr. Jacobs, do not reply to him." He did not answer yes or no. Smith and I were doing most of the talking. I said to Mr. Jacobs, "It is no use talking with him any more. We have got through trying to talk to Mr. Smith, if this is the way he talks. I will go right down and see the Signors. They are the contractors. We have not got to do any business with this man anyhow. Signor & Co. are the only men that the Government know."

When we got back it was dusk and was very cold and windy and was getting dark. I said to Mr. Jacobs, "We will go right straight

back"—that is 6 miles from the agency—I said, "We will drive right back in the morning the first thing we do and mark those logs." We got a pretty fair start in the morning, and when we got up there the logs were all marked, but there was nobody on the landing, but Mr. Smith or somebody else had been there to mark the logs, and they were marked all right too. I said, "We will go right down and see Mr. Signor." I am going to report to Major Campbell how we found things and how Smith talks and acts, and we have got to go up and put some good man on here and take the scale books and scaler on that landing." I said, "How is it about scaling all this white pine as Norway?" He said, "I will have all these Indians hopping here the first thing you know; I will make some fun for you fellows"—that was pretty nearly the exact language he used. I knew the logs were on the ice and could be gotten out in an easy manner to prove or disprove his statements, so I told Mr. Jacobs that I was going to see Mr. Signor about it. I said, "It is some expense to you loggers here making the charge, but we have got to get some good man and the scaler." It was getting toward the spring, and after the logs are gone there is no way then to disprove it. We came back from Grindstone and drove right straight to Signors and found both the Signors there and I took them both in the office and I told them the rumpus we had had in the bank office. We had been in there about ten or fifteen minutes when some one knocked on the door and Smith stepped in. I supposed that he was so mad he would never speak to me, or perhaps Jacobs either; we had had some hot words and left that way the night before, but he came in and seemed pleasant to everybody. He said, "How do you do, Mr. Young," and stepped right up toward me, and I was not going to let him outdo me in hospitality, and I rose up and shook hands. He seemed to be very pleasant. Mr. Signor kind of opened the conversation, "What was the matter with you, Mr. Smith, yesterday?" He said, "Oh, nothing." Mr. Signor said, "Well, Mr. Young tells me that you made all kinds of charges up there that we were scaling white pine for Norway." He said, "I did not say any such thing." I said, "Mr. Smith, you did not say that?" He said, "No, sir." Mr. Jacobs sat there, and I asked Mr. Jacobs if he did not say it, and he said, "Why certainly he did; that is what he said." Then he stepped to the door and called his son, who was out in the other office. He said, "Did I say that they were scaling white pine as Norway up on our landing?" His son said, "I did not hear you say anything of that kind." I said, "We were all in the little stable there, and he hollered loud enough to hear it a half a mile down to the landing when he was talking because he was very much excited." He denied it entirely and said that such a thing never occurred. He said, "You are mistaken." He said, "I never thought of such a thing, and it would not hardly be possible to do such a thing."

He intimated yesterday that he notified me that the scale was wrong. He told me I was not attending to my business any more than he was because I was not on the landing oftener when I was telling him that he knew what his business was, to mark those logs, and then he pitched into me.

The CHAIRMAN. Did you go back and examine them after this meeting?

Mr. YOUNG. Yes, sir; I went back.

The CHAIRMAN. After you got down there and he came here and denied it, did you go?

Mr. YOUNG. No, sir. I had never heard of such a thing; I knew it was unnecessary, but when he said he never said it I did not go to look at all. I will say that last winter there were some kind of charges sent, I think, to Congressman Lenroot, which were sent back here, and I answered them. I replied to some of them. I want to say right here that no single Indian or white man owning an interest in timber on this reservation since I have been here has ever intimated to me in any way, shape, or manner that he was not getting full and competent scale, but they have, by their actions at different times, conveyed the impression very strongly to my mind that they were very well pleased with my work, and some of them owning allotments on other reservations, one spoke to me here to-day about an allotment that he was interested in down at Flambeau reservation, had me look it up and seemed well satisfied with the report that I gave.

With regard to this scale, we have been for two years now making a tabulated statement in Major Campbell's office—Mr. Scott makes it—of all timber cut on all reservations. Mr. Jacobs, have you got that? I sent you a copy.

Mr. JACOBS. I have not got it here.

Mr. YOUNG. It is not for this year, but is up to the time that the last tabulated statements were made; that is, on the logging done a year ago this past winter, and I find out that there were eight hundred, and, I think, two or ten thousand of white pine reported. That complaint charge that the white pine was scaled as Norway, and the birch as elm, and other low-priced timber. There was cut that year—and the report, of which I have a copy, and there is one in Mr. Jacobs's office, and Major Campbell has one, shows that there was cut that year—eight hundred and some odd thousand white pine.

Mr. JACOBS. 828,880.

Mr. YOUNG. I forget the exact figures, but it was over 800,000 white pine, and less than 21,000 of Norway—21,000 to 800,000 of white pine. There was cut of birch 507,000 on the reservation, and of hemlock—I think it was hemlock——

Mr. CAMPBELL. It was elm.

Mr. YOUNG. Thirty-seven thousand. There was over half a million of birch. I asked Mr. Jacobs, and he said he had the report in his pocket. I was going to bring it up with these reports. The same report is at Ashland, and I can have a copy of it made for you at any time.

I do not know that I have anything more to say. Mr. Smith was having some wrangling with the Signors about one thing or another, and I said "Mr. Smith, your scale is all right, anyway." He said, "Yes, I know, Arthur is all right on the scale.

(The witness was thereupon excused.)

Senator LA FOLLETTE. I would like to ask you, Mr. Dennis, whether any of your people here who have heard this testimony desire any particular questions put to this witness, or do you want to ask any questions yourself?

Mr. DENNIS. Mr. Isham can ask some questions.

The CHAIRMAN. Mr. Isham, is there any question that you or any of these Indians would like to have asked Mr. Young or Mr. Jacobs? If you do you may ask them while they are here before us under oath.

Mr. WILLIAM WOLF. I would like to ask Mr. Young how many times he has been up to my camp, 664.

Mr. JACOBS. That is where Winestock and McKann are. I have been there three times while they were over there. I made three trips over there.

Mr. WILLIAM WOLF. You did not scale any logs at all up there.

Mr. YOUNG. The scaler was not there. The logs were scaled down at the mill.

Mr. WILLIAM WOLF. They were not scaled before they left the land?

Mr. YOUNG. No; they were scaled. The scaler scaled at the landing, at the mill. The pick ups were scaled there. They are there now. The scale of the pick ups can be verified at any time. The scaler was off in the woods.

Mr. WILLIAM WOLF. When was the last time you have been up there? Have you been up there?

Mr. YOUNG. Yes; after they quit the camps were all abandoned, and the day I was up there it was snowing bad. About the first or second of May was the day I was up there, the day of that snowstorm. It was storming and snowing that night. We had a pretty bad trip up there. We walked up and back again. It was after the bridge had broken down on the pond. The ground was all bare after we left Ashland, and I thought it would be a good time and thought we could see well enough what they had left. There was 5,840 feet scaled up on your allotment. There were 124 logs that the scalers got there that were scaled. I just walked over there and saw the logs that were there and walked around out of the place, and I would be perfectly willing to have anybody——

Mr. WILLIAM WOLF. About how many logs did the scaler report?

Mr. YOUNG. One hundred and twenty-four.

Mr. WILLIAM WOLF. I should judge it would be twice that logged. At the little strip where we went through we found 67, and we just went around one-half of the forty.

Mr. YOUNG. Of course, all the logs that were there are there yet. The scaling was done just as I said. As I understood the evidence here, when Senator La Follette asked how many logs there were, you said you thought there were 60. There are 124 logs that were reported. John McLoud did the scaling. For that matter, the logs are all there yet and have not any of them been hauled off, but this many, at any rate, are paid for and reported. The report is there—5,840 feet, I think it is. That is all there is. I did not scale one of the logs, but Mr. Signor was so anxious to settle up with Winestock and McKann—Signor knowing that we had to pay for the logs—made a contract with Winestock and McKann that they had to pay him for all the logs they had left, and I said, "Your scale does not cut any ice if I do not think it is right." When I went up and saw the number of logs and amount of timber that he had left, I went up on 31, too; I went all over the place. I have got their scale pick up and I passed it up as a good clean scale. Mr. Signor understood when Mr. McKann went there that if Mr. McKann left any logs, or that if he found any logs that Mr. McKann left, that he would have to pay for them out of his own pocket. So I thought that was the reason he had scaled them off so close.

Senator LA FOLLETTE. This is the report of the pick up they make on your land up there [handing witness a paper]. That sheet of paper belongs to you [handing the paper to William Wolf].

Mr. WILLIAM WOLF. If I remember right, my father has been up there, too. I want to ask——

Senator LA FOLLETTE. Your father swore that he was up there in the summer, and that those logs had no scale marks on them.

Mr. WILLIAM WOLF. That is what I wanted to ask.

The CHAIRMAN. He has already stated that. Your father stated that there are no scale marks on them; that he looked at them.

Mr. WILLIAM WOLF. There has been a man up there who stayed a month, I think.

Mr. YOUNG. I suggest that the logs are there and they can be scaled again.

Mr. WILLIAM WOLF. My father told me that he did not see any scale marks.

The CHAIRMAN. Your father stated that there are no scale marks. He would state it again if he were put on the stand, but it is unnecessary, as he has already stated that.

Senator LA FOLLETTE. I suggest that as Mr. Wolf and his father have both been sworn, that if they think the matter is not fully explained, they may make a trip to that land and then make a statement; that the business committee take their statement in writing and forward it to the committee as a supplemental statement to their testimony here of what they find. Is there any objection to that, Mr. Chairman?

The CHAIRMAN. No; only before you suggested that, I had thought myself of letting Mr. Young, for instance, and the committee go, and if they can not agree, let each one send in a separate statement.

Senator LA FOLLETTE. That is a very good suggestion.

The CHAIRMAN. You will attend to that, will you, Mr. Isham?

Mr. ISHAM. Yes, sir.

Senator LA FOLLETTE. That will be a good, fair test of these other complaints, perhaps.

(Mr. Young was thereupon excused.)

STATEMENT OF JAMES M. SIGNOR.

JAMES M. SIGNOR, having first been duly sworn, testified as follows:

The CHAIRMAN. What is your name?

Mr. SIGNOR. James M. Signor.

The CHAIRMAN. You are a member of this firm of Signor, Crisler & Co.?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Your firm has a permit from the Government to make contracts with allottees on the government reservation?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Now, how long have you been lumbering here?

Mr. SIGNOR. Six years.

The CHAIRMAN. Have you been here a portion of that time yourself in active control and participation?

Mr. SIGNOR. Yes, sir. I have been here three years last spring.

The CHAIRMAN. Now, in regard to paying these Indians who work for you, do you pay them in time checks?

Mr. SIGNOR. We pay them for the winter's work, about four months of the winter, in time checks, to April 1 or April 15.

The CHAIRMAN. What do you pay them the balance of the time?

Mr. SIGNOR. We pay them cash or in coupons. With regard to the coupons, they are merely the credit. We pay once a month.

The CHAIRMAN. Those coupons are not good anywhere except in your company's store, are they?

Mr. SIGNOR. No, sir; they are just merely a credit to save book work.

The CHAIRMAN. There is no market for them?

Mr. SIGNOR. No, sir.

The CHAIRMAN. They could not use them anywhere else?

Mr. SIGNOR. No, sir. They get the cash for them at the end of the month at the office, if they want it.

The CHAIRMAN. At the office?

Mr. SIGNOR. Yes, sir. At the end of the month. They can all turn in their coupons and get the cash, or can redeem anything that is left. We merely hand out a coupon as a credit to get rid of charging everybody's little accounts as they come in.

The CHAIRMAN. There was some testimony here this morning that they had a great deal of difficulty, and at times were unable to dispose of their time checks for cash. What have you to say in regard to that?

Mr. SIGNOR. In regard to our time checks, we have places arranged to take care of the time checks.

The CHAIRMAN. Do you notify them where those places are?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Where are they?

Mr. SIGNOR. We had three last winter—one at Courte d'Oreilles, one at Rice Lake, and one at Eau Claire.

The CHAIRMAN. Well, these people live up here, principally, do they not?

Mr. SIGNOR. Yes, sir; that is right, but they could send their time checks on and get their money, returning the check.

The CHAIRMAN. Do you mean to tell the committee that last winter these people could take these time checks to Court d'Oreilles or Rice Lake and promptly get the cash on them?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Without discount?

Mr. SIGNOR. No, sir. They are paid at a discount.

The CHAIRMAN. At how much discount?

Mr. SIGNOR. One cent per month.

The CHAIRMAN. Then there was no place where they could cash them at their face value?

Mr. SIGNOR. Not until the 1st of April; no, sir. That was the custom.

The CHAIRMAN. Do you mean to say they could get the cash for them at their face value on the 1st of April without any deductions?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Where?

Mr. SIGNOR. At the Union National Bank at Eau Claire.

The CHAIRMAN. Could they not get the cash on these checks any closer than Eau Claire?

Mr. SIGNOR. Yes, sir; they could get it from us. They would send the time check and get the cash for it if we had it on hand.

The CHAIRMAN. The 1st of April?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. Do you mean to be understood that in these operations here these coupons would be promptly cashed by your own people at the end of the month?

Mr. SIGNOR. On pay day; yes, sir.

The CHAIRMAN. And these time checks were promptly cashed on the 1st of April?

Mr. SIGNOR. Yes, sir; the cash was ready for them.

The CHAIRMAN. Well, there has been a good deal of testimony here this morning that sometimes they could not dispose of them at any price.

Mr. SIGNOR. I heard it. Of course, there are a good many of them. For instance, one of the gentlemen who was speaking this morning in regard to the time checks was one of our contractors last winter who cut his own timber, and he was given time checks, but I do not know whether he knew where to take them or not, but he should have been directed when he got his time-check book with his order blank, but he was not, and there were only three places arranged for them to get their money for the time checks.

Senator LA FOLLETTE. Where, in Rice Lake, could they present those time checks and get money on them?

Mr. SIGNOR. At Mr. Fossum's.

Senator LA FOLLETTE. You heard one of the witnesses testifying this morning that he went there with two time checks and was able to get the money on one but was not able to get the money on the other because the man had no money?

Mr. SIGNOR. Yes, sir. I do not know whether that was after the 1st of April or not. I do not know when it was. At least, he might have checked out his amount that he had agreed to check out. We had arranged to check out so much at each place, and whenever they ceased to have money at each place then he was directed to go to the other place.

Senator LA FOLLETTE. You have three places, Eau Claire, Rice Lake, and Court d'Oreilles?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Why did you arrange for it to be checked out at Eau Claire? These people did not live near Eau Claire.

Mr. SIGNOR. No, sir. It was because we had the credit there and had made arrangement with the bank for it.

Senator LA FOLLETTE. If you had the money and could get the money there, you could as well have had the money in Rice Lake or Court d'Oreilles for these people as send them to Eau Claire, could you not?

Mr. SIGNOR. Yes, sir; on the 1st of April we could.

Senator LA FOLLETTE. But you did not do that?

Mr. SIGNOR. No, sir.

The CHAIRMAN. How did you pay your white help?

Mr. SIGNOR. We paid them just the same.

The CHAIRMAN. You made no distinction between your white help and your Indian help?

Mr. SIGNOR. No, sir; they were all hired the same.

The CHAIRMAN. They were hired the same. I am speaking of payment?

Mr. SIGNOR. And they were paid the same; they were hired and paid the same. We have the books right here showing our crews' time books and time checks also.

The CHAIRMAN. There was some testimony here this morning with regard to requiring some of these people to sign contracts?

Mr. SIGNOR. Yes, sir. In the fall when we hire crews we have the men sign contracts for April pay.

The CHAIRMAN. Does that apply to the white help?

Mr. SIGNOR. The whole of it, yes, sir; each and every one.

The CHAIRMAN. If a white man quits before that time, what do you do with him?

Mr. SIGNOR. We pay him with a time check and he sells it.

The CHAIRMAN. Do you make a deduction from his wages if he quits?

Mr. SIGNOR. No, sir; it is according to the way he is hired on his slip. If he is hired for so much wages and works until the 1st of April he gets his cash, and if he is hired to the 1st of April and goes before the 1st of April then it is a question of what he is doing as to whether he is deducted or not—how good a man he is.

The CHAIRMAN. Do these contracts provide that if they quit before the 1st of April, and are working at a certain rate, that you can deduct and settle with them at a lower rate?

Mr. SIGNOR. Some of them do, yes, sir.

The CHAIRMAN. Are they not all alike?

Mr. SIGNOR. No, sir.

The CHAIRMAN. What is the difference? Why do you use some with some of them and others with others?

Mr. SIGNOR. We take the transit men and hire them in that way. With men that we are well acquainted with and know that they are good men, we give them their full wages.

The CHAIRMAN. What is your understanding of your contract with the Government as to your obligation to contract and cut timber with any Indian who wants a contract?

Mr. SIGNOR. Well; my understanding is that if we can arrange with them to sign a contract, if they sign the contract to sell their timber that we get it, and if they do not——

The CHAIRMAN. Yes, but as to your obligation to enter into a contract at the request of the Indian?

Mr. SIGNOR. Our obligation is that we are to pay so much a thousand.

The CHAIRMAN. You do not understand my question; as to your obligation under your contract with the Government to enter into a contract with any Indian who may demand a contract, who wants to sell his timber?

Mr. SIGNOR. I do not understand you.

Senator LA FOLLETTE. Suppose you were not lumbering in the neighborhood of his allotment and an Indian appeared and wanted to sell you his timber, would you be under any obligation, according to your understanding of your contract, to make a contract with him, or could you say to him, "I do not want to contract with you at the present time, or perhaps not at all?"

Mr. SIGNOR. Why, as I understand it, we do not have to contract with an Indian any more than he does with us, without we desire to contract.

Senator LA FOLLETTE. And yet he can not make a contract with anybody else?

Mr. SIGNOR. No, sir.

Senator LA FOLLETTE. But you can exercise your option and contract with him or not, as you please.

Mr. SIGNOR. Well, of course, if we log so many millions a year we have got to contract.

Senator LA FOLLETTE. You have got to log so many millions a year, but you are not obliged to contract with any particular Indian, according to your understanding of the contract?

Mr. SIGNOR. I do not understand that we have; no, sir.

The CHAIRMAN. What is your understanding of the contract as to your obligation to cut burned timber, dead timber, or depreciated timber, to the exclusion of the cutting of green timber?

Mr. SIGNOR. When we contract to cut an eighty, in cutting it we are to cut all the timber on it that is merchantable, whether it is burned timber or down or standing.

The CHAIRMAN. That is true, but of course you can only cut so many trees at once, according to your crew. Now, what is your understanding of your obligation under the contract to give preference to the depreciated timber?

Mr. SIGNOR. Well, if we contracted and did not cut it and it got burned we would have to pay for it if we did not cut it. We would have to pay for it standing as well as otherwise.

Senator LA FOLLETTE. That is after the contract?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Now, your understanding of your contract is that if you should contract with an allottee to buy timber on his allotment, and before you got around to cut it it burned, you would be liable for the timber. Is that your understanding?

Mr. SIGNOR. No, sir; if it was contracted——

Senator LA FOLLETTE. I say, if you make a contract with an allottee to buy his timber on his allotment?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Now, before you get around to cut it, it burns?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Do you understand that under your contract that you are liable for that timber?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. In settling with him, how would you ascertain how much timber there was on the piece if it had not been cut or scaled?

Mr. SIGNOR. We would have to scale it.

Senator LA FOLLETTE. You could scale it after it had burned just the same as before?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Suppose it had burned up entirely?

Mr. SIGNOR. Then it would be the stump average. It would be estimated.

Senator LA FOLLETTE. How much timber do you estimate there is left standing on this reservation; that is, merchantable timber of all kinds?

Mr. SIGNOR. I should think there is about thirty or forty million.

Senator LA FOLLETTE. How much have you cut, as near as you can come to it; that is, approximately?

Mr. SIGNOR. About 23,000,000 or 24,000,000, along there; 23,000,000, I think.

Senator LA FOLLETTE. Do you know what the forester's estimate showed before you commenced cutting?

Mr. SIGNOR. No, sir.

Senator LA FOLLETTE. You were here yesterday and have been here to-day, and heard the testimony. Is there anything that you desire to make a statement with regard to?

Mr. SIGNOR. Nothing more except in regard to the labor of the Indians. A good many of them said they could not get work here when they wanted it. I will state in behalf of ourselves and the contractor at Eddie Creek last summer, that when Winestock and McCann came in they came in with seven or eight pair of horses and most of the teamsters with them, and I think they had a few extra men besides that—two or three sawyers, I think—to get up some wood, and they were behind time in coming, from what we had expected. Some of the Indians wanted to get labor and Mr. Jacobs telephoned me and I told him I expected them there on such a day, and they did not come for two or three days after that. I told him to send the men over. About two or three days afterwards they got there, and I thought I could arrange to give 15 or 20 of them employment with the contractor, and there happened to be about 12 or 15 of them came in there the same day that they came in, and some the next day, to get employment, and they did not have their camp arranged for them, or anything for them to commence at—no work laid out—and we had to send them back again. We were not ready and I went to Mr. McCann, the head man, and he said that within two or three days we would be ready for them and could set 25 or 30 to work; they had not their axes as yet, but the axes would be along in a few days, and we expected to have them when they did come, so that they could get them. In two or three days they came over, but the axes had not come and there were no tools for them to go to work with, and they had to go back again, and finally their axes came, within a day or two, and then I think they put all to work who cared to go to work; they gave all of them employment. They were not there, I should judge, but about a month—some of them, and some of them less—before we had only three or four of them. They had all left and we had to hire help then from elsewhere. There are a great many times when there are lots of them around who are doing nothing, and we are short of men, and we try to get them, but they do not, any of them, seem to want to work, so we have to send outside to get help. Just at the present time we are short of men and have to send for help to-morrow outside of the reservation, where we are only using a few men.

The CHAIRMAN. When they do work, what is your opinion of the relative value of the white man and the Indian?

Mr. SIGNOR. They are good workers.

The CHAIRMAN. How do they compare with white labor that you get?

Mr. SIGNOR. On certain kinds of labor they are better and on certain kinds they are not so good. There are a few who are good sawyers, and some not good; and there are a few of them who are good teamsters, and who are good with the ax, and good everywhere else except practically those few jobs. There are a few good teamsters and a few good sawyers, and but a few, but they are good axmen, all of them.

Senator LA FOLLETTE. Have they not made complaint to you, Mr. Signor, that one reason why they did not continue work was because they had to take these coupons in pay?

Mr. SIGNOR. They have not; no, sir.

Senator LA FOLLETTE. I will ask you to state if you think they have understood that they could have the cash instead of the coupons at the end of the month?

Mr. SIGNOR. We have told them so, a great many of them. When they got the coupons we would sell them if they did not trade it out, at the end of the month they could bring it in and get the cash for it in their settlement; they could turn it in just the same as their account; that they had that much coming to them, and at the end of the month if they had not traded it they would get that in cash.

Senator LA FOLLETTE. That they would get that in cash at the store?

Mr. SIGNOR. At the office.

Senator LA FOLLETTE. Where is your office?

Mr. SIGNOR. Here at Signor, 3 miles below here.

Senator LA FOLLETTE. And you think that was generally understood by those Indians who worked for you?

Mr. SIGNOR. I think so; that at the end of the month, or at the end of their settlement, all they had to do was to send their coupons in and get their cash for them.

Senator LA FOLLETTE. Would that apply to all of them or just to those who did not hire until the 1st of April, that is, on the contract that ran to the 1st of April?

Mr. SIGNOR. That would apply to all who were working by the month, who draw their pay once a month, excepting the wood's work, four months in the winter.

Senator LA FOLLETTE. Supposing the men who were working in the woods on the four months' contract needed money for their families, or needed money to support their families, and took their coupons instead, could they get the cash for those coupons if they did not choose to trade at the store, at the end of each month?

Mr. SIGNOR. No, sir; not during the wood's contract. They simply get them as the book account.

Senator LA FOLLETTE. They would either have to trade it out during those four months at the store, or wait until April to get money on them?

Mr. SIGNOR. Yes, sir; and then they could hand them in and get their cash.

Senator LA FOLLETTE. Could they hand them into your office here at Signor for cash without discount?

Mr. SIGNOR. Yes, sir; on the 1st of April.

Senator LA FOLLETTE. And as I understand you—I am not quite sure about it, but I will ask you again—if any of them working not

on the four months' contract but working where they were to be paid monthly and taking their pay in coupons instead of a time check and desiring to convert the coupons into cash, could they do that at Rice Lake?

Mr. SIGNOR. With the coupons?

Senator LA FOLLETTE. Yes.

Mr. SIGNOR. No, sir.

Senator LA FOLLETTE. At Mr. Fossum's?

Mr. SIGNOR. No, sir; they could not do that. The coupon is no good anywhere but with us.

Senator LA FOLLETTE. At the store or at your office?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. And at your store, or at your office it is good for goods or for cash?

Mr. SIGNOR. It is good for cash on pay day.

Senator LA FOLLETTE. And it is the same whether it is held by a white man or an Indian?

Mr. SIGNOR. Just the same.

Senator LA FOLLETTE. Do any of the white men take their pay in coupons?

Mr. SIGNOR. They use them to trade with during the month, or during the winter.

Senator LA FOLLETTE. They would take a limited number—take what they would need?

Mr. SIGNOR. Yes, sir; what they needed.

Senator LA FOLLETTE. For trade?

Mr. SIGNOR. Yes, sir; we have them from $2 up to $10. If they want to start a book account we give them a coupon instead of a book account, any of them. They do not need to take a coupon unless they want one, but if they start a book account, if they want credit to trade on, we give them a coupon instead of a book account; that is why the coupons are in use, so as to save misunderstanding or disputes on the day of settlement. If an Indian signs a coupon book for $5 and he trades it out he knows that he has got his $5 worth, and if he trades $5 out of the book, and he is not perhaps educated well, he is liable to come in and say he did not get it. That is the reason why we decided to adopt the coupon system, to avoid disputes. There are lots of disputes that arise on account of their names, for one thing, lots of them have three or four names, but if they get a book the name is on it, the address and the amount he trades. He knows he has got it, and we have no one else to charge it up to, but the keeping on the books of all these little accounts where there are so many with similar names that are so alike or nearly alike and many with different names, they may come in and say "I did not get that." We will say, "Is not that your name; are you not that man?" They will say that their name is some other name; the man has another name; and for that reason we have had a great deal of trouble trying to keep the accounts straight, and made a great amount of work for our bookkeeper, and in order to avoid the annoyance we started the coupon system for their credit for trading during the month. It is just merely to save the book account.

Senator PAGE. Mr. Signor, do I understand that any man who made a winter's contract with you could get a check at any time for what he wanted if it was due him, payable the 1st of April?

Mr. SIGNOR. Not a check, but a time check; yes, sir.

Senator PAGE. Was it generally known that there were different places where they could get the money on those time checks?

Mr. SIGNOR. Yes, sir.

Senator PAGE. Why does it happen that these men say that they went to different places and found that they could not get their money for less than 10 per cent discount?

Mr. SIGNOR. Well, at Court d'Oreilles this man Oleson started there and bought time checks and he did charge some of them 10 per cent, but he had no right to do so. Our arrangement with him was 1 per cent a month, but he did get out of some of them 10 per cent.

Senator PAGE. The claim was also made that a man might go to a clothing house, and by taking it in clothing he could get the other half discounted; is that true?

Mr. SIGNOR. I do not know about that. That is something that we did not make arrangements for with any of the clothing houses. When we start in in the fall to lumber we make arrangements somewhere so that we know that the men can dispose of their time checks until April 1, and then we have an arrangement made to take them in cash.

Senator PAGE. But that arrangement was not carried out, and it was not carried out to the great detriment of these Indians. Now, how have you justified your own conduct in not having some one there who was reliable, to act for you, and one who would take these checks without subjecting these Indians to such terrible charges?

Mr. SIGNOR. The time checks last winter were nearly all made out by myself, and I told them all where to get their money on them.

Senator PAGE. You heard the testimony here to-day in regard to that?

Mr. SIGNOR. Yes, sir.

Senator PAGE. Then if they knew where to go and get the money why did they not go?

Mr. SIGNOR. I do not know.

Senator PAGE. And you explain by saying that the men with whom you made an arrangement did not carry out the stipulation with you, and the Indians suffered because you did not make the arrangement with reliable men. Is that the fact?

Mr. SIGNOR. In the case of this man Oleson at Court d'Oreilles, yes, sir. I know that he charged some of them 10 per cent. I heard it afterwards. It was not particularly the Indians, but the white men—the people who were going off at a distance.

Senator LA FOLLETTE. Did you discontinue your arrangement with him?

Mr. SIGNOR. After we found it out we did; yes, sir.

Senator LA FOLLETTE. Do you know that some of those people with whom you arranged—take this man at Rice Lake, for instance—to pay money on these time checks, were not supplied with money to meet them at times?

Mr. SIGNOR. We knew that he was supplied with a certain amount that he agreed to pay. We kept track on a book as to the amount. Suppose so many men draw time checks and I told them to get their money on those time checks, and we kept down the amount that we sent to this man and draw on him, when we get that amount drawn up on this man we tell them to go to the other men that we have

arrangements with at the other places, and some of the men who live in the immediate neighborhood we had them go to Oleson—those that lived around Rice Lake, or in that country, we would have them go to Rice Lake, and those further on to Eau Claire.

Senator LA FOLLETTE. You did not make arrangements with the bank at Rice Lake, did you?

Mr. SIGNOR. No, sir; not last year. They always carried our matters until last year. We arranged with a bank in Eau Claire instead of Rice Lake.

Senator LA FOLLETTE. Why did you arrange with a saloon keeper there instead of a bank?

Mr. SIGNOR. Because he had the money and wanted to do the work.

Senator LA FOLLETTE. You say he had the money?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Was it your money that he had? Did you deposit money with him?

Mr. SIGNOR. No, sir; it was his own money.

Senator LA FOLLETTE. He advanced money for you; that was the arrangement?

Mr. SIGNOR. Yes, sir.

Senator LA FOLLETTE. Was it understood that he was to receive 10 per cent discount?

Mr. SIGNOR. No, sir; 1 per cent per month.

Senator LA FOLLETTE. Did you know that he sometimes charged 10 per cent?

Mr. SIGNOR. No, sir; I did not—not that I ever heard of—nor did the bank at Eau Claire.

Senator LA FOLLETTE. Did any of the Indians in this reservation go to Eau Claire for their money?

Mr. SIGNOR. No, sir; not that I know of. They sent time checks down and received the money back, quite a number of them.

Senator LA FOLLETTE. These Indians?

Mr. SIGNOR. I think some of these Indians—any that wanted to.

Senator LA FOLLETTE. Do you recall a single instance?

Mr. SIGNOR. I could not recall a man's particular name; no, sir; but I know they sent for lots of checks and got them.

Senator LA FOLLETTE. Were those not white men?

Mr. SIGNOR. If I am right, they were both kinds.

Mr. PAGE. Did it ever occur to you that it was a bad place to send an Indian for his money, to a saloon keeper?

Mr. SIGNOR. Yes, sir; it would be.

Senator PAGE. Well, you knew that you had made that arrangement, did you not?

Mr. SIGNOR. Well, we did not make it there for the Indians; we made it for the convenience of anyone we might want to send there. I do not know that I sent any Indian there particularly.

Senator PAGE. You sent all people who wanted money down to that place, to that saloon, did you not?

Mr. SIGNOR. No, sir; not all of them. We only sent a few there. As to most of the time checks, eight-tenths of them went to Eau Claire.

Senator PAGE. Did it ever occur to you that that saloon keeper could afford to take your checks because if he paid a man money on

his check he would likely get a good part away from him before he would get out of the saloon?

Mr. SIGNOR. That might be.

Senator LA FOLLETTE. How much money did you arrange with that saloon keeper to pay during that winter?

Mr. SIGNOR. About four thousand dollars.

Senator LA FOLLETTE. How much did you arrange to have paid at Court d'Oreilles?

Mr. SIGNOR. Between two and three thousand dollars.

Senator LA FOLLETTE. How much at Eau Claire?

Mr. SIGNOR. I think about fifteen thousand dollars.

Senator LA FOLLETTE. Did many of those Indians work for you last winter?

Mr. SIGNOR. There were a good many the forepart of the winter.

Senator LA FOLLETTE. I would like to have the interpreter ask every Indian who is present here who cashed his time check at Fossum's stand up, if there are any present.

The interpreter having interpreted the above to the Indians assembled——

Senator LA FOLLETTE. How many of them held up their hands, Mr. Interpreter?

Mr. IRA O. ISHAM (the interpreter). Three.

Senator LA FOLLETTE. Now, I would like to have you ask all of those who are here, who had their time checks sent to Eau Claire, to hold up their hands and tell the committee how many there are.

The interpreter having interpreted the above to the Indians assembled——

Senator LA FOLLETTE. How many are there, Mr. Interpreter?

Mr. IRA O. ISHAM. There appear to be none.

Senator LA FOLLETTE. Now, ask those who cashed their time checks at Court d'Oreilles to hold up their hands; I mean those who had them cashed this last winter.

(The interpreter having interpreted the above to the Indians assembled, reported that there were four who held up their hands.)

Senator LA FOLLETTE. I would like to have the interpreter ask the Indians who are here how many of them here present worked for this company—Signor, Crisler & Co.—during the past year, or their subcontractors; they are paid the same way, are they not, Mr. Signor?

Mr. SIGNOR. Yes, sir.

(The interpreter having interpreted the above to the Indians assembled, reported that 18 held up their hands.)

Senator LA FOLLETTE. I would like to inquire how many who are present in this room received their pay in coupons?

(The interpreter having interpreted the above to the Indians assembled, reported 22.)

Senator LA FOLLETTE. Do you think there were any others, Mr. Signor, who held up their hands who were not counted?

Mr. SIGNOR. I did not notice.

Senator LA FOLLETTE. Some of them have come in since the last question was put. Now, I would like to ask all those who understood that they could get money in coupons—could get money instead of trade on those coupons—to hold up their hands.

Mr. SIGNOR. That is, outside of the logging season at the end of the month.

Senator LA FOLLETTE. Yes. It would be in the logging season if they were not working on time contracts.

Mr. SIGNOR. Yes; if they were not working after the five months.

Senator LA FOLLETTE. I would like to ask that all the Indians present hold up their hands who were not working on a contract that requires them to work to the 1st of April, who were working by the month, and who were paid in coupons, if they understood that they could get cash instead of trade on the coupons on pay day if they had not traded them out, the amount that they had left on their coupon books.

(The above having been interpreted, 2 Indians answered no; that they did not so understand.)

Senator LA FOLLETTE. They did not understand that they could get money?

Mr. IRA O. ISHAM (the interpreter). They did not understand that they could get money.

Mr. SIGNOR. On the balance of their coupon books?

Mr. ISHAM. Yes.

Mr. SIGNOR. We gave it to lots of them.

Senator LA FOLLETTE. Do you see any of them here present?

Mr. SIGNOR. No, sir; I could not recall any of them.

Senator LA FOLLETTE. Would your books that you have with you show?

Mr. SIGNOR. I have not the books here. We have only got the time books.

Senator LA FOLLETTE. You have only one book?

Mr. SIGNOR. The time books.

Mr. IRA O. ISHAM (the interpreter). Here is a man who desires to speak.

STATEMENT OF PROSPER GUIBORD.

PROSPER GUIBORD (through Interpreter Ira O. Isham). I have heard Mr. Signor's statement. Last winter I was working for Mr. Nusted at the mill on the hot pond, and I have heard him have arguments with some of the white men who would come in after work and want to run a book account, and he would slip a coupon book on to them and they would not take them until it was explained. He explained to them that at the end of each month if they had anything left on their coupon books they could get cash on them, but I never heard him explain that to an Indian.

Mr. SIGNOR. As I have stated, we have done the same thing with the Indians—just the same when they wanted it.

Senator LA FOLLETTE. You have not anything in your book accounts to show that, nor do you recognize any Indians here present to whom that was explained?

Mr. SIGNOR. No, sir; I have not. I could not remember any Indians; no, sir.

Senator LA FOLLETTE. If there is any question that any of you Indians would like to have put to Mr. Signor, we will be glad to ask him for you if you can not ask him yourselves.

Mr. LA RUSH. I would like to ask Mr. Signor what he paid the white men, for instance, if they lived in St. Paul or Minneapolis, and did not want to—what did he give him?

Mr. SIGNOR. We gave him a time check.

Mr. LA RUSH. To ride on a passenger?

Mr. SIGNOR. No, sir; we did not give him a time check to ride on a passenger. We gave him a time check for his wages.

Mr. LA RUSH. I do not believe that there is a white man who would cash his check at 10 per cent.

Mr. SIGNOR. Where is that?

Mr. LA RUSH. At Court d'Oreilles. Lots of them told me that they would not stand for that.

Mr. SIGNOR. We did not give the white man all time checks on Court d'Oreilles. We gave mostly those that went abroad on Rice Lake or Eau Claire.

Mr. LA RUSH. If he did not have any money in his pocket how was he going to ride?

Mr. SIGNOR. We give him his fare and charge it up to him. If a man did not have any money to go out with we would have to give it to him.

Mr. ALEXANDER LE ROCK. I would like to ask Mr. Signor when and where he made that understanding with an Indian, that if an Indian did not spend all on a coupon that he could turn that coupon in and get cash for it, and I would like to know how many understand that they could turn those coupons in and get cash for them?

Mr. SIGNOR. I do not know.

Mr. LE ROCK. I would like an explanation of that question?

Mr. SIGNOR. I do not understand the question. I do not just know whether any of you exactly understood it. From the 10th to the 15th are our pay days of each month for the previous month, and we probably have four or five different cases to settle during that time for pay day, so we make it between the 10th and 15th. At Signor it has been on the 10th, at Eddie Creek usually on the 14th or 15th or whenever we can get there, and then the mill here at Chief Lake would be between those times.

Now in regard to the coupon books for the previous month there would not be any of them who would have one probably dated back to the previous month. I do not know about that but if they did they got their money on it, or if they quit and settled up they got their money on it just the same as they would the credit on the books. It was the same as credit. But for the wages in this month, we will say for the wages in this month, from the 1st of the month to pay day, if they drew their coupons on that to get the cash on them we probably would not allow it because it would be in this month instead of the last month. We pay them for the last month on the 10th of this month on account of having the books made up to that date.

Senator LA FOLLETTE. It seems that there are none of the Indians who are present here to-day who worked for you who understood that they could get anything but trade on their coupons.

Mr. SIGNOR. They can all get cash on them if they hold their coupons until the pay day for the previous month.

Mr. LE ROCK. The question was where did you make a public understanding that these Indians could get cash for the balance of their coupons?

Senator LA FOLLETTE. He does not seem to have made a public understanding with these 22.

Mr. LE ROCK. He stated in his testimony here that he made an understanding with the Indians to that effect.

The CHAIRMAN. He stated that when he handed them the coupons he used to tell them that.

Mr. LE ROCK. I would like to know how many Indians understood the question?

The CHAIRMAN. There are none here.

Mr. LE ROCK. There are all of the principal workingmen here and none of them understood it. I know that I worked for you two years and you never made any understanding with me. I could not get 10 cents.

Senator LA FOLLETTE. Are there any other questions that anyone present desires to ask?

Mr. PROSPER GUIBORD. I would like to ask a question of Mr. Young.

The CHAIRMAN. Mr. Young has gone away from the room.

Mr. PROSPER GUIBORD. It is about a scaler who scaled here two or three years ago, Mr. Bert Smith, if I remember his name aright. He was well liked by the Indians here. I was working for Mr. Signor at Eddie Creek in the lumber yard and I was working under Mr. Champion, and one day we were talking about this scaler, why he got fired, and he told me that Mr. Signor told him that he could not use him any more, that Mr. Campbell, the agent, had said that he gave the Indians too much scale, and that he could not use him any more.

Mr. DENNIS. Of course Mr. Signor does not pay any cash or coupons to anyone except those he made a contract with. I would like to ask Mr. Signor if you paid anybody with this coupon book for signing a contract, say $10, would that coupon book be good for cash, would you give cash for it when it was presented on the 1st of April?

Mr. SIGNOR. No, sir.

Mr. DENNIS. What is the reason that it is all right when working by the month, and you turn it into cash then, and you will not on the other day. That is, pay day.

Mr. SIGNOR. It is not for that; it is a different arrangement. It is not labor; it is contract work.

Mr. IRA O. ISHAM. I would like to ask Mr. Signor if there is any difference in these coupons that he gives to the Indians for signing the contracts and the coupons he gives to each individual for his labor?

Mr. SIGNOR. No, sir.

Mr. IRA O. ISHAM. Did you not announce here a little while ago that those coupons were cashed at the end of the month—the 15th?

Mr. SIGNOR. For the laboring men.

Mr. IRA O. ISHAM. Could you recognize any one of these coupons that was given to an Indian for signing a contract, whether it was for labor or something else?

Mr. SIGNOR. I recognize them for trade; yes sir. It calls for trade.

Mr. IRA O. ISHAM. Do they all call for trade?

Mr. SIGNOR. Yes, sir.

Mr. IRA O. ISHAM. The same ones that you give for signing the contracts?

Mr. SIGNOR. As I said before, the Indian signs his contract and we give him $10 in merchandise, and we give him the coupons to buy his $10 worth of merchandise.

Mr. IRA O. ISHAM. Now, when you pay the man or give a man a $10 coupon or a $5 coupon who is laboring, is there any difference?

Mr. SIGNOR. In the coupon book?

Mr. IRA O. ISHAM. Yes.

Mr. SIGNOR. The books are all the same.

Mr. HENRY LA RUSH. I would like to ask Mr. Signor, for instance, this man will work for you in the woods, or in the mill and you have a contract, and you give him those coupons for the contract and coupons for the work. Can you tell which coupons you give him for the contract?

Mr. SIGNOR. If it is a $2 coupon I could.

Mr. HENRY LA RUSH. Suppose you gave all $10 coupons?

Mr. SIGNOR. We do not do that, we have a system.

The CHAIRMAN. There is a good deal of force in this. As it stands before the committee now you may have some way of telling which is which, and if you have, we would like to have you state it.

Mr. SIGNOR. No, sir; we have not, only we give them $10-coupon books instead of five.

The CHAIRMAN. You might give a man a $10 coupon who was working by the month?

Mr. SIGNOR. Yes, sir.

The CHAIRMAN. If you did, would that differ in any way from the $10 coupon that you give a man who signed a contract?

Mr. SIGNOR. Of course the man who comes for his pay on pay day, his name is on the pay roll, and if he signs a contract and was not working by the month his name would not be on the pay roll.

Senator LA FOLLETTE. Suppose he was working by the month and had both kinds of coupons, would there be any different way by which you could distinguish those?

Mr. SIGNOR. No, sir; there would not be, not if they were both ten-dollar coupon books, unless we knew it.

(There being no further questions, the witness was excused.)

STATEMENT OF A. O. NUSTED.

A. O. NUSTED, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. NUSTED. At Eddie Creek.

The CHAIRMAN. What is your business?

Mr. NUSTED. I am sawing for Signor, Crisler & Co.

The CHAIRMAN. How long have you been sawing for them?

Mr. NUSTED. Six seasons.

The CHAIRMAN. Do you saw by the thousand?

Mr. NUSTED. Yes, sir.

The CHAIRMAN. You own the mill—that is, it is not their mill?

Mr. NUSTED. It is mine.

The CHAIRMAN. Do you have any trouble getting your pay?

Mr. NUSTED. Sometimes.

The CHAIRMAN. To what extent?

Mr. NUSTED. This fall I could not get settled up with them. In the first place I was told to come over here to the office of Signor. I was here two days and could not get settled up, and at the end of the two days—I did not want to stay here all summer, so I left and went down home, that is, down to my folks, my family. I went

down there first. They wanted me to come down there and I went down there and told either Mr. Signor or Mr. Brown, the bookkeeper, that I would be up again in ten days and wanted a settlement. I came up again on the 16th. This was on the 6th day of July, I think; I came up on the 16th because I wanted to meet the board of review here. I saw Mr. Brown and Mr. Signor here, and I told Mr. Brown—I am sure I told Mr. Brown—that I would be down in the morning and wanted a settlement with him. I went down in the morning. I walked from here down and got down there about 8 o'clock and both of them had gone out fishing, but they had left word that I was to go to Chippewa Falls, to the president of the company, John Signor, to get the settlement there. Well, in order to get down there—this was on a Saturday and a train did not leave here—I had to go over a mile, and I got the train for Rice Lake on the Omaha and got down to Rice Lake. On Monday morning I saw John Signor, and I could not get a settlement there. He said he could pay me $50 of what I had coming to me.

Senator LA FOLLETTE. How much did you have coming to you?

Mr. NUSTED. I had in the neighborhood of $1,200 coming to me. I told him that I wanted it, that I needed it; he said he did not have it, but if I wanted notes he would give me notes for the amount, notes at $200 apiece, payable one each month until it was paid. I said I could not use the notes, that is, myself, and he wanted to know if I could not get them cashed somewhere, and I said I did not know whether I could or not. I inquired, but there was nobody who wanted to cash them. I got $100 in cash at the time, but could not get any more in cash. I told Mr. Brown that unless it was settled I would have to file a lien on the lumber. I went away and went up to Spooner, and in the meantime my thirty days was up to file a lien on the lumber; I had to file a lien inside of thirty days. I had written to him in the meantime and did not get any satisfaction out of them, so I filed a lien on the lumber and then notified Brown Brothers, of Rhinelander, that I had filed a lien. They wanted me to notify them. I told their representative I would. A short time afterwards I got a check for $787, but that was not in full; that would make $311.87 left, without some other minor accounts amounting to fifty-six dollars and some cents, less than I had coming, and that stands open yet.

Mr. DENNIS. There is something in one of our complaints about dumping logs into the Hot Pond that we did not get scale for. I would like to have Mr. Nusted, and also Gus Thomas, who worked on the landing, speak about that.

Mr. NUSTED. That is something I do not know anything at because I did not pay any attention to it.

STATEMENT OF GUS THOMAS.

GUS THOMAS, having been first duly sworn, testified as follows.

The CHAIRMAN. Can you understand our language?

Mr. THOMAS. Yes, sir; a little.

The CHAIRMAN. Where do you live?

Mr. THOMAS. Right here.

The CHAIRMAN. What do you know about their dumping the logs into the Hot Pond without scaling them?

Mr. THOMAS. I know that there were two loads behind there, and they dumped them right into the Hot Pond.

The CHAIRMAN. What became of them?

Mr. THOMAS. They never were scaled.

The CHAIRMAN. Were they sawed?

Mr. THOMAS. They were sawed.

The CHAIRMAN. When was this?

Mr. THOMAS. Three years ago.

The CHAIRMAN. Have you any idea how much lumber there was in those two loads?

Mr. THOMAS. I could not say. It was every night.

The CHAIRMAN. Do you mean that they dumped two loads every night?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. For what length of time?

Mr. THOMAS. For about two months.

The CHAIRMAN. Who was in charge of the mill?

Mr. THOMAS. Mr. Nusted.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF A. O. NUSTED.

A. O. NUSTED having been recalled:

The CHAIRMAN. You have just heard the testimony of the last witness. Did you figure up the scale showing the difference since you were on the stand?

Mr. NUSTED. I have not got just the exact figures, but it is somewhere between five and six hundred thousand of the overrun of the mill.

Senator LA FOLLETTE. That is, the mill scale is five or six hundred thousand feet more than the log scale?

Mr. NUSTED. Yes, sir.

Senator PAGE. On how many feet?

Mr. NUSTED. On 2,707,010 feet, I think.

Senator PAGE. What did you say the overrun was?

Mr. NUSTED. Between five and six hundred thousand, if I am not mistaken.

Mr. SIGNOR. You have not got that right.

Mr. NUSTED. It was 2,707,010 feet, and the mill scale was three million and three hundred and some-odd thousand.

Mr. SIGNOR. It was between three and four hundred thousand, the overrun.

(The witness was thereupon excused.)

Mr. DENNIS. Mr. Chairman, I have just looked over our complaint, and I find that in one of them it is charged that we are getting too small a price for our timber—that is, our pine and Norway. I want to call attention to the fifth clause in the article of the treaty, which is the basis of our complaint, to Mr. La Follette and also to Mr. Lenroot.

So it is six years since they operated and it is five years since we sent these other complaints. That is the way we understood it, that this company was to be here five years. We do not know anything about this eight-year clause at all, and we will turn over to the committee some letters we have written to prominent lumbermen in the State

asking a quotation of their prices for these two different kinds of lumber. We have their answers where they quote $8 for Norway and $12 for pine, where we are getting only $1 a thousand for Norway—of course they call all our Norway "pig-iron" Norway, and of which there is very little on our reservation. We have also a letter from Agent Campbell in which he states that our timber is just as good as the Flambeau Reservation and the Lac Courte d'Oreilles Reservation, and he wants $8 a thousand for that. We had a letter from the state forester, who claims that even if it was "pig-iron" Norway it would be worth $6 a thousand.

Senator LA FOLLETTE. Is the letter here from the last party you have named?

Mr. DENNIS. No, sir; Mr. Le Roche has that.

Senator LA FOLLETTE. He had better leave it with the committee.

The CHAIRMAN. This contract, you understand, provides for the first period of eight years, and after that intervals of five years. The eight years will be up the 1st of April, 1911, and when the eight years are up the department of course will take up this question again as to the prices. Do you Indians understand that you are obliged to sell this timber?

Senator LA FOLLETTE. To this lumber company?

The CHAIRMAN. That will confuse them. Of course, if they have to sell to anybody, they have to sell to this company. Do they understand that they are obliged to sell to anybody?

Mr. DENNIS. No, sir.

Mr. IRA O. ISHAM. No, sir.

Mr. DENNIS. Here is a communication from Mr. Campbell, the agent, on the subject.

The CHAIRMAN. The letter will be inserted in the record.

(The letter referred to is as follows:)

LA POINTE INDIAN AGENCY,
Ashland, Wis., July 20, 1908.

Mr. DAVID E. JACOBS,
Government Farmer, Reserve, Wis.

SIR: I have received your letter of the 17th instant transmitting to this office a proposition from the town board of Reserve for the timber put in the bridge across the stream that connects Big Courte Oreille with Little Courte Oreille, making an offer of 50 cents more than what you claim the contractor would pay for this timber, and in which you also state that this timber would have been credited up, if cut by the contractor, as Pig Iron Norway, and the allottee would only have received $1 per thousand.

I contend that this Norway which was put into that bridge is not Pig Iron Norway, and can not be classed as that sappy Norway which is classed as Pig Iron Norway. If you will examine the stumps you will find that this is the regular Norway pine, for which we are receiving, on Bad River Reservation, $8 per thousand stumpage. You have no better Norway than this, and they went on this allotment and picked out the very best and cut it without any consent from the Government or from the allottee, which makes it a willful trespass, they knowing that this was allotted to this woman.

Now, I am not working for the town of Reserve, in which a great many white men pay taxes to support the town. I am working for and looking after the interests of the Indians, and it makes no difference to me who that Indian is, so that he has an allotment, and if the Chippewa Lumber Company had cut this timber they would have paid me $10 or $12 per thousand feet, or, if any white lumbermen had committed this trespass, they would have paid me equally as much as the Chippewa Lumber and Boom Company would have paid, but I only charged them the same as we are getting on the Bad River Reservation for the same kind of timber, and I can not accept the proposition, but

if the town board will not agree to pay the same as any other person would have to pay, or less, I think that the bill I sent them was $8 per thousand, which is cheap for that kind of lumber, the Lac du Flambeau contractors, on their renewal of all contracts, pay $7 per thousand for that kind of timber, and the forestry man will not allow any more renewals at that price. Martin Brothers paid $11.10 two years ago for the Fond du Lac, Minnesota, pine which consisted of white pine and Norway, and the Norway is the same kind of Norway pine that you have, or that was on this allotment—no better—and I could not conscientiously recommend that this timber that is used in that bridge be settled for at $1.50 per thousand, but I am willing to make them a fair and reasonable price. I would be willing to recommend that they settle it at $6 per thousand and if it then is sued by the United States authorities, it will cost them much more than that to defend themselves. I know the forestry man will take exception to this price of $6 when they know that the trespass is settled for that amount, if it is approved at that price. I can not settle this trespass, but must have the approval of the Commissioner of Indian Affairs.

I can not recommend this proposition from the town board because the timber was A No. 1 sound and nice Norway as ever grew, but I am willing to make a recommendation at $6.

Now, I will send you two copies of this letter. You can deliver one to the chairman of the town board and keep the other, and I will hold their letter here, and if they refuse this proposition that I am making by to-day's mail to you, I will forward the first proposition to the Commissioner and ask for instructions whether to commence proceedings or not, but I am certain he will not authorize a settlement on that basis.

Do not fail to answer me at your earliest convenience and send the chairman's answer.

Do not let your business drag along so much, but settle everything promptly.

Respectfully,

_____,

United States Indian Agent.

ADDITIONAL STATEMENT OF WILLIAM ISHAM.

Mr. ISHAM. I have just one word to say with regard to a matter that came up this spring and caused some trouble to some of the Indians.

The CHAIRMAN. Do you want to testify?

Mr. ISHAM. No, sir; it is just a question that I want to ask the committee to look into in behalf of the Indians of our State.

There is a misunderstanding with regard to the game laws as applied to this reservation. There has been considerable trouble here among the Indians as to their understanding of how the game laws are applied to the reservation, and I had a talk with a game warden, Mr. Hubbard, about the question, and he said he asked the government farmer about it, but the only satisfaction he got was to watch and catch an Indian in some violation of the game law, and which he has endeavored to do but has not done so far. The Indians, as I understand, understand that the Government gives them authority to hunt, fish, and trap within the boundary of this reservation, and I would like to ask the committee on behalf of the tribe whether that is so or not, and I would like to furthermore have it understood, through some person and the Indians, just how the game law is applied to this reservation, in order to avoid any trouble which may arise. The Indian, as a rule, has a hatred, you might say, if you would call it that, of a game warden, and there are individuals in the tribe whom I have heard remark that if a game warden ever ran across their track in the woods he would never see civilization again,

and you understand what that means, and in order to avoid such trouble as that, I would say that they ought to have an understanding. This misunderstanding has just been created in the last year; that I know.

The CHAIRMAN. Senator La Follette, this matter is in your own State. I will state for your information, Mr. Isham, that the Government has one department that they call the "law department." The head of that department is the Attorney-General, and of course if there is anything that comes up respecting the law he has to take the cases, or the men who are under him, and adjudicate them. So we prefer not to express an opinion upon the question, because whatever we might say is the law he might look at different and decide whether he would want to prosecute or not. We will submit the matter to the Attorney-General and get a written opinion and have it sent here to the farmer, who will distribute it among your people. That is the best we can do; only I want to say this, that you must not dispose of the game warden or anybody else. That will not do.

Mr. ISHAM. That is the thing that I wanted to avoid here.

The CHAIRMAN. I am sure you do, but those who feel that way must not allow their feelings to get away with them, because it would simply make very serious trouble. We will submit this matter to what we call the Department of Justice and get a written opinion and send it here to the farmer, who will distribute it among your people, so that you will know just what the view of the United States Government is—that is, the law part of the Government—on that question.

The committee desires to thank you people for coming here and to say to you that we will take all these matters that have been submitted to us before the full Committee on Indian Affairs of the Senate.

Mr. IRA O. ISHAM. Mr. Chariman, Billy Boy desires to say a few words on behalf of the whole band.

The CHAIRMAN. Very well.

FINAL STATEMENT OF BILLY BOY.

BILLY BOY (through Interpreter Ira O. Isham) made the following statement to the committee:

I have spoken to the Indians and had them understand what I am going to say to the committee, of their feelings. They are telling you now their feelings, and want you to understand what they are telling you. We are glad that you have come here and made a visit to see us, and see the conditions that we are in. We are sorry that we can not reach you whenever we want to see you and express our feelings to you, and we are glad that you are here before us that we can put to you our feelings in a way that we are used to, here on our reservation, where we are now poor. I speak of this reservation, the boundary lines of this reservation; that the Indians understood that inside the boundary lines of this reservation that they were told that this land belonged to them—all land inside the boundary lines of this reservation; that no one could come in and do any wrong to them; that they had all the rights to anything that belonged to them on the inside of the bound-

ary line of their reservation. They found later that it was explained to them that everything that was inside the boundary lines was theirs and later on they found there were portions of the land that did not belong to them, which is the school section and swamp lands, called the state land, inside of the boundary line. We find that there are up at the head of the lake here twelve forties that are inside of the boundary line of the reservation that we do not own, belonging to someone else. Here across the way, where our government farmer is living on a piece of land; and we hear that piece of land belongs to the Government, but as we understood it years ago, that land was tribal land belonging to the tribe. We ask the question whether we own that land or not? There is one old man here in the house present to-day who states in the early days he had made a selection of the same piece of ground; that his father had made the selection of this piece of ground, and that he had always supposed that it was his, and he made the selection for the benefit of his grandchildren, and now to-day he finds that he does not have anything to do with it; that it is said that he does not own it and that he has driven around on that; that it scares him, being scared and driven around that piece of ground by the government farmer. The reason I speak of this is because I understood it was his, and from that adjoining land that was taken by the same family, he supposed it was his home always, and finds that it is not. We ask this question of you if you can see any way that we can be helped in these wrongs that are done here to us in regard to such.

That is all I want to say to you now, that we have been told at one time that anyone who came in the boundary lines of our Reservation, and would do anything wrong to us against the rules of the Government, that we had the right to drive them off our Reservation, and we have also been told by our agent that he had the power to do such, to drive anyone off who was doing any injustice to us, and we ask you to see if such rules are in our favor. We say this to you to let you know that we are not satisfied with our government farmer. We would like to have him removed. He is not doing justice to us. That is the reason we are telling you. We know that he is not doing as he ought to do, as we understand what he is here for. Oftentimes we go to him and ask him to help us, but we never get any benefit from it. The Indians say to you that we do not like a man here as government farmer to be such that when an Indian comes to see him to be driven out doors. We want a man that we can get along with and be friendly with, and go to him and talk to him in a friendly way. We want him out of here.

That is all we have to say in regard to the farmer's affair.

Now, we will say to you in regard to our licensed traders, Signor and Crisler, we do not want them here any longer. They have promised to pay us money and they do not pay money. We do not get money from them, and we do not want a man in here who can not pay us the cash when he can not get it himself. I do not say this for myself alone. I am saying this for the benefit of the Indians of this Reservation. They all wish me to do so, and I have carried it out for them. We want a good, honest man to come in here, buy timber from us and pay us a good, fair price for our timber, and will deal with us as a man ought to deal with us, and by so doing if we can get such

a man we will get along with him—a man who will give us a good scale. That is all on this line.

We now want to state to you that we find that this man Signor has already sold some of our timber standing to outside parties to be logged and taken away from here, outside of the Reservation, to be manufactured outside of the Reservation. The Indians always understood that mills being here on the Reservation, that the timber that was cut here would be manufactured here—would be manufactured in these mills here on the Reservation.

That is all I have to say to you. It is the voice of the people, and I have carried it out.

FINAL STATEMENT OF IRA O. ISHAM.

Mr. ISHAM. Now, Mr. Chairman, I want to speak a few words for the benefit of the tribe of our reservation. The Indians wanted me to ask this question with regard to our voting, having a town here on our reservation. The Indians do not like our reservation being set out as a town and having a poll, that is, a town here and a voting precinct on our reservation. They think that voting on our reservation causes a great deal of trouble and hard feelings amongst them. There are some of them here running for office, and the older Indians think those people who are running for office are gaining more benefit from it, and can not unite and be friendly and work together as we ought to work together, and this causes the trouble amongst ourselves. We can not get along. We do not like this precinct here and we do not know how it came here, and we would like to ask the question if we can not get rid of it and go back to where we belong, in the Indian tribe. We do not want to be bound by State laws by having a voting precinct here. We think that it brings the State laws on to us. That is the question we ask, and the Indians think it is a cause of trouble and brings the game warden into it, depriving them of their fishing and hunting, and the little sport that they have here on their reservation.

The CHAIRMAN. Do you want an answer now?

Mr. ISHAM. Yes, sir; we would like to have one.

The CHAIRMAN. We can not answer it, perhaps, except that I want to say this to you that whenever an Indian took his particular piece of land before 1906 that made him a citizen, and that gave the State certain jurisdiction or authority. Now, the trouble has been and the trouble is going to be for the Indian to own property and not more or less become subject to the laws that relate to everybody else who own property. Those are some of the difficult questions that we have to settle, but you may say to these people that we have heard these things, and that their statements have been taken down in writing, and that they will all be thought over and considered by the committee and by Congress when we get to Congress next winter.

Mr. ISHAM. Very well.

The CHAIRMAN. The committee will now adjourn.

(At 6 o'clock and 40 minutes p. m., the committee adjourned to meet at Ashland, Wis., to-morrow, September 23, 1909, at 9 o'clock a. m.)

ASHLAND, WIS., *September 23, 1909.*

The committee met at 9 o'clock a. m.

STATEMENT OF EDWARD M. GRIFFITH.

EDWARD M. GRIFFITH, state forester for Wisconsin, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. What is your occupation?

Mr. GRIFFITH. State forester for Wisconsin.

The CHAIRMAN. How long have you been engaged in that?

Mr. GRIFFITH. Five years and a half.

The CHAIRMAN. Is that a bureau in the state government?

Mr. GRIFFITH. Yes, sir.

The CHAIRMAN. Briefly state how much land is now under the charge of that bureau.

Mr. GRIFFITH. Three hundred and fourteen thousand acres, exclusive, I should say, of this land that is claimed by the State within the Indian reservations, which is 47,000 acres more.

The CHAIRMAN. What is the basis of the claim for the land within the Indian reservation?

Mr. GRIFFITH. I can not, of my own knowledge, speak of section 16. I have never had anything to do with that. These 47,000 acres is swamp ground dating back to the time that lands were granted to the State of Wisconsin, which is known as swamp lands. At that time the land was granted as shown on the original government survey as swamp lands.

The CHAIRMAN. Pursuant to an understanding between the then governor and the Secretary of the Interior?

Mr. GRIFFITH. I understand so. To show you my connection between the forestry work and these lands, our state legislature, in 1905, passed a law that all state lands north of township 33 should be included within the state forest reserve, and therefore the swamp lands in reservations which lie north of township 33 come, really, under the charge of the state board of forestry.

The CHAIRMAN. About how far north in the State would township 33 be?

Mr. GRIFFITH. Roughly, it is, you may say, the north one-third from the south of Marinette County on the east to the south portion of Polk County on the west. According to the records which were furnished to my department by the Secretary of the Interior at Washington, the following acreage was admitted by them to be owned by the State within these several reservations.

The CHAIRMAN. You say "admitted to be owned"—what was the form of certification?

Mr. GRIFFITH. We got a statement from Secretary Garfield in regard to that, and a list of lands which had been selected by the State as swamp lands.

The CHAIRMAN. Have you a copy of that certificate?

Mr. GRIFFITH. I could furnish that to the committee; yes.

The CHAIRMAN. If you will, furnish it later so that it may be added to the record.

Mr. GRIFFITH. Yes. Those are also shown on the records of the land office in Madison.

The CHAIRMAN. That is, the state land office?

Mr. GRIFFITH. Yes, sir.

The CHAIRMAN. What we want is whatever formality occurred on the part of the Federal Government.

Mr. GRIFFITH. They vary a little, and I will explain that as I go through. In the Lac Court d'Oreilles Reservation the State claims 1,400 acres of land as swamp land, and this does not include any sections 16. Some of this, by the way, the State has sold and the department has practically admitted clear title to those.

The CHAIRMAN. You say "practically admitted." What we want here is the formal acts; whatever the department has done. If they have approved selections and issued certificates or patents or anything of that kind.

Mr. GRIFFITH. That is one reason why I am laying it before this committee, because it has never been thoroughly thrashed out, and the whole thing is very much clouded. They have never given it except in one case, and that is on the Menominee Reservation.

The CHAIRMAN. What do you mean by "practically admitted?"

Mr. GRIFFITH. In this way. I don't understand it myself why there should be a difference. On the Lac Court d'Oreilles Reservation at the time, you remember, Senator La Follette, in 1903, when the lands were sold by the State—at that time the land office took up with the Department of the Interior at Washington their claim to these swamp lands, swamp-land grants, and the department authorized them, the department having sold the swamp lands within the Lac Court d'Oreilles Reservation——

The CHAIRMAN. They issued an authorization?

Mr. GRIFFITH. It was simply in the form of writing, no actual patents were given.

The CHAIRMAN. What we want is whatever formality there was.

Mr. GRIFFITH. I can have that record gotten by letter, showing the 1,400 acres there in the Lac Court d'Oreilles Reservation which they gave to the State the right to go ahead and sell and manage. Now, within the La Pointe Reservation there are 8,559 acres in which they have never admitted clear title to the State. In other words, they have admitted title to the State, but have claimed that the land should remain in the possession of the Indians as long as the reservation remained intact.

Senator LA FOLLETTE. What formal statement have they made in that matter, by letter or otherwise?

Mr. GRIFFITH. That was by letter.

Senator LA FOLLETTE. If by letter, I suggest you furnish a copy of the letter.

Mr. GRIFFITH. I will have every one of those.

Senator LA FOLLETTE. Then it won't be necessary for us to interrupt you to make these suggestions as to the record evidence, you will furnish that?

Mr. GRIFFITH. Everything that we have. As I say, it has run back for a great many years and it has never been clearly settled.

The CHAIRMAN. The trouble is, you go right on and say they have admitted this and that——

Mr. GRIFFITH. They have.

The CHAIRMAN. That is your construction, but what we want is the documents.

Mr. GRIFFITH. I can give you those documents as far as they have admitted it. In this case I will explain, as it is typical of the others.

The Acting Attorney-General for the Department of the Interior in a letter admitted to us that the title rested in the State of Wisconsin, but a possessory right rests with the Indians as long as the reservation remains intact. He went further than that and said that where timber had been cut upon lands claimed by the State, or where a railroad company was going to build a railroad across these lands, the possessory right carried with it the use of the timber for that purpose, what was left remaining to the State.

The CHAIRMAN. I am sorry you did not bring the records.

Mr. GRIFFITH. It is in a very confused state. In the Red Cliff Reservation there are none claimed by the State. In the Lac du Flambeau there are 20,666 acres and for three years money which was received for trespass upon those lands has been held by Major Campbell pending the settlement of the case, but it has never been settled by the Department of the Interior. Mr. Garfield was going to settle it, but he left before doing so.

Mr. HOLCOMBE. Is this the swamp lands or sections 16?

The CHAIRMAN. Where you speak of lands, you only refer to swamp lands?

Mr. GRIFFITH. Yes. These acreages only include swamp lands. On the Menominee Reservation there are 16,378 acres, and on that reservation they have given us patents to the land, so I don't think there is any question in regard to title. I appreciate that you think the matter ought to be put in a very clear way, but it has been impossible for us to get it so. The records run back, we find, away to 1860, and there have been various rulings from the different Secretaries of the Interior as to how these lands should be construed as to how the right of the State to take off timber should be construed. Why they should give us patents on the Menominee—and that was done about twenty years ago, but never was admitted that the State had a right to these patents until two years ago—and have never done it on other reservations, I do not understand.

The CHAIRMAN. Before this committee can ever take any action, even to the point of recommending anything, we have got to have all these records.

Mr. GRIFFITH. We will give you everything we have. They have refused in most cases to admit the claim of the State so long as the reservation remains intact.

The CHAIRMAN. With reference to the Lac Courte d'Oreilles Reservation—are the lands there in rather compact form?

Mr. GRIFFITH. No, sir; they are very badly scattered.

The CHAIRMAN. Has the timber on the lands which you claim here been cut?

Mr. GRIFFITH. In some cases it was taken by trespass. There is a considerable amount of timber left on the lands claimed by the State on the Lac Courte d'Oreilles Reservation.

The CHAIRMAN. The lands in the Lac du Flambeau Reservation—are they somewhat compact or badly scattered?

Mr. GRIFFITH. In the northern part of the reservation they are pretty well in one solid body. I might say there, we took up with the Indian Office three years ago the question whether we could exchange that body of scattered lands for other lands, so as to have practically a solid area, so that it would drop the line of the reservation down and exclude these state lands. Mr. Leupp, then Commissioner of

Indian Affairs, held it would be impossible for them to take any such action.

The CHAIRMAN. Are the lands that are scattered there, which you claim, lands that Indians who have taken allotments in the more solid portion of the lands you claim would be liable to make an exchange for if they were authorized to do so?

Mr. GRIFFITH. I think they would be only too glad to.

The CHAIRMAN. You are familiar with the lands down there?

Mr. GRIFFITH. Yes; with all these descriptions. Nearly all the forties.

The CHAIRMAN. In the Lac du Flambeau Reservation you say they are more solid?

Mr. GRIFFITH. Yes, sir.

The CHAIRMAN. There are some scattered pieces there?

Mr. GRIFFITH. Yes, sir; in the southern portion of the reservation.

The CHAIRMAN. Do you think that the lands outside are lands which the Indians would accept if they were authorized to exchange?

Mr. GRIFFITH. I have no doubt of it, because they are timbered.

The CHAIRMAN. Now, come down to the Menominee Reservation. Is that in solid form?

Mr. GRIFFITH. In the Menominee lands there are bunches of pretty solid lands, but at different points in the reservation where the swamp lands occur largely; but they are not as badly scattered as they are on the Lac Court d'Oreilles Reservation. There I know of one solid block in the northwest and one in the southwest portion of the reservation where they are pretty well blocked out. We practically worked out a feasible plan for this after talking over the matter with Mr. Leupp, and he agreed that the Government had made a mistake in first granting it to Wisconsin as swamp lands and then, later on, as they did in most cases, including it in the reservation. We felt that the State had a right to these lands; at the same time the Indians had at least a moral right to them, as they had always felt when the reservation was given to them they owned the lands within the territory. I suggested to Mr. Leupp, why would it not be possible to have an estimate made by the State and the Government jointly, and then, upon the United States appropriating that amount of money to the State, the State would relinquish all claim to the land to the Indians. I thought that could be possibly arranged as a preliminary step, and we could get a law passed through the legislature granting the state board of forestry the right to appraise these lands, and upon payment by the United States to relinquish them. When we took the matter up with the Secretary of the Interior he wasn't able to arrange it. That would seem to be about the only feasible way to arrange it. Either that or, if these reservations are to be handled as forest reserve, we should handle them jointly with the Indian Office and the Forestry Service, which we had proposed to do in the Menominee Reservation. Our lands there are heavily timbered, and there is a great deal of mature timber which should be cut. I have always told the Indians that the timber, in any event, ought to be cut, and that the money should be held just as Major Campbell is holding money here awaiting this decision, but the Secretary has never decided it.

The CHAIRMAN. With respect to this land that is claimed in these reservations; are you familiar with it all?

Mr. GRIFFITH. Yes, sir; almost all of it.

The CHAIRMAN. Is it your belief that, in view of the fact it is not swamp land altogether which is claimed, that it could be utilized to advantage for forestry purposes?

Mr. GRIFFITH. If I may explain, Senator, it varies a great deal on the different reservations as to whether the land is in fact swamp land. You know, under the arrangement——

The CHAIRMAN. Yes; I know about that. The question I am asking doesn't affect your legal right, but in a close question of fact it might affect somebody's view of it.

Mr. GRIFFITH. What I was going to explain is that upon the Menominee Reservation the surveys were run very rapidly, and evidently they did not do as near careful work as on the others. The result is that most of the land which we have on the Odanah is really swamp land in fact. That will not apply on the Lac du Flambeau. There, in some cases, the survey was pretty accurate, and in other cases it is high, dry, sandy soil. I think, upon the whole, all of it is suitable for forest reserve lands—I would say, with this exception. As a forester, I do not think we should keep lands good for agricultural purposes for forestry purposes. A good deal on the Odanah and some on the Menominee is good agricultural land, and at present it can all be handled in conjunction with the management of these Indian reservations.

The CHAIRMAN. Do you think the swampy part of these lands could eventually be made into forest lands?

Mr. GRIFFITH. Yes, sir; there are some swamps that contain a considerable amount of cedar, and in some cases there is very good pine and also hemlock. Of course, these surveys were run roughly and a great deal of the land selected as swamp is not swamp in fact, but upland. The State, although it got a great deal of land which was swamp land, got a lot of land which was not swamp land. That on the Menominee Reservation, that 16,000 acres is heavily timbered. I think it probably contains as much timber as any other 16,000 within the whole reservation, and the same way upon the Lac du Flambeau Reservation. The lands we have, some of them, contain as good timber as is on the reservation, particularly in the northern end we have, as I say, a fairly solid body of timber. The State passed that law authorizing the board to go ahead and make that proposal with the idea that they should be straightened out by the State and by the Federal Government.

The CHAIRMAN. Is it contemplated that means will be furnished to make these lands into forest reserves, by your legislature?

Mr. GRIFFITH. Yes, sir; they have already been granted to the state board of forestry to be handled as forests. Now, I come to the Herrick proposition at Lac du Flambeau. The proposition of Mr. Fred Herrick of Lac du Flambeau is as follows: That he would purchase from the Indians not to exceed, I think, 30,000 acres of land which as far as possible he would buy so as to surround the various big lakes upon that reservation, his idea being to preserve the shore line; that he would then, upon securing these lands from the Indians, deed them to the United States Government to be held in trust for the Indians, or he would deed them to the State to be held as a state park. We advised him it would probably not be well to have a state park within a reservation; we thought the better thing to do

would be to deed it to the United States Government to be held as a small national park.

The CHAIRMAN. These lands are allotted?

Mr. GRIFFITH. Some of them are allotted and a portion of them belong to the tribe. He then agrees where he buys any land which has been allotted to allow the allottee free use and enjoyment of that land so long as he may live, unrestricted, and at the end of that time it then shall be managed by the Government. That, in a nutshell, is his proposition. He does it because he has operated upon this reservation many years, has made his money there and has become attached to it. He has no children to whom he wants to leave his money, and he would like to do that one thing before he dies.

The CHAIRMAN. Do you know whether there are lands enough to complete the allotment and leave a tract like this?

Mr. GRIFFITH. No, sir; his proposition would be that the Indians, with the money which they receive, could purchase other lands on this reservation, or outside, if they need it for farming.

The CHAIRMAN. Do you know enough about it to express an opinion as to whether they could get other lands for what they secured from these?

Mr. GRIFFITH: I think so. The land he would buy would not take any agricultural land out of the reservation. It is very sandy. His idea is to buy in no case a strip more than a mile wide. If the courts should reimburse the State for the swamp lands, if of the 20,000 acres which it is claimed should go to the Indians, that should be given to the Indians, then I think there would be sufficient to go around. Practically all the land is taken up except the tribal lands along the lakes and some of the lands owned by the tribe as a whole.

The CHAIRMAN. Is there any tentative proposition as to price?

Mr. GRIFFITH. I am speaking from remembrance, but my remembrance is that it is from $2.50 for land which is allotted to $1.25 for tribal lands. I am not sure.

The CHAIRMAN. Is there timber on these lands?

Mr. GRIFFITH. No, sir.

Senator LA FOLLETTE. I never heard of any other price but $2.50.

Mr. GRIFFITH. I am not sure but that he may have that in his original proposition. He agrees that these tribal lands shall also be used by the tribe as long as they exist.

The CHAIRMAN. In other words, he is simply tying it up and paying for doing so.

Mr. GRIFFITH. So that fifty or one hundred years from now it will be in the hands of the United States Government. He says if Congress feels it would be better, he would turn over the amount of money to the Secretary of the Interior and allow him to deal with the Indians. The only thing he wants is to be sure that the land is purchased, so as to protect the shores of the lakes. If I may add a word, I would like to say, from my own knowledge, I do not think there is an equal number of lakes in Wisconsin that are more beautiful than those upon the Lac du Flambeau Reservation. There are bigger lakes, but none more beautiful. I think it would be a very good thing to do, and I think Mr. Herrick is in a frame of mind to do anything to bring it about.

(The subcommittee thereupon adjourned to meet at Odanah, Wis., at 2 p. m.)

BAD RIVER OR LA POINTE INDIAN RESERVATION,
COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Odanah, Wis., September 23, 1909.

The subcommittee met at Odanah, Wis., at 2 o'clock p. m. on the above date.

Present: Senator Clapp, chairman; Senator La Follette (Senator Page being absent, visiting the Hayward Indian School), E. Prosser Holcombe, chief supervisor of Indian schools; Maj. S. W. Campbell, United States Indian agent, and Hon. A. W. Sanborn, State senator of Wisconsin.

The CHAIRMAN. The committee will now proceed with the consideration of matters relating to the Bad River or La Pointe Indians.

IN THE MATTER OF THE ALLOTMENTS ON BAD RIVER RESERVATION, WIS.

The following allotments we claim are applicable to this case:

1. Act of Fifty-sixth Congress, second session, chapter 350, approved February 11, 1901, which is as follows:

"That with the consent of the Chippewa Indians of Lake Superior, located on the Bad River Reservation, in the State of Wisconsin, to be obtained in such manner as the Secretary of Interior may direct, the President may allot to each Indian now living and residing on said reservation, and entitled to so reside, and who has not heretofore received an allotment, not exceeding eighty acres of land, such allotment to be subject in all respects, except as to the age and condition of the allottee, and the provisions of the third article of treaty with the Chippewas of Lake Superior and the Mississippi, concluded September thirtieth, eighteen hundred and fifty-four."

2. Act approved March 2, 1907 (34 Stat. L., 1217) is as follows:

"That the act of Congress approved February eleventh, nineteen hundred and one (Thirty-first Statutes chapter seven hundred and sixty-six) entitled an act providing for allotments of lands in severalty to the Indians of La Point or Bad River Reservation, in the State of Wisconsin, shall not be construed so as to bar or in any manner abridge or curtail the right of any Indian to allotment on said reservation, whether born before or after the passage of said act, as provided by the treaty concluded with the Chippewas of Lake Superior and the Mississippi, September thirtieth, eighteen hundred and fifty-four."

3. Act of Forty-ninth Congress, second session, 1887, approved February 8, 1887, section 2, provides in part as follows:

"That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selections (p. 33)."

The department has construed this last act to apply to the Bad River Reservation, as the following letter shows:

75810-1906

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., October 5, 1905.

S. W. CAMPBELL, *Esq.*,
U. S. Indian Agent, La Point Agency, Ashland, Wis.

SIR: This is to acknowledge receipt of your letter of September 19, 1905, transmitting evidence to show William Condeacon was born previous to 1901.

From your letter and inclosure it appears that the child was alive and in being at the date of the passage of the act of February 11, 1901 (31 Stats., 766), and therefore the father is entitled to make a selection for him in accordance with the provisions of said act.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

STATEMENT OF JAMES BLACKBIRD.

JAMES BLACKBIRD, having been duly sworn, and his interpreter, William Obern, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Where do you live?

JAMES BLACKBIRD. Here at Odanah, Wis.

The CHAIRMAN. How long have you lived here?

JAMES BLACKBIRD. I do not know. You people probably know better than I do.

The CHAIRMAN. How old are you?

JAMES BLACKBIRD. I could not exactly say how old I am. You can figure it out better than I could. I was born in the spring of the treaty made between the United States and the Mississippis of Lake Superior, which I think was in 1843.

Mr. SANBORN. The treaty was in 1837.

The CHAIRMAN. Do you remember anything about a big war that the white people had a good many years ago; did you hear anything about it?

JAMES BLACKBIRD. Whereabouts was it that the battle took place?

The CHAIRMAN. It was a big war down South; it was not up here. You might have heard of it and might not.

JAMES BLACKBIRD. Oh, I was quite a man then. It was after I was married.

The CHAIRMAN. I think we will gain time, Senator Sanborn, if you will conduct the examination of this witness for the present. I understand that he is here in opposition to the application of the St. Croix Indians, and you appearing in opposition to that, you may conduct the examination for the present.

Mr. SANBORN. Very well, Mr. Chairman. Blackbird, were you present when the treaty of 1854 was made?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. How old were you at that time?

JAMES BLACKBIRD. I think I was about 15 or 16 years of age.

Mr. SANBORN. Was your father one of the chiefs who made that treaty?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Where was that treaty made?

JAMES BLACKBIRD. At La Pointe, Wis.

Mr. SANBORN. Between whom was that treaty made?

JAMES BLACKBIRD. It was principally between the Lake Superior Chippewa Indians and the United States Government. The Mississippi Indians were invited at that time to come here and be witnesses of the affair, and be somewhat parties to the treaty.

Mr. SANBORN. They were known as the Chippewas of Mississippi, were they not?

JAMES BLACKBIRD. Yes, sir; they were commonly known as the Mississippi Chippewas.

Mr. SANBORN. What band of Chippewas was present at the time of that treaty?

JAMES BLACKBIRD. It embraced the L'Anse Reservation, the Ontanagon, the Bad River, Lac Court d'Oreilles, Flambeau, Kokay, and Grand Portage. It was principally them.

Mr. SANBORN. Now, where did the L'Anse band make their headquarters at that time?

JAMES BLACKBIRD. They were inhabiting, or occupying land in the immediate vicinity of that place. It appears that they had always been around there or thereabouts.

Mr. SANBORN. Where were the La Pointe or Bad River band making their headquarters at that time?

JAMES BLACKBIRD. They lived over on this reservation and at La Pointe Island. They were principally on La Pointe Island by reason of the fact that Buffalo, who was the recognized head or chief of the tribe of the Lake Superior Indians, was residing at La Pointe Island.

Mr. SANBORN. Who picked out this reservation at La Pointe Island?

JAMES BLACKBIRD. It was my own father. He was chosen by the people to select the reservation for our people.

Mr. SANBORN. That was the reservation you people wanted in that treaty?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Now, Buffalo was recognized as the head chief of all the Lake Superior Indians in 1854, was he not?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. But Buffalo was also chief of a particular band of his own, was he not?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. And the other bands had their chiefs, who were chiefs under Buffalo; is that correct?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. The treaty says: "That subdivision of the La Pointe band of which Buffalo is chief, may each select on or near the lake shore four sections of land"—that is the Ontanagon band, and this section of the La Pointe band of which Buffalo is chief may each select four sections. Do you know where Buffalo selected those four sections for that particular band of which he was sole chief? The language is "the Ontanagon band and that subdivision of the Ontanagon band of which Buffalo is chief may each select on the lake shore four sections of land under the direction of the President"—that subdivision of the La Pointe band of which Buffalo is chief.

JAMES BLACKBIRD. The question is where did Buffalo select his. Is that the question?

Mr. SANBORN. Yes.

WILLIAM OBERN (the interpreter). He does not answer your question directly, but I will answer it as he says: The son of Buffalo, the chief, selected the land now known as Buffalo Bay or Red Cliff.

Mr. SANBORN. And the particular band of which Buffalo was chief located at Red Cliff or Buffalo Bay, did they not?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. In the treaty I see also that Chief Buffalo may select one section of land at such place in the ceded territory as he may see fit. As a matter of curiosity, do you know where Buffalo selected that section?

JAMES BLACKBIRD. Yes, sir; I do.

Mr. SANBORN. Where was it?

JAMES BLACKBIRD. Yes, sir; I understand, or I understood at the time, that Buffalo and his heirs were to receive one section of land to be taken by him wherever he chose to take it. Of course all I know as to where he took it is what I have heard. I did hear that he did take it at Duluth, Minn.

Mr. SANBORN. Now, as to the Bad River band, or La Pointe band, where did they settle.

JAMES BLACKBIRD. Oshkonowa, the son of Guagain, deceased, brought all his followers, or most of them, over on the Bad River Reservation from the La Pointe Island, Wisconsin.

Mr. SANBORN. Was he the head chief of the La Pointe or Bad River band?

JAMES BLACKBIRD. No, sir; Guagain, Oshkonowa, and A-do-we-ge-sik were about equal and the same as chiefs.

Mr. SANBORN. How many chiefs with their bands settled on Bad River Reservation?

JAMES BLACKBIRD. There were six of them—four of them that stayed continually here on the Bad River Reservation, and two that went backward and forward between here and La Pointe.

Mr. SANBORN. I see by this treaty that there was a provision made that certain money should be paid to the Chippewas of Lake Superior, annually, for a term of twenty years. Do you know where those payments were made?

JAMES BLACKBIRD. The first three years, or the first three payments that were made, were made at La Pointe Island, Wisconsin. Then after that the Indians in the immediate vicinity of this reservation in the woods, or rather upon the ranges, asked Mr. Gilbert, who was then Indian agent or commissioner, for the convenience of the Indians, to have all payments made here upon the Bad River Reservation, as it was very inconvenient for the Indians who were living upon the mainland to go to the island to receive their payments, and thereafter the payments were made here upon the Bad River Reservation.

Mr. SANBORN. Those payments consisted of cash and provisions, tool and rations, and everything of that kind, did they not?

JAMES BLACKBIRD. Yes, sir; and money, too. The Indian was promised in that treaty $5,000 in coin and $6,000 in other commodities.

Mr. SANBORN. I show you Exhibit Blackbird No. 1, and ask you if that is a roll on which payment was made for that year?

JAMES BLACKBIRD. No, sir; I really could not say that I do know, although I have a payment roll of my own that was handed to my father, but I could not say that this was the payment roll of 1873. I am illiterate and do not understand. I can not read and write.

Mr. SANBORN. It bears evidence on its face that it is that roll.

The CHAIRMAN. Do you want to put it in the record?

Mr. SANBORN. I can identify it by other chiefs. Please explain how the roll was made up on which the payments were made to the Lake Superior Chippewas.

JAMES BLACKBIRD. At the time of the payments the different chiefs, as they came from their different reservations, made a list of their followers who were living and to get payment, they would sometimes all get there. When the Flambeau chiefs would come down they would one after the other give names, and the Red Cliff chiefs would come and would also give the names, one after the other, in the dif-

ferent reservations until they were all there. Then as the payments were issued, and if there was a big large family, they would probably get a blanket and a few pieces of calico and a few pieces of coin.

Mr. SANBORN. These are all numbered, and I understand the first man is a chief, and this is his band right down through, and by reading these names to Blackbird he can tell this committee just what band he was chief of. For instance, the St. Croix Indians are on here who were paid at that time.

The CHAIRMAN. Very well.

Mr. SANBORN. Blackbird, do you know about a band of Indians down toward St. Croix?

JAMES BLACKBIRD. All Indians were commonly known at that time, and to this present time, as the Rice Indians—that is, I mean those living on the Wisconsin side of the river, but those living on the Minnesota side we have known as the Minnesota Indians.

Mr. SANBORN (to the interpreter). Now, if you will read the first name on this paper, the names of each one of that list, and ask Blackbird as you go along what band he was chief of, I would be obliged to you.

Senator LA FOLLETTE. The first name is that of the chief. Read the first name and ask him what band that man was chief of and that will designate the band probably.

WILLIAM OBERN (the interpreter, reading). "O-ge-man-ce is the son of Mischenowa. Right here on this reservation. A-do-we-ze-zhik——"

Mr. SANBORN. What band is he chief of?

JAMES BLACKBIRD. On the Bad River Reservation.

WILLIAM OBERN (the interpreter, reading). "Wa-na-kis, belongs here on the Bad River Reservation; Kish-ke-ke-tu-wug, here on the Bad River Reservation; Wa-sash-kung, here on the Bad River Reservation; Wa-bish-ke-heb-nas, here on the Bad River Reservation; Ka-da-wa-be-da, here on the Bad River Reservation; A-na-ka-wot, here on the Bad River Reservation; Che-qu-ke-wash-ence, here on the Bad River Reservation."

Mr. SANBORN. That is Blackbird, yourself, is it not?

JAMES BLACKBIRD. That is myself. That means myself.

Mr. SANBORN. Did you make up that list of the followers who appear under your name there?

JAMES BLACKBIRD. Yes, sir; if this is the payment roll, these are my followers.

WILLIAM OBERN (the interpreter, reading). "We-be-zash-ence belongs on the Bad River Reservation. O-du-zha-be-nas does not belong here. He just came down here for his payments."

Mr. SANBORN. What band is that then that he belongs to?

JAMES BLACKBIRD. He and his band resided somewhere about the Yellow Lake, around the rice beds at Yellow Lake.

Senator LA FOLLETTE. Is that the first one that you have named who did not live on the reservation?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Now, the next one is George Med-we-osh.

JAMES BLACKBIRD. He was one of the chiefs belonging here. He resided about the place where the Yellow River empties into the St. Croix River.

Mr. SANBORN. He was one of the chiefs from a band down there, was he?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Do you know John Med-we-osh?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. What relation is George to John?

JAMES BLACKBIRD. They are brothers. George was the oldest.

Mr. SANBORN. And Alexander Med-we-osh, do you know him?

JAMES BLACKBIRD. I do not.

Mr. SANBORN. Now go ahead with the next name on that paper.

JAMES BLACKBIRD. John Buffalo belonged to Red Cliff or Buffalo Bay. She-gag, he also belonged up around or about the same place as the others that I have mentioned—the mouth of the Yellow River or thereabout. Na-ga-nub belonged to Cloquet.

Mr. SANBORN. That band came from Cloquet, Minn., to be paid here, did they?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Now, go ahead with the other names.

JAMES BLACKBIRD. Na-wu-kwab belonged to the Flambeau Indian Reservation, Wis. Wa-sa-gwon-a-be belonged at Flambeau Reservation, Wis. Pu-ze-gwin-jis belonged to Flambeau Indian Reservation, Wis. O-zha-wush-ko-ge-zhik belongs at Flambeau. O-gma-we-ge-zhig belongs at Flambeau Indian Reservation.

Mr. SANBORN (to William Obern, the interpreter). Now, I want to call Blackbird's attention to the act of Congress of February 11, 1901, and you may repeat enough of it so that he can understand what it is. It is as follows:

> That with the consent of the Chippewa Indians of Lake Superior, located on the Bad River Reservation, in the State of Wisconsin, to be obtained in such manner as the Secretary of the Interior may direct, the President may allot to each Indian now living and residing on said reservation, and entitled to so reside, and who has not heretofore received an allotment, not exceeding eighty acres of land.

Just call Blackbird's attention to that, so that he will know about that particular act.

(The above having been interpreted:)

JAMES BLACKBIRD. Yes; I know about that.

Mr. SANBORN. Was that act submitted to a council of the Indians on Bad River Reservation for ratification by the Indians?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Was that a general council of the Indians called here upon the reservation?

JAMES BLACKBIRD. I do not know.

Mr. SANBORN. I was asking you if that was a large council or a small council.

JAMES BLACKBIRD. I do not know.

Mr. SANBORN. Were you there at that council?

JAMES BLACKBIRD. No, sir.

Mr. SANBORN. Now, in 1901 were there any of what is known as the St. Croix Indians living at this reservation?

JAMES BLACKBIRD. No, sir; they were not residing on the reservation.

Mr. SANBORN. Have any of those bands of Indians ever affiliated with the Bad River band in any way?

JAMES BLACKBIRD. Now, to affiliate, I do not understand hardly what you mean. For instance, to affiliate, they might affiliate with us in some ways; for instance, in feasts, or something of that sort, but I do not quite understand your question.

Mr. SANBORN. Have they ever joined in here with you or this band in your councils, or in the conduct of the business of your band here?

JAMES BLACKBIRD. No, sir.

Mr. SANBORN. How many allotment rolls have been made up on this Indian reservation?

JAMES BLACKBIRD. I could not say definitely; I can not remember definitely just how many have been made. There are different agents who have been here. I have helped to make allotment lists during their administration, but I could not say as to the number of lists that were made.

Mr. SANBORN. Now, I wish you would tell the committee just how you make up an allotment list.

JAMES BLACKBIRD. When we first began to give allotments we got along well for a while, and then a little trouble arose; some complaints were made. A man by the name of Brooks was sent up here as a sort of allotting agent, and immediately thereafter we had considerable trouble over the allotment lists, and we then complained to the Commissioner of Indian Affairs at that time, and he then instructed us that we could go on and make our own allotment lists—the chiefs and head men who sit in council—and allot to those that they considered entitled to allotments, and we have done so up to the present time. Further, after passing on the eligibility of this applicant, whoever he might be, then he was to go and select his own land, and the land would be filed for him, or file for himself. All we had to do was to pass on his rights, as to whether he was entitled or not, and he was to look after his own selection, and we did so, and thereafter I did not have any trouble in making allotments.

Mr. SANBORN. Did the council of Indians have anything to do with saying what particular piece of land any particular Indian should have?

JAMES BLACKBIRD. No, sir; we have always left it to the applicant to select his own land. That was our instruction from the commissioner at that time.

Mr. SANBORN. When it was a child, or a young person who was put on the list, who made the selection for the children?

JAMES BLACKBIRD. At the time that I used to assist in making up allotment lists there were no children given land.

Mr. SANBORN. Do you remember when the right of way of the Chicago and Northwestern Railroad Company went across this reservation?

JAMES BLACKBIRD. Yes; I remember the road.

Mr. SANBORN. Who decided how much they should pay for their right of way?

JAMES BLACKBIRD. It was the Indians in open council that was speaking of it here on the Bad River Reservation.

Mr. SANBORN. How much was agreed upon as a consideration of the right of way of the Chicago and Northwestern Railroad?

JAMES BLACKBIRD. The attorney for the railroad was here, and he argued with us all night, and the agent was here at that time with him, and we were offered $4 an acre, and we would not accept $4 an

acre; we held out, and finally got $5. He finally said he would not give another cent after he had agreed to give us $5, and then we came to the conclusion that we could not get any more, and we agreed to sell for that and adjourn.

Mr. SANBORN. Did they pay you for that?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. To whom was that paid?

JAMES BLACKBIRD. It was the Indians on the reservation and some of the Indians outside of the reservation who had been allotted lands. Some time ago we had some trouble in making some of our allotments. It appears that some of the Indians had got on there for allotment and were living outside of the reservation, and they also had a share in that money.

Mr. SANBORN. Who paid that money out to the Indians?

JAMES BLACKBIRD. An Indian agent.

Mr. SANBORN. Who was the agent?

JAMES BLACKBIRD. I could not say as to that, but there are a number of people here who know who that Indian agent was.

Mr. SANBORN. And was a certain amount paid to each Indian who was enrolled on the Bad River Reservation by the Bad River band?

JAMES BLACKBIRD. Yes, sir; it was divided pro rata among them.

Mr. SANBORN. Do you know when the Duluth, South Shore and Atlantic got its right of way across the reservation?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Who decided how much they were to pay for that?

JAMES BLACKBIRD. It was the Indians and their chiefs on the Bad River Reservation.

Mr. SANBORN. In council?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. What price was agreed upon for that?

JAMES BLACKBIRD. We all asked for $25 an acre and finally had to agree upon $15 an acre.

Mr. SANBORN. Did they pay that?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Was it paid in the same manner that the Chicago and Northwestern right of way was paid for?

JAMES BLACKBIRD. Yes, sir; the same.

Mr. SANBORN. Did the band known as the St. Croix Indians have anything to do with any of those transactions?

JAMES BLACKBIRD. No; the St. Croix Indians, as a whole, did not have anything to do with it, with the exception of Medwewosh's mother, who, I think, may have received her payment, or a share of the payment at that time.

Mr. SANBORN. Do you know who John Medwewosh's mother was?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Who was she?

JAMES BLACKBIRD. She was a daughter of old Ah-na-quad, the old original Ah-na-quad, and he, through his influence, allotted her some lands. They had been around for a number of years. He was one of the chiefs. The old gentleman just died lately.

Mr. SANBORN. Was he one of the chiefs of the Bad River band?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Ah-na-quad was one of the chiefs of the Odanah band, was he?

JAMES BLACKBIRD. Yes, sir; he was a chief and belonged here on the Bad River Reservation.

Mr. SANBORN. I suppose you know that on what is called the Allen list there is something over 100 names of Indians who are known as St. Croix Indians. What I want to ask you is, Did this man ever consent that they should have allotments in this reservation?

JAMES BLACKBIRD. Yes, sir; I have heard so. That is as far as their being on there.

Mr. SANBORN. Now, I want to know whether this band ever consented to their having allotments on this reservation?

JAMES BLACKBIRD. No, sir.

Mr SANBORN. Was it ever submitted to this band, in council or otherwise, whether they should have allotments on this reservation?

JAMES BLACKBIRD. No, sir.

Mr. SANBORN. Tell this committee why you think they should not have allotments on this reservation, in your own way.

JAMES BLACKBIRD. Why, it was agreed and we were given to understand that we were all separate bands, and we were given to understand that if any Indians should come and settle with us outside of our band that we could give them lands, if they so desired, but we did not agree to give them any lands for the reason that they have not settled with us, and that they are living separate and apart from us. It is now over 50 years since the treaty was made. At that time the different reservations were marked out for the separate bands, and these Indians have never undertaken to enter any of the different reservations, and it appears as though they do not care to enter any reservation, and we have made up our minds that we would not give any lands to any Indians outside of our own reservation that simply demand land on the promise of wanting to come and settle with us. We made up our minds not to give any lands unless they came and actually settled with us. It was the custom of our forefathers and it is the custom to-day.

Mr. SANBORN. It is said you have given lands to Michigan Indians on this reservation. I would like to know about that.

JAMES BLACKBIRD. I only know of one L'Anse Indian, of my own personal knowledge, who ever received an allotment here on this reservation. I afterwards heard that he had an allotment down there, and all he done, after making this promise, was to get the land and get the benefit from that land, and he never resided here, and we have made up our minds that we would not give any more land to these people that demand on promises only.

Mr. SANBORN. What promises did he make?

JAMES BLACKBIRD. Well, he said that he had no land down there, and he had been away for a little while. He originally belonged in the woods back of here, not on the reservation, but up in the woods in the vicinity of this reservation, he had been here and lived a little while and went down there and he came back from there and stated to us that he had no land and wanted to settle with us, and we gave him land.

Mr. SANBORN. How long ago was that?

JAMES BLACKBIRD. I could not say definitely, but it was on or about the time that the J. S. Stearns Lumber Company located on our reservation.

Mr. SANBORN. That was some time in the early eighties. Do you know his name?

JAMES BLACKBIRD. I could not name the Indian, but there are others here who can.

Mr. SANBORN. Do you know anything about any of the St. Croix Indians coming here and wanting to get some statement or writing from this band so that they could take outside lands?

JAMES BLACKBIRD. I do.

Mr. SANBORN. About when was that?

JAMES BLACKBIRD. It was on or about the time that the J. S. Stearns Lumber Company located on the reservation that they came here. It was a little before or after that. I could not say just when. They came and asked the chiefs if they could not get some relief, showing this band claimed to belong to this man, and the chief went up to Mr. Walker, who was then Indian farmer upon this reservation, and made out such papers as was necessary and demanded by those Indians.

Mr. SANBORN. What did they want these papers for?

JAMES BLACKBIRD. I don't know just what they wanted to do with those papers. All I understand was that they wanted to sever their tribal relations.

Mr. SANBORN. Do you know who came here?

JAMES BLACKBIRD. I don't know all of the men who came here. I only know one, and that was John Medriosh.

The CHAIRMAN. About how many were there?

JAMES BLACKBIRD. I think there were two or three of them.

The CHAIRMAN. At the time this treaty was made in 1854, there were two general divisions of the Chippewa Indians, one called Chippewas of Lake Superior and the other Chippewas of the Mississippi, were there not?

JAMES BLACKBIRD. Yes, sir; there were.

The CHAIRMAN. Well, the Indians on this side of the St. Croix River, were they Chippewas of the Mississippi or Chippewas of the Lake Superior, on the Wisconsin side?

JAMES BLACKBIRD. They were known at that time as Lake Superior Indians.

The CHAIRMAN. Did you ever hear about Snake River in Minnesota?

JAMES BLACKBIRD. Yes, sir.

The CHAIRMAN. Do you know where the Snake River empties into the St. Croix?

JAMES BLACKBIRD. Yes, sir; I have seen it.

The CHAIRMAN. Do you know where the Yellow River empties into the St. Croix?

JAMES BLACKBIRD. Yes, sir; I do.

The CHAIRMAN. Is the mouth of the Yellow River above or below the mouth of the Snake River?

JAMES BLACKBIRD. The Snake River is below the Yellow River on the St. Croix River.

The CHAIRMAN. You say these Indians down on the St. Croix were called the Rice Lake Indians or Rice Indians?

JAMES BLACKBIRD. Yes, sir; the Rice Indians.

The CHAIRMAN. Did you understand any of the talk when the treaty of 1854 was made?

JAMES BLACKBIRD. Yes, sir; I understood fairly well. What I heard in our own wigwam where my father used to come and talk the matters over, that I understood thoroughly well. What I heard at the open council or at the place where they were carrying on the treaty with the government officials, of course there I did not understand thoroughly what was going on.

The CHAIRMAN. Do you know any one living here now who was there when that treaty was made?

JAMES BLACKBIRD. Yes, sir; I do know one old gentleman here, but he is very feeble, and his memory is somewhat impaired.

The CHAIRMAN. You don't know of anyone else who was there?

JAMES BLACKBIRD. Yes; a number of other people; some of these chiefs were there, but they were rather too young to understand what was going on there at that time.

The CHAIRMAN. Do you know when this treaty was made whether there was a tribe or band at Lac du Flambeau?

JAMES BLACKBIRD. Yes, sir; for years and years before that time there had been Indians occupying those particular places; for instance, at Flambeau and L'Ance and here.

The CHAIRMAN. For instance, at Flambeau, was that a band, and did it have a chief, and was it known by any name as a band?

JAMES BLACKBIRD. Yes; they had bands and chiefs.

The CHAIRMAN. What did they call that band at Lac du Flambeau?

JAMES BLACKBIRD. Well, of course that little band there was sometimes spoken of as Flambeau Indians, but we generally spoke at that time of those Indians that occupied the ranges away back from the lake, they were always known as the "backwoods" Indians.

The CHAIRMAN. Which one of the bands were they considered a part of, if any, these range or backwoods Indians. There were certain bands, the L'Ance, the De Sert, the Fon du Lac, the Green Bridge bands that were named. Did these Indians that you call the backwoods Indians, were they a part of any of these bands that I have named in this treaty that I have recited?

JAMES BLACKBIRD. I could not say as to that. All I can say is that the Flambeau Indians were known as Flambeau Indians, and the Lac Court d'Oreilles Indians were always known as the Lac Court d'Oreilles Indians.

The CHAIRMAN. Were these St. Croix Indians at any time, so far as you know, considered a part of any of these other bands; and if so, what bands?

JAMES BLACKBIRD. All I know is that they have been considered to belong to the Lac Court d'Oreilles.

The CHAIRMAN. Then when this treaty was made and these different lands were set apart by these chiefs did you understand that these St. Croix Indians were going to be provided for in the Lac Court d'Oreille lands; that is, if you understood it at all—the treaty of 1854?

JAMES BLACKBIRD. Yes; what I understood at the time of that treaty was that these Indians in the vicinity of the Wisconsin River——

The CHAIRMAN. I am not speaking of the Wisconsin River.

JAMES BLACKBIRD. I understood that these St. Croix Indians were to go at the Lac Court d'Oreilles Indian Reservation and those Indians in the vicinity of the Wisconsin River were to go on to the Flambeau Indian Reservation.

The CHAIRMAN. Were you married pretty soon after this treaty of 1854?

JAMES BLACKBIRD. Four years after that I was married.

The CHAIRMAN. So you were big enough to understand what the people were talking about when they were talking about these things, were you?

JAMES BLACKBIRD. I think that I was old enough to understand. I was very anxious to learn what was going on, and I used to follow my father there where they were making the treaty.

The CHAIRMAN. Had you ever been down on the St. Croix at that time?

JAMES BLACKBIRD. It was five years after the treaty that I went down there. Shortly after I got married I moved down there and it was down there that I hunted, and I have seen those Indians at Yellow Lake and different places in that neighborhood.

The CHAIRMAN. Had some of those Indians been up here to get their annuities under this treaty?

JAMES BLACKBIRD. Yes, sir.

The CHAIRMAN. And you have seen them here?

JAMES BLACKBIRD. Yes, sir.

The CHAIRMAN. All that time when you were down there and when they used to come up here, did you understand then or think that they were a part of the Lac Court d'Oreilles band?

JAMES BLACKBIRD. Yes, sir; I always understood that they belonged there at Lac Court d'Oreilles.

The CHAIRMAN. Which of these bands was the biggest band when the treaty was made in 1854?

JAMES BLACKBIRD. I could not say definitely, but I think that the Lac Court d'Oreilles Indians were the biggest number.

The CHAIRMAN. Did you understand when they were making this treaty that the treaty provided for all these different bands by themselves, except that when it came to the Bad River band or what was then called the La Pointe band, it said "for the La Pointe band and such other Indians as may see fit to settle with them?"

JAMES BLACKBIRD. Yes; that was thoroughly explained to the Indians at that time. I told you that in the commencement of my statement. I understood that thoroughly that all the people who made settlement would be taken into the band.

The CHAIRMAN. And that that kind of provision did not apply to any other bands except the La Pointe?

JAMES BLACKBIRD. What I understood at that time was and in fact what they were all given to understand—when I say "all," I mean the different reservations—that any man who chose to enter this reservation could do so provided he behaved himself, and he would be allowed to become a member of those bands.

The CHAIRMAN. This treaty provides, for instance, for the L'Anse, the De Sert bands, and then it will read for the Fon du Lac band, for the Green Bridge band. The only provision which provides for such other Indians as see fit to settle was on the La Pointe band. You have already said that you understood that Indians who would come

in and settle would be received. Do you understand that was not the case as to the other bands or reservations?

JAMES BLACKBIRD. I didn't know that the treaty did not provide that—no, I didn't know that the other reservations did not have this provision. All I know is that they had the privilege of coming into any reservation they wished.

The CHAIRMAN. Did you understand that an Indian from any other band could come on the La Pointe Reservation or on the Bad River Reservation and if he settled here have the right to some of this land without regard to the action of the council of this tribe, or did you understand that notwithstanding an Indian might come here and settle, that still he could not get his rights until this band, through its council, said so?

JAMES BLACKBIRD. I have understood that he would necessarily have to demand his land of the people, the chiefs, the head men and members of the band, in order to secure his land.

The CHAIRMAN. Then if the treaty did not say that, the treaty was not as you understood it at the time, is that so?

JAMES BLACKBIRD. Yes, in case the treaty did not provide as I was after saying then, it must be I didn't understand it.

The CHAIRMAN. You said that these St. Croix Indians had never come up here to settle and they didn't propose to let any more Indians come here on promises. If the St. Croix Indians had come here and settled would you have been willing to have let them have land on this reservation?

JAMES BLACKBIRD. Yes, sir; if they had lived here three or four years I would have been willing to have give them land.

Mr. SANBORN. The treaty provides also for land for the other Wisconsin bands, the tract of land lying about Lac du Flambeau and another tract on Lac Courte d'Oreilles. What was understood by the other Wisconsin bands?

JAMES BLACKBIRD. What I understood by the other Wisconsin bands in that treaty was all those other Indians embraced in the lands ceded by the Indians in former treaties in the boundary lines of Wisconsin to enter at their choice in either the Lac Court d'Oreilles or Flambeau reservations.

Mr. SANBORN. What bands did that include?

JAMES BLACKBIRD. All Indians in the lines of Wisconsin that had ceded lands.

Mr. SANBORN. Did it include the Bad River band of Indians?

JAMES BLACKBIRD. As I understand, any of the Indians in Wisconsin could have gone on those two reservations, or in fact, they could have come from other reservations and settled on ours.

Mr. SANBORN. That is, any band could come and settle on your reservation?

JAMES BLACKBIRD. I never understood it was the right of a band to come in, but as they would come, one or two families.

Mr. SANBORN. That is, the individual Indians or families could come and settle. You know that by the treaty of 1837 all that part of Wisconsin where the St. Croix Indians live, and a good deal more, was ceded to the United States?

JAMES BLACKBIRD. Yes, I understood that that land was ceded.

Mr. SANBORN. You know that treaty provided for payments to the Indians for some twenty years after date?

JAMES BLACKBIRD. Yes, sir.

Mr. SANBORN. Do you know whether or not the Indians on Lake Superior participated in those payments or not, for that territory?

JAMES BLACKBIRD. No, they did not go up there or participate in that.

Mr. SANBORN. The claim has been made by the department that full-blood Indians on this reservation have been excluded from receiving allotments. I want to know whether that is the truth or not.

JAMES BLACKBIRD. I never knew of such.

Mr. SANBORN. Do you know of any full-blood Indians on the Bad River Reservation who have not had allotments, except children?

JAMES BLACKBIRD. I do not know of any.

Mr. SANBORN. Are you chief now?

JAMES BLACKBIRD. Yes, I am head chief.

STATEMENT OF MOSES WHITE.

MOSES WHITE, a Bad River Indian, having been first duly sworn, by the chairman, testified, through Mr. Obern as interpreter, as follows:

Mr. SANBORN. Do you know how old you are?

Mr. WHITE. I don't know for a certainty, but I think it is about 57 years.

Mr. SANBORN. How long have you been chief?

(Witness produced a paper and handed same to counsel.)

Mr. SANBORN. State how you became chief.

Mr. WHITE. My father was one of the recognized chiefs of the band and signed the treaties.

Mr. SANBORN. And you are still one of the chiefs?

Mr. WHITE. I am so recognized by the people at the present time.

Mr. SANBORN. Have you taken part in making up the allotment lists on the Bad River Reservation?

Mr. WHITE. Yes, sir.

Mr. SANBORN. How many times?

Mr. WHITE. It was just once that I took a very active part in it.

Mr. SANBORN. Is that what is known as the Downs list?

Mr. WHITE. Yes.

Mr. SANBORN. Do you know about this act of February 11, 1901?

Mr. WHITE. Yes, I was at Washington at the time when this was enacted.

Mr. SANBORN. Were you present at the council when the question was submitted as to whether that act should be ratified by the Bad River band or not?

Mr. WHITE. No, sir; I was not. I was in Washington at the time.

Mr. SANBORN. I wish you would tell the committee how you make up an allotment list—tell it in your own way.

Mr. WHITE. There was a council and a committee of 12 chosen, known as the allotting committee.

Mr. SANBORN. That was when you made up what was known as the Downs list or the list preceding that?

Mr. WHITE. It was not at the time Downs was here. It was a little prior to the time he was here.

Mr. SANBORN. Now, go on and tell the committee just how that was done, what the committee of 12 did.

Mr. WHITE. This committee of 12, known as the allotting committee, worked in the council hall. The council hall was usually as full and crowded as this hall is at the present time during all the time that this allotment list was being made, and the applicants would come there before the committee, in the presence of this crowd, and make application for an allotment. The committee would consider as to whether he was entitled or not, and after passing upon it and disposing of that case would take up another case and pass upon that.

Mr. SANBORN. After the committee got through what was done?

Mr. WHITE. They asked the Indian agent to come down.

Mr. SANBORN. Go ahead and tell us what was done then.

Mr. WHITE. The people gathered in council there. The Indian agent was there to read the names off again. Read them off one by one. After the Indian agent had read those names to the people in open council, the list was given to him to take away with him.

Mr. SANBORN. In that open council, was the question asked as to whether there was any objection when each name was read?

Mr. WHITE. Yes, that was done.

Mr. SANBORN. How was it determined what land a certain Indian was to have?

Mr. WHITE. We had nothing to do with the land. I don't know whether they made their own selections or not.

Mr. SANBORN. You had nothing to do with determining what land an Indian should have there?

Mr. WHITE. No.

Mr. SANBORN. Don't you know how that was done on this reservation?

Mr. WHITE. The applicant must have had his minutes of land and entered it in the farmer's office.

Mr. SANBORN. Were you on this first committee of 12?

Mr. WHITE. Yes.

Mr. SANBORN. What happened after this list that you made up at that time was sent in?

Mr. WHITE. I don't know.

Mr. SANBORN. Did that list come back again to be made over?

Mr. WHITE. There appeared to have been some dissatisfaction or trouble over that list, and there was a special agent sent up here with it, and he brought it back to us.

Mr. SANBORN. Who was that, Major Downs?

Mr. WHITE. Downs.

Mr. SANBORN. When Major Downs came here, tell this committee what was done with that list.

Mr. WHITE. He read the list of names on that allotment list to the people.

Mr. SANBORN. Go ahead.

Mr. WHITE. I don't know just exactly what did take place at the time that Downs came here or after Downs came here, because I was not assisting then.

Mr. SANBORN. You weren't assisting in revising the list with Downs?

Mr. WHITE. No.

Mr. SANBORN. I ask to have these papers marked for identification.

(The papers were marked Exhibits Nos. 1, 2, 3, and 4, of this date, for identification.)

Mr. SANBORN. Examine these letters Exhibits 1, 2, 3, and 4, of this date, for identification, and state whether they are letters you received from the department [handing papers to witness].

Mr. WHITE (after examining). Yes, sir; they are.

Mr. SANBORN. I wish to offer these to show the claim to have been made by these men all along.

The CHAIRMAN. Very well.

Mr. SANBORN. The first is letter of January 7, 1908, from the Office of Indian Affairs, signed by C. F. Larrabee, Acting Commissioner, addressed to Moses White et al., Odanah, Wis.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 7, 1908.

MOSES WHITE ET AL.,
Odanah, Wisconsin.

MY FRIENDS: Your petition addressed to the President has been referred here for answer. Your object to what you understand to be the method by which allotments are to be made to the Bad River Indians.

In response, your petition has been referred to the agent with instructions to advise you fully in the premises and to provide the office with a copy of his statement to you. The reason for this is that the office feels convinced that the agent understands his instructions and is attempting to carry them out.

The instructions are based upon the law and are calculated to give each Indian entitled a fair opportunity to secure good land.

It is true that the tribal council has not been considered and will not be, because its workings have been unsatisfactory in the past.

If on receipt of the copy of Agent Campbell's letter to you it is found that he does not understand his instructions or that there is anything in the instructions that will work an injustice to the Indians entitled, he will be further advised and you informed of the action taken.

If you should find anything in the agent's instructions that seems to you to be unjust, point it out and the office will then carefully consider the objections raised, but your objections should be well founded and based on knowledge rather than hearsay.

Very respectfully,

C. T. LARRABEE,
Acting Commissioner.

Mr. SANBORN. The next is a letter dated January 24, 1908, from F. E. Leupp, commissioner, addressed to Moses White and others, through the agent, La Pointe Agency, Ashland, Wis.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 24, 1908.

MOSES WHITE ET AL.,
Ashland, Wis.
(Through the Agent, La Pointe Agency.)

MY FRIENDS: On January 7, 1908, I acknowledged the receipt of your petition concerning allotments on the Bad River Reservation. I then said that the agent had been instructed to give you a detailed statement concerning this work and to send the office a copy thereof; and that if he did not understand his instructions he would be advised and you informed of the action taken.

I am now in receipt of a letter dated January 13, 1908, from Special Agent Allen, who has been at work in your interests for some time. I find that on December 18 Mr. Allen went to Odanah by appointment and held a council with the Indians which lasted from 10 in the morning until 3 in the afternoon; that it was largely attended, the council room being packed. There the entire situation was gone over and made sufficiently clear to be plain to every Indian who had sufficient interest to be present and hear.

I therefore find it unnecessary to write you a special letter setting forth the facts, for undoubtedly the Indians understand the situation.

It is perfectly true that many are dissatisfied, and the reason is plain. I find that some members of your tribe have received allotments, and their lands, together with those allotted their families, are worth perhaps $60,000, while others, poor and without friends, and having others dependent on them, have been given land by your committee that is almost worthless. These are not isolated cases, but are numerous, and the list of 407 names out of which the trouble has grown was found to contain the names of persons who had been given allotments elsewhere. Other names are on that schedule representing persons who can not now be found.

I also understand that you had your petition prepared by Mr. Tompkins, which you had a perfect right to do, but I do not understand that it was prepared in the interests of the Indians of the reservation, but only on behalf of those who have heretofore and are now seeking an advantage in the allotment. If I am correct in this rest assured that it will not be tolerated. The allotments if made must be equitable; that is to say, some influential Indian will not be allowed to take very valuable land, the total value probably amounting to $50,000 or $60,000, and some poor old Indian woman having to support her children by odd jobs be given a tract of land without any timber.

In the same mail bringing the special agent's report I received a letter from you dated January 14, 1908. You ask the office to specify in what respect the council's workings have been unsatisfactory, and say that you think that the unsatisfactory workings of either the tribal council or the Indian agent might be good cause for delaying action on allotment; that neither the Indians nor the Indian Department would have a right to ignore the other. You declare that the act of February 11, 1901 (31 Stat. L., 766), provides that the allotments shall be made "with the consent of the Indians located on the Bad River Reservation," and that this part of the act is not repealed by the act of March 3, 1907 (34 Stat. L., 1217), and that you do not understand how under the present law allotments can be made without the consent of the Indians located on the Bad River Reservation.

In response to this I would say that I think no one should be in a better position than you to know in what respects the actions of the council have been unsatisfactory. If you have any knowledge of the conditions on the reservation, you must know that the allotments have been made inequitably and that not all persons entitled have been given the opportunity to take lands. Heretofore you have objected to the consideration of the Indians not residing on the reservation, but in the schedule of 407 allotments I find that there are a number of persons living on the St. Croix River. If some of these are entitled, why not all of them?

In the evidence submitted concerning the 407 allotments it was clearly shown that the committee had acted in bad faith, and I believe it is admitted that they entered into a mutual compact that each should put so many members on the roll whose rights should not be questioned.

As to your talk about the consent of the Indians located on the reservation being necessary and the effect of the subsequent act of March 3, 1907, you are advised that the consent on which you lay so much stress was given long ago. It was given before the first allotments were made under the act of February 11, 1901.

The law does not say that your consent, or each individual's consent, must be obtained before any given Indian can be allotted. Moreover, the act of March 3, 1907, specifically says that the act of February 11, 1901, shall not be construed to bar any person entitled to allotment on the Bad River Reservation who could take lands under the treaty with the La Pointe or Bad River band of Chippewas, and that any person a member of that band who has not heretofore been allotted will be given lands on the Bad River Reservation if there be sufficient land for the purpose.

In conclusion, if you have the interests of the Indians of the Bad River Reservation at heart you can do much more for them by helping the Indian Department to make a fair division of the lands than you can by attempting to stir up trouble and using your influence to assist a few to get valuable lands while others equally entitled are given very poor allotments. No good can result from opposing a fair division, but on the contrary, expense and trouble is bound to come, and this effect will be felt by the Indians alone, you among the others.

Very respectfully, F. E. LEUPP, *Commissioner.*

Mr. SANBORN. The next is letter dated March 25, 1908, signed by C. F. Larrabee, acting commissioner, addressed to Moses White and others, at the same address:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 25, 1908.

MOSES WHITE AND OTHERS,
La Pointe Agency, Ashland, Wis.
(Care the United States Indian Agent.)

MY FRIENDS: The office is in receipt of your letter of February 1, expressing dissatisfaction with office letter to you of January 24. You say that the La Pointe band asks for fair and considerate treatment only, but insists that in the matter of allotments the lands on the Bad River Reservation belong to the members of that reservation and should be alloted to them only.

In response you are informed that the act of March 2, 1907 (34 Stat. L., 1217), provides:

"That the act of Congress approved February eleventh, nineteen hundred and one (Thirty-first Statutes, page seven hundred and sixty-six) entitled 'An act providing for allotments of lands in severalty to the Indians of the La Pointe or Bad River Reservation, in the State of Wisconsin,' shall not be construed so as to bar or in any manner abridge or curtail the right of any Indian to allotment on said reservation, whether born before or after the passage of said act, as provided by the treaty concluded with the Chippewas of Lake Superior and the Mississippi, September thirtieth, eighteen hundred and fifty-four."

The act of February 11, 1901 (31 Stat. L., 766), referred to in the act of March 2, 1907, provides that the allotments shall be made "with the consent of the Indians located on the Bad River Reservation." This consent does not mean the consent of each Indian, but the consent of a majority of the Indians entitled to allotments. This consent has been given and the allotments have been made, the schedule of which is now before the office for consideration. When it shall have been determined that the division of the lands of the reservation as shown by such schedule is in the interests of the respective selectors, the schedule will be approved without regard to the fact that a few Indians of the reservation have not given their consent to the allotment of the reservation in severalty.

You say, further, that the statements of the special agent as to what has been done or said in regard to the making of allotments can only be known by the reports of himself and others to the office, and that office letter of January 24 relative thereto is far from being true, and is based on erroneous information. You fail, however, to submit any evidence in support of your contention that the facts set forth therein are erroneous, and in the absence of such proof the office must rely upon the reports received from the special allotting agent and the agent in charge of the reservation.

The report of Special Agent Allen shows that he held a council with the Indians of the Bad River Reservation, which council was largely attended, and that the entire question was gone over and made clear to each Indian who had sufficient interest to be present and inform himself relative thereto.

If, when the schedule is considered, it is found that Indians who have no tribal rights on the Bad River Reservation have been permitted to select lands such selections will not be approved.

If you have been informed by your legal advisers that the construction of that part of the said act of February 11, 1901, which says that the President shall make allotments "with the consent of the Indians located on the Bad River Reservation" applies to each Indian of the reservation, you have either misunderstood them or they have placed an interpretation on the act wholly inconsistent with the legislative intent; for it is reasonable to suppose that Congress intended that the act should be capable of being made effective, which would in all probability be impossible were the act construed so as to require the consent of each Indian. In this, as in all other matters, the wishes of the majority should control and not be overcome by an obstructing minority.

Very respectfully,

C. F. LARRABEE, *Acting Commissioner.*

Mr. SANBORN. The next is a letter dated June 1, 1908, signed by C. F. Larrabee and addressed to Moses White, Ashland, Wis.:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 1, 1908.

MOSES WHITE, Esq.,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your undated letter relative to allotments on the Bad River Reservation, advising that the contention of the La Pointe band is that by the treaty the lands in the Bad River Reservation were set apart for the members of the La Pointe band and such other Indians as might settle with them.

This question was thoroughly discussed in the letter to you of March 25, 1908, and the office believes that the views then expressed are in accordance with the laws relating to the Indians of the Bad River Reservation.

Very respectfully,

C. F. LARRABEE, *Acting Commissioner.*

Mr. SANBORN. When did you first know that it was proposed to put the St. Croix Indians on the allotment list of this reservation—when did you first hear of that?

Mr. WHITE. The first I seen of those Indians coming down here looking for lands was when I was sitting there a part of the allotting committee, and they came here and made application for land.

Mr. SANBORN. Who came here and made application for land at that time?

Mr. WHITE. I don't know their names.

The CHAIRMAN. How many were there?

Mr. WHITE. There was not a great many of them, only a few.

Mr. SANBORN. About how many?

Mr. WHITE. Probably twenty or more.

Mr. SANBORN. That was when you were making up the last allotment list?

Mr. WHITE. Yes.

Mr. SANBORN. Why didn't you put them on the list?

Mr. WHITE. We did put on some, and when the Indian agent came down here and read the list he took off some of them, from the fact that the act of Congress provided for those and those only living and residing on the reservation, and they not being residents of the reservation of course were not entitled.

Mr. SANBORN. You refer now to the act of February, 1901?

Mr. WHITE. Yes, sir.

Mr. SANBORN. Is that the only reason?

Mr. WHITE. That is, as far as I know.

Mr. SANBORN. I would like to offer in evidence a letter addressed to Senator La Follette on that question.

The CHAIRMAN. It may be received.

Mr. SANBORN. It is dated at Washington, December 15, 1908, and signed by F. E. Leupp, commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 15, 1908.

Hon. ROBERT M. LA FOLLETTE,
United States Senate.

SIR: The office has received your letter of December 5, 1908, regarding an appeal made to you by William H. Obern in connection with the allotments to his children. You request to be informed fully of the facts regarding this

matter, giving the details so far as shown by the files of the office, and the general principles and regulations involved.

In response you are informed that on September 3, 1908, the office received from G. W. Sanborn, an attorney of Odanah, Wis., a petition filed in behalf of William H. Obern, in which certain injustices were alleged to have been made in connection with allotments to members of the Bad River band of Indians, particularly those made to the children of William H. Obern and family. For convenience the grounds of complaint in this petition are briefly given as follows:

First. That allotments have been made to Indians not belonging to the Bad River band, particularly the St. Croix River band, and hence are not entitled to allotments with the Bad River Indians.

Second. That the allotments have been made without the consent of the Indians.

Third. That the selections made by Mr. Obern for his children have been given to other Indians and the members of his family have been assigned tracts of land practically worthless.

Allotments to the Indians on the La Pointe Reservation have been and are being made in accordance with the provisions of the treaty of September 30, 1854 (10 Stat. L., 1109), and the acts of February 11, 1901 (31 Stat. L., 766), and of March 2, 1907 (34 Stat. L., 1217). The original treaty of September 30, 1854, provides the reservation "for the La Pointe band and such other Indians as may see fit to settle with them," and the act of March 2, 1907, provides that nothing in the act of February 11, 1901, shall be construed to bar or in any manner abridge or curtail the right of any Indian to allotment on said reservation (the La Pointe or Bad River Reservation). It having been satisfactorily shown that the Indians of the St. Croix River band had settled with the Indians of the La Pointe or Bad River band, it was held that they were entitled to allotments under the provisions of the treaty of September 30, 1854, and the acts referred to.

The act of February 11, 1901, supra, provides:

"That with the consent of the Chippewa Indians of Lake Superior, located on the Bad River Reservation, in the State of Wisconsin, to be obtained in such manner as the Secretary of the Interior may direct, the President may allot to each Indian now living and residing on said reservation and entitled to so reside, and who has not heretofore received an allotment, not exceeding eighty acres of land, such allotments to be subject in all respects, except as to the age and condition of the allottee, to the provisions of the third article of the treaty with the Chippewas of Lake Superior and the Mississippi, concluded September thirtieth, eighteen hundred and fifty-four."

On August 24, 1901, the office recommended to the department that the act of February 11, 1901, be submitted to a council of the Bad River band of Indians for its acceptance or rejection, the object being to procure the consent of the Indians for making allotments in severalty as provided by the act.

On August 27, 1901, the Acting Secretary of the Interior approved this recommendation and authorized the office to instruct the agent in charge of the La Pointe Agency accordingly. On August 30, 1901, the necessary instructions were issued to the agent and a general council of the tribe was convened on September 18, 1901, at which meeting the act and the letter from the Indian Office in connection therewith were read and interpreted to the Indians assembled. On being put to a vote it was found that 126 of the Indians present were in favor of the acceptance of the act; 4 being opposed and a number present not voting. All of those who voted were members of the tribe, male, and over 21 years of age. The proceedings of the council were duly certified to by the acting interpreter and the agent in charge of the reservation. The "consent of the Indians" was obtained, therfore prior to the time any allotments were made under the provisions of the act of February 11, 1901, to the Bad River band of Indians.

In connection with Mr. Obern's complaint that the selections formerly made by him for his children have been given to other persons and the members of his family have been given tracts of land practically worthless, you are informed that in 1904 an effort was made to allot members of this band in severalty in accordance with the provisions of the act of February 11, 1901, supra. At that time the council or business committee of the Bad River band were given an opportunity to indicate the description of land to be assigned

each member of the band for his or her allotment. A schedule prepared along these lines showing allotments to 402 Indians was submitted to the office, but prior to its approval a number of protests were received in which it was alleged that gross injustice had been done by the council or business committee in assigning the best lands on the reservation to certain favored individuals, particularly half-breeds, and that the old and ignorant members of the tribe who had no one to look after their interests had been omitted entirely or else given the least valuable tracts. These protests became so numerous and appeared to be so well founded that a special officer was directed to investigate the matter. His report confirmed these allegations, and on June 14, 1907, the office recommended to the department that the former unapproved schedule be revised and that the allotments be made without regard to the wishes of the council or business committee of the tribe in so far as the assignment of particular tracts to certain individuals was concerned. This recommendation was approved on June 18, 1907, and a revised schedule has been prepared in accordance therewith by Special United States Indian Agent Edgar A. Allen and United States Indian Agent S. W. Campbell, then in charge of the La Pointe Agency.

While it is true that the selections formerly assigned to the children of William H. Obern by the council or business committee were not reassigned to them by Special Agent Allen and United States Indian Agent Campbell, yet the records of the office show the lands assigned to Mr. Obern's children to be as follows:

Bernard Obern: Lot 6 of section 6, T. 46 N., R. 3 W., and the SW. ¼ of the SE. ¼ of section 6, T. 47 N., 3 W.

Delia Obern: The NE. ¼ of the NE. ¼ of section 32, and the NE. ¼ of the NW. ¼ of section 35, T. 47 N., R. 3 W.

Francis Obern: The E. ½ of lot 1 of section 5 and the NW. ¼ of the SE. ¼ of section 18, T. 46, R. 2 W.

Lawrence Obern: The SW. ¼ of the NE. ¼ of section 25, T. 47 N., R. 2 W., and the NE. ¼ of the SW. ¼ of section 32, T. 47 N., 3 W.

Lizzie Obern: The W. ½ of the SW. ¼ of the SW. ¼ of section 11, and the NE. ¼ of the NW. ¼ of section 16, T. 47 N., R. 3 W.

On the receipt of Mr. Obern's complaint the matter was referred to the agent in charge of the reservation for a full investigation and report. On September 25, 1908, the agent submitted his report, wherein it is said that the allotments now assigned to the children of William H. Obern are estimated to yield timber in the following quantities:

Bernard Obern	250,000 feet, white pine.
Delia Obern	300,000 feet, white pine.
Francis Obern	450,000 feet, white pine.
Lawrence Obern	200,000 feet, white pine.
	50,000 feet, Norway pine.
	10,000 feet of oak.
	10,000 feet of hemlock.
Lizzie Obern	350,000 feet, white pine.

The agent says further that these estimates have been made by cruisers or lumbermen experienced in the timber business, and it has been found that the actual results always exceed the estimates; in some cases the yield from individual allotments being more than double the estimated quantity.

It is well known that the lands in Wisconsin in the vicinity of the La Pointe Reservation are valuable chiefly for the timber found thereon, and in view of the facts at hand it appears that the allotments assigned at present to the children of William H. Obern are far from being worthless.

The treaty of September 30, 1854, supra, provides that allotments shall be made under the direction and with the approval of the President; and the recent schedule made by Agents Allen and Campbell, except where the interests of the State conflicts with that of the Indian allottees, has this day been submitted to the department with the recommendation that it be laid before the President for his approval and authority for the issuance of patents, as authorized by the treaty of September 30, 1854.

Although this formal action has been taken, I have orally requested the Secretary to proceed no further until he has satisfied himself as to the points raised in your letter of December 5, 1908.

Very respectfully, F. E. LEUPP, *Commissioner.*

STATEMENT OF GEORGE MESSENGER.

GEORGE MESSENGER, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

Mr. SANBORN. You are one of the chiefs of the Odanah band?

Mr. MESSENGER. I am called a chief.

Mr. SANBORN. How long have you been a chief—you have a patent from the Indian Department, have you?

(Witness produced papers and handed same to counsel.)

Mr. SANBORN. You have been a chief a good many years?

Mr. MESSENGER. Yes, sir; ever since the death of my father.

Mr. SANBORN. What is your Indian name?

Mr. MESSENGER. O-ge-mance.

Mr. SANBORN. You are a son of a head chief?

Mr. MESSENGER. Yes, sir.

Mr. SANBORN. About how old are you?

Mr. MESSENGER. Fifty or more.

Mr. SANBORN. You became chief on the death of your father?

Mr. MESSENGER. Yes, sir.

Mr. SANBORN. What do you know about the St. Croix band of Indians?

Mr. MESSENGER. I have heard them spoken of.

Mr. SANBORN. Do you know them at all?

Mr. MESSENGER. Yes; I have seen them. They were down here the time we made up the allotment list; when we first made it up. They wanted us to give them land, and we put a few on, and they promised they were coming here to reside with us and settle with us, and up to this day I have never seen them settle here yet.

Mr. SANBORN. How many of them were up here at that time?

Mr. MESSENGER. There were ten or more.

Mr. SANBORN. Do you know any of them who were here?

Mr. MESSENGER. I am not personally acquainted with one of them.

Mr. SANBORN. State whether those Indians have ever lived with the band here at any time.

Mr. MESSENGER. I don't know of any one of those Indians ever having resided here.

Mr. SANBORN. Did they ever take part in any of your council meetings here?

Mr. MESSENGER. No, sir.

Mr. SANBORN. Were they members of this band in any shape?

Mr. MESSENGER. No, I think not.

Senator LA FOLLETTE. Why was it made a condition that they should reside here?

Mr. MESSENGER. As I understand it, that provision was put in there so as to compel them to make residence here—live here.

Senator LA FOLLETTE. That was a condition which you made before giving them an allotment, was it?

Mr. MESSENGER. Yes, sir; we have always understood our forefathers to say that they have agreed at the time of making the treaty that people who make residence here are to be entitled to anything; besides, when Special Agent Downs came up here and revised our allotment list he also made agreements with the applicants that they

should first reside here three years, and that was very satisfactory to the Indians at that time.

Senator LA FOLLETTE. Was it considered an advantage to have them take up their residence here?

Mr. MESSENGER. That was probably the understanding that our forefathers had. They were probably looking for a big population here on this reservation. It was probably with a view to populating the reservation.

Senator LA FOLLETTE. Was it because they wanted to strengthen their band in numbers?

Mr. MESSENGER. Yes, it was.

Senator LA FOLLETTE. And that had been considered important by your forefathers, had it?

Mr. MESSENGER. Yes, sir; they must have thought it important.

Senator LA FOLLETTE. Except for that would there have been any difference with your people living here, whether they remained a part of your community or whether they took their allotments and went back to their former places of residence?

Mr. MESSENGER. Yes, I always thought that it had a tendency toward enlarging the population here.

Senator LA FOLLETTE. Why was it considered desirable to have your population enlarged here?

Mr. MESSENGER. I presume that was the purpose in making this reservation as large as they did, so as to accommodate those who would want to settle with us.

Senator LA FOLLETTE. I suppose it started originally when they wanted strong bands for fighting purposes.

Mr. MESSENGER. It was probably for that purpose.

Mr. SANBORN. What have they had to do with you here, if anything, the St. Croix Indians?

Mr. MESSENGER. I never knew of them to affiliate with us in anything we have done, to participate with us in any of our transactions.

Mr. SANBORN. When you were making up what is known as the Downs's list, the last list, was there any more land to be allotted than what you had for the Indians here?

Mr. MESSENGER. There would probably have been very little left after giving all those here who were entitled to land.

Mr. SANBORN. That is, after giving the Indians who had already settled here their allotments, there would have been very little left; is that the fact?

Mr. MESSENGER. There would be very little land left.

Mr. SANBORN. If these St. Croix Indians receive allotments out of this reservation, your people here will have to give up a part of theirs, will they not?

Mr. MESSENGER. Yes, it would be taking away the lands that should go to our children, and that is why we are contending.

The CHAIRMAN. Would it deprive anyone of an allotment which they have or anyone who is here and entitled to an allotment which perhaps they have not got?

Mr. MESSENGER. Of course, it would be taking the land away from those children that have already selected land for allotment.

Mr. HOLCOMBE. Were there any Indians residing here entitled to allotments who did not receive it on the Downs list?

Mr. MESSENGER. Yes, sir; there are some people who have been omitted on the Downs list. After completing the Downs list Downs took it down to Washington, and it was shortly thereafter that the Indian agent came down here with a list of one hundred names or more that had been eliminated from the Downs list, of children that are now entitled to lands here.

Mr. SANBORN. Do you know whether this last list was ever presented to the Indian council here?

Mr. MESSENGER. No, sir.

Mr. SANBORN. It was not?

Mr. MESSENGER. No; Allen never came here to show the Indians what he had. That is, he never came here and showed the list.

Mr. SANBORN. Was that list ever presented by anybody to a council of the Indians here at Odanah?

Mr. MESSENGER. Allen was here at one time, and I asked him what he was going to do in the way of making allotment lists, and he told me that he was unable to tell me; that he would be directed by the orders of his superior officer.

Mr. SANBORN. Was this so-called Allen list ever presented by anybody to a council of the Indians here for any action by the Indians?

Mr. MESSENGER. No, sir.

Mr. SANBORN. Do you know of any other reasons why the St. Croix Indians you think are not entitled to allotments here, other than those you have given?

Mr. MESSENGER. I know of no other reasons any more than this, that they aren't residents of this reservation. If they were living on the reservation I would not hesitate to give them land. They have not established their residence here.

STATEMENT OF JOE HALF-DAY.

JOE HALF-DAY, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. SANBORN. Where do you live?

Mr. HALF-DAY. Right here in Odanah.

Mr. SANBORN. How long have you lived here?

Mr. HALF-DAY. About nine years.

Mr. SANBORN. What do you do?

Mr. HALF-DAY. Work on the river.

Mr. SANBORN. Have you a family?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. How many?

Mr. HALF-DAY. I have got two girls.

Mr. SANBORN. A wife and two girls?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. You are not a full-blood Indian?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. Have you had an allotment yet?

Mr. HALF-DAY. No, sir.

Mr. SANBORN. Did you make a selection of an allotment?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. Tell the committee how you made that selection; how did you get the minutes?

Mr. HALF-DAY. Well, I got old Sam Denomie—I had him go out and pick out an allotment for me, and he asked me $5 for it after he brought the minutes, so I gave him $5 after I had the minutes.

Mr. SANBORN. Did he give you the minutes of the piece?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. Do you know what that piece is?

Mr. HALF-DAY. No; I don't know.

Mr. SANBORN. It is the NE. of the SE. of nine and the SE. of SE. of twenty-two, forty-eight, three. Did you ever see the land yourself?

Mr. HALF-DAY. No, sir.

Mr. SANBORN. And you got those minutes from Sam Denomie?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. When did you make this application?

Mr. HALF-DAY. Which application?

The CHAIRMAN. For this allotment.

Mr. SANBORN. I was going to show by him the method. It was a long time before the Downs list was made.

The CHAIRMAN. When you got the minutes, what did you do with them?

Mr. HALF-DAY. I turned them into the council hall.

The CHAIRMAN. That was when they were making up the list?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. And you gave them the minutes there?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. To the committee of these lands?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. On the Allen list they have given you lot 2 of the NE. of the SE. of 19, 48, 3. Do you know anything about that?

Mr. HALF-DAY. No, sir.

The CHAIRMAN. You have never seen those lands?

Mr. HALF-DAY. No, sir.

The CHAIRMAN. And the lands and minutes Denome gave you is what you picked out?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. That is what you wanted?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. Did you get anybody to pick you out a piece again after Denome picked out this land for you?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. Who did you get the next time?

Mr. HALF-DAY. I got Charlie Armstrong.

The CHAIRMAN. Did he give you a description?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. What did you do with that?

Mr. HALF-DAY. I returned it to the farmer's office; filed it.

The CHAIRMAN. Did you understand that was the same description Denome gave you?

Mr. HALF-DAY. No, sir.

The CHAIRMAN. Another piece?

Mr. HALF-DAY. Yes, sir.

The CHAIRMAN. Do you know whether the description there is the same description that Armstrong gave you?

Mr. HALF-DAY. That is on there [indicating paper].

The CHAIRMAN. Yes.
Mr. HALF-DAY. Well, I don't know.
The CHAIRMAN. You could not tell, could you?
Mr. HALF-DAY. No, sir.
The CHAIRMAN. Did you pay him anything for getting that description?
Mr. HALF-DAY. No.
The CHAIRMAN. You have never seen either piece?
Mr. HALF-DAY. No, sir.
Mr. SANBORN. Which did you get first?
Mr. HALF-DAY. I got Sam Denome's first.
Mr. SANBORN. And it was after the council met that Armstrong gave you the minutes?
Mr. HALF-DAY. Yes, sir.
The CHAIRMAN. And when did anybody tell you that you could not have the first one, if anybody told you that?
Mr. HALF-DAY. Told me it was all swamp land.
The CHAIRMAN. So that is the reason you got neither one?
Mr. HALF-DAY. Yes, sir.
Senator LA FOLLETTE. Have you ever got a second allotment?
Mr. HALF-DAY. No, sir.
Senator LA FOLLETTE. Do you know why not?
Mr. HALF-DAY. No, sir.
Senator LA FOLLETTE. Have you been told that you could not have it?
Mr. HALF-DAY. I don't just know whether I was told. I got another selection. They would not let me have that swamp land.
Senator LA FOLLETTE. I mean the second description, that Mr. Armstrong got for you—have you been told that you could not have that?
Mr. HALF-DAY. No.
Mr. HOLCOMBE. Do you know of any other Indians who employed anybody to get them the minutes of the land?
Mr. HALF-DAY. No, sir.
Mr. HOLCOMBE. Do you know whether any other Indians turned their descriptions of land into the council hall?
Mr. HALF-DAY. No, sir.
Mr. HOLCOMBE. Why did you turn yours into the council hall.
Mr. HALF-DAY. That is the time they were making out that list.
Mr. HOLCOMBE. Did the council pass upon the land, whether you could have the land or not?
Mr. HALF-DAY. A committee, like you fellows are now.
Mr. HOLCOMBE. And they gave a description of the land to the agent to put on the list?
Mr. HALF-DAY. They put it on the list.
The CHAIRMAN. Was the agent there at that time?
Mr. HALF-DAY. No, sir.
Mr. SANBORN. Do you know that the committee put any description of land after your name?
Mr. HALF-DAY. Yes, sir.
Mr. SANBORN. You say they did put it there?
Mr. HALF-DAY. Yes; this man put it there.
Mr. OBERN. I was secretary of that committee.

Mr. SANBORN. And this was the selection you handed in there, was it, the Denome selection?

Mr. HALF-DAY. Yes, sir.

Mr. SANBORN. After the council got through you made another selection, did you?

Mr. HALF-DAY. Yes, sir. They told me I would have to keep out of the first one I took; I had to go to work and pick out another one.

Senator LA FOLLETTE. Who told you?

Mr. HALF-DAY. That is what I was told. A whole lot of children were scratched out the same way that I was.

Senator LA FOLLETTE. Do you know who scratched them off?

Mr. HALF-DAY. I don't know.

Senator LA FOLLETTE. Who told you that you were scratched off?

Mr. HALF-DAY. Armstrong told me in the first place that I would not have the first allotment which I picked out because it was all swamp land, and I had to go to work and pick out another one.

Mr. SANBORN. Which Armstrong was that?

Mr. HALF-DAY. Charlie.

STATEMENT OF WILLIAM OBERN.

WILLIAM OBERN, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. SANBORN. Do you live in Odanah?

Mr. OBERN. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mr. OBERN. Continually now for about nine years, off and on for about twenty-four years.

Mr. SANBORN. You are an Indian?

Mr. OBERN. Yes.

The CHAIRMAN. About what part?

Mr. OBERN. About quarter.

Mr. SANBORN. About quarter?

Mr. OBERN. About quarter.

Mr. SANBORN. You have a family?

Mr. OBERN. I have.

Mr. SANBORN. A wife and how many children?

Mr. OBERN. A wife and six children living.

Mr. SANBORN. And your wife is an Indian?

Mr. OBERN. Yes, sir.

Mr. SANBORN. What part?

Mr. OBERN. About a quarter, I guess, or one-eighth. I am not certain.

Mr. SANBORN. What office have you been holding on the reservation?

Mr. OBERN. Justice of the peace.

Mr. SANBORN. How long?

Mr. OBERN. About seven years.

Mr. SANBORN. You have an allotment?

Mr. OBERN. I have.

Mr. SANBORN. And your wife has an allotment?

Mr. OBERN. Yes, sir.

Mr. SANBORN. And has your allotment been cut?

Mr. OBERN. Yes, sir.

Mr. SANBORN. How long ago did you get your allotment?

Mr. OBERN. About seven years ago.

Mr. SANBORN. How long?

Mr. OBERN. About eight years ago.

The CHAIRMAN. And it was on the list that was prepared just prior to the Downs list, wasn't it?

Mr. OBERN. Yes, sir.

Mr. SANBORN. Now, tell the committee just how you got that allotment.

Mr. OBERN. I made an application for it to the Indian agent, the Indian agent sent my application to the Indian farmer on the reservation, and the Indian farmer presented my name to the allotting committee at that time.

Senator LA FOLLETTE. The allotting committee of the council?

Mr. OBERN. Yes, sir; the allotting committee of the council and they passed upon it.

Mr. SANBORN. How did you determine what land you wanted.

Mr. OBERN. I went into the woods and it was my selection. I got the minutes from Mr. Patterson and went out and looked at it, found it was suitable, or changed around until I found one that was suitable.

Mr. SANBORN. You got the minutes of what?

Mr. OBERN. Of the vacant lands.

Mr. SANBORN. Who kept the record of what was vacant and what was not vacant?

Mr. OBERN. The Indian farmer here.

Mr. SANBORN. Mr. Patterson was the Indian farmer?

Mr. OBERN. Yes, sir.

Mr. SANBORN. When you made your selection as to what you wanted, what was done with that?

Mr. OBERN. I filed that with the Indian farmer here at his office.

Mr. SANBORN. And that was entered on the——

Mr. OBERN. That was entered in that book; yes, sir.

Mr. SANBORN. And from that time out it stood on the book?

Mr. OBERN. Yes, sir. This is the book, I am pretty sure.

Mr. SANBORN. How much did that timber cut on your allotment?

Mr. OBERN. On my allotment somewhere in the neighborhood of $10,000.

Mr. SANBORN. And you got the one that you selected?

Mr. OBERN. Yes, sir.

Mr. SANBORN. Were you familiar at that time with how the council made up the list?

Mr. OBERN. Yes, sir.

Mr. SANBORN. State whether or not the council had anything to do with determining what piece of land each Indian had?

Mr. OBERN. At the time I made my selection?

Mr. SANBORN. Yes.

Mr. OBERN. The allotting committee had nothing to do with it whatever, with the selection of the lands at all.

Mr. SANBORN. What did the allotting committee determine?

Mr. OBERN. All they determined or passed upon as to the rights of the applicant to the allotment; not to the minutes of the land, but to any allotment.

Mr. SANBORN. After the committee got through what did they do?

Mr. OBERN. They generally turned these reports in to the farmer, and the farmer in turn would report to the Indian agent, then the Indian agent would come down to read the names to the people in open council. There was usually a big gathering there. He would read out the names loud and distinctly so that the people could hear, and he gave everyone a chance to make objection. I think he done that at that time. I don't want to be overly positive that he did at that time. They have done so thereafter.

Mr. SANBORN. So the Indians, in open council, either approved or disapproved of the list?

Mr. OBERN. Yes, sir; after completion by the allotting committee.

Mr. SANBORN. When it was finally approved by the council it was sent in to the department?

Mr. OBERN. No; it was approved by the council and the Indian agent and left out here at the farmer's office to give them time to make filings, and after filings were completed he would take the minutes of the land to each name, and he would take the list and send it to Washington with his approval.

Senator BROWN. If the council disapproved what was done?

Mr. OBERN. Of the whole of the list?

Senator BROWN. No; any individual.

Mr. OBERN. He was left off for the time being and given a chance to bring up affidavits and prove what his standing was, and the party that made objection was also required to make affidavits showing their reasons why he should not have the land.

Senator LA FOLLETTE. Then the council passed upon that testimony and determined from that testimony whether the applicant was entitled to an allotment?

Mr. OBERN. That is the way I presume it would have been, but to tell you the truth—yes; we did in the Downs case—we had a sort of a trial there I might say. Downs called up all those that made any objection and made them come before him and on oath testify as to what they knew and why this party should not have land, and the applicant was also given his chance to appear in his own behalf. I have never seen an instance of this kind at other times. I don't know what the Indian agent would have done if anyone had made any objection. I didn't hear any objection of that sort when the Indian agent read the names out one time. I don't remember of any objections being made to him.

Mr. SANBORN. Did you make any selection for your children?

Mr. OBERN. I did.

Mr. SANBORN. About when did you make these selections?

Mr. OBERN. Somewhere around in 1902.

Mr. SANBORN. How did you get the minutes of those?

Mr. OBERN. I went first and looked over the allotments there and Mr. Madison gave me some lands that he thought was pretty fair and said they ought to be good, and advised me to go out and see them. I went out and seen them. Some I selected after going through the woods a good deal and some that weren't so good I got better—I kept on until I got better. I finally got five of them for the five children, all I had at that time. One of my children has been born since.

Mr. SANBORN. You hunted up five selections in that way yourself.

Mr. OBERN. Yes, sir.

Mr. SANBORN. About how long did it take you to hunt them up?

Mr. OBERN. I couldn't say for a certainty. It took me some time. I changed different times when I found I could better myself by going out and looking around the second or third or fourth time. I couldn't say just how long it did take me.

Mr. SANBORN. When you got your minutes then what did you do do with them?

Mr. OBERN. I filed them with the farmer.

Mr. SANBORN. And had them entered on this book?

Mr. OBERN. Yes, sir.

Mr. SANBORN. Was this some time before the allotment list was made up?

Mr. OBERN. Yes, sir.

Mr. SANBORN. And those minutes remained on the farmer's book up to the time the allotment list was made up.

Mr. OBERN. Yes, sir.

Mr. SANBORN. Do you know the descriptions that you selected for your children?

Mr. OBERN. I could not give them right out, but I can give you the selections of most of them and probably the minutes of some of them.

Mr. SANBORN. You have somewhere a memorandum of them?

Mr. OBERN. Yes, sir. The NW. of the SW.——

Mr. SANBORN. That is your own selection?

Mr. OBERN. Yes, sir.

Mr. SANBORN. We want the selections of your children. Are these the selections: Bernard Obern, lot 6 of sec. 6, T. 46 N., R. 3 W.; and the SE. ¼ of the SE. ¼ of sec. 6, T. 47 N., R. 3 W. Delia Obern, the NE. ¼ of the NE. ¼ of sec. 32, and the NE. ¼ of the NW. ¼ of sec. 35, T. 47 N., R. 3 W. Francis Obern, the E. ½ of lot 1, sec. 5, and the NW. ¼ of the SE. ¼ of sec. 18, T. 46, R. 2 W. Lawrence Obern, SW. ¼ of the NE. ¼ of sec. 25, T. 47 N., R. 2 W., and the NE. ¼ of the SW. ¼ of sec. 32, T. 47 N., R. 3 W. Lizzie Obern, the W. ½ of the SW. ¼ of the SW. ¼ of sec. 11, and the NE. ¼ of the NW. ¼ of sec. 15, T. 47 N., R. 3 W.

Mr OBERN. Yes.

Mr. SANBORN. Do you know anything about the descriptions shown to you on the Allen list for your children?

Mr. OBERN. Only what I have seen. I haven't looked over them to know what there is on them. All I know about it is that I have got a list from the commissioner saying that they have been changed.

Mr. SANBORN. Do you know anything about what the reasonable value of that is?

Mr. OBERN. From what I found in looking over some land, I found some of them that weren't entirely worthless, but located in such a place that I would not want the land at all. It would not be valuable for anything. I looked them up as near as I could without going out there to them. Some of them I remember passing.

Mr. SANBORN. Under the Allen list, Lizzie Obern is only assigned 60 acres.

Mr. OBERN. Yes, sir.

Mr. SANBORN. And the same is true of Francis Obern?

Mr. OBERN. Yes, sir. Let me see. I am not positive of that—I think not. I think Francis has the full amount.

Mr. SANBORN. It says here half of lot 1, section 5. That is somewhere about 40 acres.

Mr. OBERN. I am not sure what it is. I will get the book.

Mr. SANBORN. Did you take any part in the getting up of what is known as the Downs list?

Mr. OBERN. Yes, sir; I did. I was secretary and a member of the committee.

Mr. SANBORN. How many committees were there of the council which acted on the Downs list?

Mr. OBERN. Twelve committeemen.

Mr. SANBORN. Was there more than one committee?

Mr. OBERN. No, sir; just the one committee. In speaking of the Downs list proper, I generally consider you are speaking of the list as we first made it up. In saying the Downs list, we always allude to all we done. This list we had made about a year before this; Downs came up here at the time the twelve men sat there allotting the lands. That is known as the Downs list. Downs came up here to revise that, and we always knew of that as the Downs work, work done on the Downs list.

Mr. SANBORN. So there were twelve members of the council that made up that list?

Mr. OBERN. In the first place, yes.

Mr. SANBORN. And determined simply who were eligible?

Mr. OBERN. Yes, sir.

Mr. SANBORN. And you know how the description was filled in?

Mr. OBERN. The description of land?

Mr. SANBORN. Yes.

Mr. OBERN. We never in one instance put in a description.

Mr. SANBORN. Who put these descriptions in?

Mr. OBERN. The farmer, from his books. They were all entered in that book.

Mr. SANBORN. Joe Half-day spoke about putting a description after his.

Mr. OBERN. I never entered any description for Mr. Half-day. He must be mistaken.

Mr. SANBORN. They were made up after the list was through, so far as the council was concerned, by the farmer?

Mr. OBERN. Yes, sir.

Mr. SANBORN. That first list, I understand, was approved by the council.

Mr. OBERN. Yes; it was approved in open council, when we got through with it, and then it was sent down to Washington by the Indian agent, and one or two parties found something that they were dissatisfied about, someone that was on there—I think there were three or four men that went to some official and got the commissioner to send Downs, and Downs came up here and he went at this and the committee of twelve worked on it for some time, while I was gone to St. Louis, a couple of months or more, and I came back and I was surprised to see that they did not agree, but he was willing, if we could agree to send it down that way. We could not agree all this time. Then he undertook to fix it, he worked for a month or six weeks, almost gave up two or three times, and he finally got it all right and got the people to agree upon it.

Mr. SANBORN. After he finished his work was it taken up by the council?

Mr. OBERN. Yes, sir; he left it entirely with the open council.

Mr. SANBORN. And that was finally agreed to?

Mr. OBERN. It was agreed to by the open council, with a fully packed house.

Mr. SANBORN. What became of it after that?

Mr. OBERN. It was sent to Washington and about two or three months after that we got word from our Indian agent to the effect that the Commissioner of Indian Affairs has eliminated something like 104 or 105 names of children who weren't entitled under the act of 1901, for the reason that they weren't born on that date.

Mr. SANBORN. Or prior to that date?

Mr. OBERN. Yes, sir.

Mr. SANBORN. Go ahead and tell us what happened to the list after that—what became of it.

Mr. OBERN. The people, by reason of these children, were dissatisfied with that list, and took steps to get an amendment so as to entitle the children to allotments—those children that had allotments; and I, and a number of others, was selected to go down to Washington, but before that we had our attorney, Mr. Tompkins, to consult with the Commissioner of Indian Affairs, and the Commissioner of Indian Affairs agreed upon the very wording of this act.

Mr. SANBORN. You mean the amendment of March 2, 1907?

Mr. OBERN. Yes, sir. We went down there and asked Hon. Senator Clapp and Hon. Senator La Follette and others, and Senator Stevenson, also, and they passed it through on that day.

Mr. SANBORN. When did you first know anything about the St. Croix Indians being placed on any list?

Mr. OBERN. The first we knew of them being placed on any list?

Mr. SANBORN. Yes.

Mr. OBERN. We placed about 185 one day when Downs was here—there was a committee of five then—we placed about 185 one day, and took them off the next day. Downs got it into his head that the reading of that act would not entitle them.

Mr. SANBORN. Who produced the names of those?

Mr. OBERN. Some of the Indians there had a list of the people; they were represented.

Mr. SANBORN. Some of the Indians came up from St. Croix?

Mr. OBERN. Yes, sir.

Mr. SANBORN. And there was a committee of five then acting with Downs?

Mr. OBERN. Yes, sir.

Mr. SANBORN. And they put them on one day and took them off the next?

Mr. OBERN. Yes, sir.

Mr. SANBORN. When next after that was anything done?

Mr. OBERN. After that I don't know of any more being placed on until we heard that Mr. Allen had placed some of them on.

Mr. SANBORN. When these 185 were placed on, did they ever come before the council?

Mr. OBERN. No.

Mr. SANBORN. Did any list come before the council that had St. Croix Indians on—any large number of them?

Mr. OBERN. I think before we had this Downs list—before Downs appears here in regard to the list that we formerly made—I think there was some on there, some St. Croix Indians that had promised to come here and make their residence here. There was one or two on there, relatives of some of the people here, and they were to come here, but I don't know just how many of them. There was more or less fighting on them, and I guess when Downs came up they were taken off, but they were on there, I think, when we first made it. Just how many I don't know. They were people who had promised to come down here and take up their residence.

The CHAIRMAN. Simply to make the record plain, those names were approved by the council, were they?

Mr. OBERN. Yes, sir; some of those few we had on there. I won't say positively they were St. Croix Indians, but they were Indians from up that way somewhere.

Mr. SANBORN. Was the Allen list ever before the council?

Mr. OBERN. No, sir; not to my knowledge.

Mr. SANBORN. Never presented here for consideration?

Mr. OBERN. Not to my knowledge.

Mr. SANBORN. Did the Indians take any part in making up that list?

Mr. OBERN. Why, in a way, we did. Only this much, Mr. Allen came down here one time and he wanted some of us to help him out in trying to find out who was dead, and so forth, and I, for one, and Mr. Two-Birds, and one or two others, helped them for one or two days in trying to make out just who had died since the list had been made by Downs. Further than that he never asked our assistance at all and never presented the list to the Indians.

Mr. SANBORN. Do you know about how many allotments have already been made on this reservation?

Mr. OBERN. I couldn't say, but most of the reservation is allotted.

Mr. SANBORN. You don't know the number?

Mr. OBERN. I couldn't say the number.

Mr. SANBORN. I think it is 884, and I think there are about 400 left.

The CHAIRMAN. I should think it is in the records of the Indian Office.

Mr. HOLCOMBE. Do you know how many Indians were on the Downs list that made their own selections of land?

Mr. OBERN. I don't know just how many made their own selections of land. You mean those that went personally to the woods and brought their filings in, or those that hired their minutes?

Mr. HOLCOMBE. I mean those who went either personally or paid some one else to do it—what percentage of the list was made up in that way?

Mr. OBERN. I think the biggest percentage of them hired some one to go and look up their lands, while a great many were capable of going out and looking up land themselves, the biggest percentage were obliged to hire some one.

Mr. HOLCOMBE. What percentage did not go themselves and did not employ any one, but left it to the allotting agent?

Mr. OBERN. I never knew anyone to leave it to the allotting agent.

Mr. HOLCOMBE. Not one instance?

Mr. OBERN. Not one, unless it was some people who would go to Patterson. He was not the allotting agent. Patterson helped out some poor people, and I think the agent has written down for Mr. Patterson to help out some old ladies.

Mr. SANBORN. Who made selections where there were children?

Mr. OBERN. The parents; the father, generally.

Mr. HOLCOMBE. So if there was any great disparity in the value of the land it was due to the man himself not being first on the ground?

Mr. OBERN. That is, the parent.

Mr. HOLCOMBE. Either the parent himself, as regards his children—I mean the allotment, either for the individual or for his children.

Mr. OBERN. Yes. If anyone got a poor allotment it was their own fault, plainly speaking. It was either because they were too slow in trying to get them or some one smarter than they were got ahead of them.

Mr. HOLCOMBE. Who recognized the priority or right, the alloting agent or the council?

Mr. OBERN. No one. It has been the custom ever since I can remember to recognize the first filings.

Mr. HOLCOMBE. Who recognized that?

Mr. OBERN. The whole band.

Mr. HOLCOMBE. It was submitted to the band?

Mr. OBERN. What?

Mr. HOLCOMBE. Suppose two claimed the same allotment, what would be done?

Mr. OBERN. Prove who took it first, through the Indian farmer.

Mr. HOLCOMBE. Who did they prove it to?

Mr. OBERN. If it was necessary, I suppose took it to the Indian agent or the Commissioner of Indian Affairs. I have seen some quarreling or jangling on such matters, but they are generally settled here by the Indian agent or the farmer.

Mr. HOLCOMBE. Are they ever settled in the council?

Mr. OBERN. Only one instance. Mr. Dennis—some one else, I don't just remember who the other party was—Mr. Dennis claimed to have had first filing on that, and there was a man came all the way from Washington—two gentlemen came up here—no; it wasn't in that case that those two gentlemen came here. That was with reference to his wife. That came up before the council, and that is the only time. I was on the committee then. Those gentlemen insisted that we take some action on the committee. We did not feel we were authorized to do so, and we told them so, tried to explain to them it hadn't been customary; that we could not tell them who was entitled to it; could not pass judgment on that.

Mr. HOLCOMBE. Did your committee pass judgment on that?

Mr. OBERN. No; never passed judgment.

Mr. HOLCOMBE. You are quite confident you have never received a description of an allotment from any applicant for an allotment?

Mr. OBERN. Who has secured the minutes?

Mr. HOLCOMBE. Yes.

Mr. OBERN. I am positive of that. Not while I was there. I did help people afterwards in the office any time I could help anybody file; I helped them file in the farmer's office, but never took anyone's

selection and placed it on the list with their names. I have the original list at home as we made it up—copy of it, like.

Mr. HOLCOMBE. It would probably be well to have the original list in the record if there is any question as to whether the council made the allotment.

The CHAIRMAN. I do not think there is any question.

(Thereupon at 6.15 o'clock p. m. the committee took a recess until 7.30 o'clock p. m.)

EVENING SESSION.

BAD RIVER OR LA POINTE INDIANS,
COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Odanah, Wis., September 23, 1909.

(The subcommittee reassembled after recess at 7.30 o'clock p. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page. Also Messrs. S. W. Campbell, United States Indian agent, E. P. Holcombe, chief supervisor, Indian Service, and Hon. A. W. Sanborn, representing the Indians in opposition.

The CHAIRMAN. Senator Sanborn, you may proceed with the examination of any witnesses that you desire to call.

Mr. SANBORN. I thank you, Mr. Chairman, and gentlemen.

STATEMENT OF CARRIE COUTURE.

CARRIE COUTURE, having been first duly sworn, testified as follows:

Mr. SANBORN. Where do you live?

Mrs. COUTURE. I live at the north end of the village.

Mr. SANBORN. You live in the village here?

Mrs. COUTURE. I am nursing in the village, but I live a little out of town on my eighty, or the eighty that I was to have.

Mr. SANBORN. How long have you lived in Odanah?

Mrs. COUTURE. I could not say for sure; somewhere about ten years I think.

Mr. SANBORN. But you have lived here on the Bad River Reservation?

Mrs. COUTURE. Yes, sir; of course I have been here off and on before.

Mr. SANBORN. For how long.

Mrs. COUTURE. Ever since I can remember almost.

Mr. SANBORN. How old are you?

Mrs. COUTURE. I am 49.

Mr. SANBORN. You are an Indian?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. What part blood are you, if you know?

Mrs. COUTURE. Well, I do not know. My mother was an Indian.

Mr. SANBORN. And your father?

Mrs. COUTURE. My father was a white man.

Mr. SANBORN. Tell the committee how you selected your 80.

Mrs. COUTURE. Well, my 80 at first was to be filed by John Blackbird, but it seems that he did not put it in on the books, anyway at the farmer's office, for Ed. Thomas surveyed it and put it in; that is Mr. T. C. Thomas's brother. That is the way it was explained to me.

Mr. SANBORN. He selected it for you. What land did he pick out for you?

Mrs. COUTURE. The southwest 22, northwest 27—48—3.

Mr. SANBORN. That was the land he picked out for you that you filed on?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. You had been placed on the list by the council, had you not?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. After you selected that land and were placed on the list, you moved onto it, did you?

Mrs. COUTURE. I do not know whether it was after or before the time I moved onto that. It was six years ago last spring—seven years ago last May since I moved to the place.

Mr. SANBORN. Do you know when it was selected?

Mrs. COUTURE. It was just the year before that that it was selected.

Mr. SANBORN. The year before you moved onto it?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. But you do not know whether you had passed the council before or after that, but you had selected the land?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. Did you make some improvements on it?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. What improvements did you make?

Mrs. COUTURE. Well, I had my house there and a barn, and a few other buildings.

Mr. SANBORN. You have the proof right there. Those two forties are together, making an 80 altogether. The two lists, the Allen list and the Downs list, show that fact.

The CHAIRMAN. I do not think it is necessary to make any proof of it.

Mr. SANBORN. You have the evidence of it.

The CHAIRMAN. The Allen list will show the fact that these two sections abut and make a solid 80. You are living there now, are you?

Mrs. COUTURE. Yes, sir; my home is there.

Mr. SANBORN. You have some clearing on that, have you?

Mrs. COUTURE. Yes, sir.

Mr. SANBORN. You have never had any allotment at all?

Mrs. COUTURE. No, sir.

The CHAIRMAN. Which piece is your clearing on, which of those forties that you have described?

Mrs. COUTURE. I can not remember that.

The CHAIRMAN. Do you not know which piece is in the one section and which is in the other?

Mrs. COUTURE. No, sir; I do not.

The CHAIRMAN. Does your 80 run north and south?

Mrs. COUTURE. I could not explain that either. I just got the minutes, just as I had them, to learn them by heart.

The CHAIRMAN. You learned the minutes by heart, and you live out there on the land?

Mrs. COUTURE. Yes, sir.

The CHAIRMAN. You know that your lines are pretty near, do you not?

Mrs. COUTURE. Oh, yes.

The CHAIRMAN. Are you near the north end or the south end of your land?

Senator PAGE. You mean the improvements.

The CHAIRMAN. Yes.

Mrs. COUTURE. I am near the east—on the east side.

The CHAIRMAN. Which 40 are you in?

Mrs. COUTURE. I do not remember.

The CHAIRMAN. What I want to get at is to see whether they had located the 20 acres to cover the improvements. Do you know anything about that?

Mr. SANBORN. No; I do not. I was going to prove it by some one else. Are you near the north or south line?

Mrs. COUTURE. I am nearer the north line.

Mr. HOLCOMBE. How much timber is on your land?

Mrs. COUTURE. I do not know.

Mr. SANBORN. Is there any pine on it?

Mrs. COUTURE. The pine was cut there last winter. It was burned over and the pine was cut.

The CHAIRMAN. Is there a road that runs in front of you anywhere?

Mrs. COUTURE. Yes, sir; quite close.

The CHAIRMAN. On which side of your buildings is the road?

Mrs. COUTURE. It is toward the east from my house.

The CHAIRMAN. The road is east of your buildings?

Mrs. COUTURE. Yes, sir.

The CHAIRMAN. Then the road runs north and south?

Mrs. COUTURE. Yes, sir.

The CHAIRMAN. Do you understand that the road runs on a line between your land and somebody's else land?

Mrs. COUTURE. I think so; it is between Sophy Blaker's and me.

The CHAIRMAN. And your buildings are close to the road?

Mrs. COUTURE. Yes, sir; right in sight of the road.

The CHAIRMAN. What is the 20 that is described in the Allen list?

Mr. SANBORN. The east half of the southwest southwest 22.

Mr. HOLCOMBE. What is the description in the Downs list?

Mr. SANBORN. In the Downs list she has the northeast southwest.

Mr. HOLCOMBE. And the southwest southwest.

Mr. SANBORN. Yes; the corner. What Allen gave her, the corners, but the 80 that she selected was a compact 80 on the road; one is in 22 and the other is in 27. They come together. I will leave with you my compilation which I have made from those two lists that bring them side by side.

(The witness was thereupon excused.)

STATEMENT OF CHARLES D. ARMSTRONG.

CHARLES D. ARMSTRONG, having been first duly sworn, testified as follows:

The CHAIRMAN. Please state your name in full.

Mr. ARMSTRONG. Charles D. Armstrong.

Mr. SANBORN. I will first ask you if you know on which 40 the last witness lives?

Mr. ARMSTRONG. No; I do not. I know the section of country in which she is located, but the particular 40 I could not say.

Mr. SANBORN. Do you know who would be apt to know that?
Mr. ARMSTRONG. Robert Couture would know.
Mr. SANBORN. Is he here?
Mr. ARMSTRONG. I saw him at the door a moment ago.
Mr. SANBORN. Where do you live?
Mr. ARMSTRONG. At Odanah.
Mr. SANBORN. How long have you lived here?
Mr. ARMSTRONG. Sixteen years.
Mr. SANBORN. You are a member of the Odanah band?
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. What part Indian are you?
Mr. ARMSTRONG. Half.
Mr. SANBORN. What is your business?
Mr. ARMSTRONG. I am a carpenter by trade.
Mr. SANBORN. Can you tell this committee how the lands are selected by the Indians on this reservation, and have been, while you have been here. Just tell the committee in a few words how the selection is made of a particular piece of land.
Mr. ARMSTRONG. Those that are capable of running lines in the woods went out and made their own selections, and those that were not, employed those that they thought were capable to make selections for them.
Mr. SANBORN. How did they get the list, in the first place, of the lands that were taken and the lands that were not taken?
Mr. ARMSTRONG. They usually went to the farmer's office for plats.
Mr. SANBORN. Showing the vacant land?
Mr. ARMSTRONG. Yes, sir; showing the vacant land.
Mr. SANBORN. When they made their selections, what did they do with that selection then?
Mr. ARMSTRONG. They filed it with the farmer.
Mr. SANBORN. And it would be entered on this book that we will have here?
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. When it is entered there, has it always been recognized by the band here that that is the Indians' land?
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. You know the Ashland County plat book—I have not one here, but you have seen them and know what they are?
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. You know that all of those entries under this Downs list are shown there to be in the name of the person who made the selection, right along.
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. And it is a fact that when they were recognized to make that selection of land that that was that land, if he was entitled to any allotment at all?
Mr. ARMSTRONG. Yes, sir.
Mr. SANBORN. And that, as far as you know, has always been the rule?
Mr. ARMSTRONG. Yes, sir; that has always been regarded as a selection.
Mr. SANBORN. Who did you say acts for the children and the other people who are not capable of doing it themselves?

Mr. ARMSTRONG. Usually the father or the mother acts for the children, or they employ somebody to act for them, if they are not capable.

Mr. SANBORN. Do you know how many selections had already been made before the Downs list came up here?

Mr. ARMSTRONG. I think I could tell.

Mr. SANBORN. Do you know about what proportion of the reservation had been selected?

Mr. ARMSTRONG. Something over half of it.

Mr. SANBORN. Are you familiar with the reservation generally?

Mr. ARMSTRONG. I used to be here seven or eight years ago. I used to traverse the work and the lines myself. Since that time I do not know.

Mr. SANBORN. What I want to have the committee to understand is whether the best of this reservation was selected this time under the Downs list, or whether it had been picked over two or three times and the best of it selected.

Mr. ARMSTRONG. Yes, sir; it had been picked over several times.

Mr. SANBORN. The best of it taken before?

Mr. ARMSTRONG. Yes, sir.

Mr. SANBORN. Do you know anything about the making up of the Downs list; were you on any committee then?

Mr. ARMSTRONG. Yes, sir; I was.

Mr. SANBORN. Which committee were you on?

Mr. ARMSTRONG. I was on a committee of five that was selected by the council to settle with Major Downs.

Mr. SANBORN. That committee was organized after the committee of twelve that had made the first list was dissolved, was it?

Mr. ARMSTRONG. Yes, sir.

Mr. SANBORN. Did you take any part in the making of the first list?

Mr. ARMSTRONG. I did not.

Mr. SANBORN. Now, how is it determined right along as to who shall be on the allotting list—the persons who are qualified to go on; how is that determined?

Mr. ARMSTRONG. On the committee I sat on we required them to appear before the committee, and we ascertained as to their rights to an allotment of land by tracing their ancestors.

Mr. SANBORN. Did you determine anything about what piece of land they should have?

Mr. ARMSTRONG. No, sir.

Mr. SANBORN. Was that put on the list opposite their names when you were making up the list?

Mr. ARMSTRONG. Not when we were making up the list; no, sir.

Mr. SANBORN. Did you ever know of it being done by the council or the committees?

Mr. ARMSTRONG. I remember that being done prior to that time.

Mr. SANBORN. In what way? Explain to the committee.

Mr. ARMSTRONG. Along about February 12 or 14, 1904, a committee of twelve was selected; I was one of that committee. They were selected collectively in council. I was sick abed, and remained so until the month of June. After I was able to be about I appeared at the council where they were going to look over this list, preparatory to submitting it to the agent, as I understood, and I was requested—they had appointed a substitute while I was sick—and I

was requested to take my place on the committee. I do not just remember whether it was on that particular day, but it was along about that time, or probably afterwards, that Major Campbell came down and read the list over, and there was a large number considered eligible for allotment, and he announced to the council that all those whose names appeared in that roll that did not have minutes attached would be eliminated from the list when it went to his office. Sitting on the committee, I proposed that we send to the farmer's office for the tract book, and from that select lands at random over the reservation, that they might be attached and the names approved.

Mr. SANBORN. Now, that was simply those who had made no selection on the farmer's book at all?

Mr. ARMSTRONG. Yes, sir.

Mr. SANBORN. And you filled in those so they would not be stricken off the allotting list by that committee?

Mr. ARMSTRONG. Yes, sir.

Mr. SANBORN. Were those lists finally approved by the council as to the people who were entitled to allotment?

Mr. ARMSTRONG. They were; yes, sir.

Senator LA FOLLETTE. How many names were filled in?

Mr. ARMSTRONG. If I remember rightly, there were some one hundred and eighty-odd that had selections and we filled in the balance.

Mr. SANBORN. I think there were about 180 who had selections on that list.

Senator LA FOLLETTE. And you filled in how many?

Mr. ARMSTRONG. The roll made up four hundred and some odd—I think four hundred and twenty some.

Mr. SANBORN. You took all the land practically that was on the reservation unallotted?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. This was before the Downs list, was it?

Mr. ARMSTRONG. That was before Mr. Downs came; yes, sir. It is the same list, but it was before Mr. Downs took charge.

Mr. SANBORN. What was done when Mr. Downs came here?

Mr. ARMSTRONG. He called this committee before him.

Mr. SANBORN. The committee of twelve?

Mr. ARMSTRONG. Yes, sir; and there was some misunderstanding, and had been all summer long, as to some people appearing on that list which they considered were not eligible to allotment.

Mr. SANBORN. Now, go ahead and tell the committee in your own way just what was done when Major Downs came.

Mr. ARMSTRONG. The committee appeared before him and he wanted them to agree to consider that list. The majority of them stood out for the list as it was, and finally, after some three weeks or more, he finally concluded to dissolve that committee and ask the band to appoint a committee of five to sit with him. The council then appointed a chairman and a secretary and proposed the names for this committee, and the selection of the five was made. One at a time, after they were so selected, a copy of the proceedings was presented to Major Downs, and he asked them to be ready to meet with him the next morning at 9 o'clock, and they met, and went over the Downs list, and during the early part of the proceedings it was asked the committee of five by Major Downs if they would be opposed to some full bloods taking allotment.

Mr. SANBORN. From where?

Mr. ARMSTRONG. Well, I do not know where they were from. He asked me if I was opposed to them, and I told him no; that I thought if anybody was entitled to an allotment it would be a full blood or nobody else. We went on then and enrolled something like 170, I think it was, that day, and that evening other members of the committee called on me and they believed that we were doing something that we ought not to do.

Mr. SANBORN. Did that 170 men appear here before you?

Mr. ARMSTRONG. No, sir; they did not.

Mr. SANBORN. How were the names furnished?

Mr. ARMSTRONG. I think Major Downs had been presented with a roll or list of those names, and there were some fifteen or twenty that went to represent this list, that appeared here, and the next morning we called to Major Downs's attention the act of February 11, 1901, and from that we eliminated all they had done the day before.

Mr. SANBORN. Were they what are known as the St. Croix Indians on that list?

Mr. ARMSTRONG. I think they were.

Mr. SANBORN. You did not know them personally?

Mr. ARMSTRONG. I did not know them.

Mr. SANBORN. Do you know whether John Medweosh was here as one of them?

Mr. ARMSTRONG. I think he was; I think that was the first time I ever saw him.

Mr. SANBORN. Go ahead and state what occurred after that.

Mr. ARMSTRONG. We went on to make up the list in accordance with the act of February 11, 1901, other than illicit children born up to that time. Their ages were put down on the list, and when the list was concluded it was sent in.

Mr. SANBORN. Was it sent in without going before the council or was it taken up before the council?

Mr. ARMSTRONG. Yes, sir; it was taken up before the council and read to the council, and after that they went to the farmer's office and from there to the Indian agent's office at Ashland?

Mr. SANBORN. What did they go to the farmer's office for?

Mr. ARMSTRONG. For the minutes.

Mr. SANBORN. On this list, did the committee themselves put any descriptions opposite the names of the people?

Mr. ARMSTRONG. I do not think they did; no, sir.

Mr. SANBORN. I think that is all I care to ask Mr. Armstrong.

The CHAIRMAN. Mr. Holcombe, you have an inquiry in mind that you have perhaps better in hand than anyone else. Would you like to ask the witness any questions?

Mr. HOLCOMBE. Yes, sir. Mr. Armstrong, you stated that before Major Downs came here that you all prepared a list of approximately 480 names?

Mr. ARMSTRONG. Not 480; it was something like 420; maybe less or maybe more.

Mr. HOLCOMBE. And that the agent, Mr. Campbell, stated to the council that those names that did not contain a description of the land would be eliminated?

Mr. ARMSTRONG. Yes, sir.

Mr. HOLCOMBE. And that you sent to the farmer's office and got his books and put in a description for, approximately, 300 names?

Mr. ARMSTRONG. Somewhere about there; yes, sir.

Mr. HOLCOMBE. Did you take those descriptions at random from the vacant land?

Mr. ARMSTRONG. We did.

Mr. HOLCOMBE. Did you put those names on the farmer's book at the same time with the description?

Mr. ARMSTRONG. I think we did.

Mr. HOLCOMBE. The list, then, as prepared by Major Downs, did it contain those descriptions as you put them in the farmer's book?

Mr. ARMSTRONG. I could not say as to that.

Mr. HOLCOMBE. Well, generally?

Mr. ARMSTRONG. I could not say; I never examined it to see if the same descriptions that were selected at random appeared on the list.

Mr. HOLCOMBE. Was Major Downs's list made up from the farmer's book as to the description of the land allotted?

Mr. ARMSTRONG. I think it was.

The CHAIRMAN. You say that he said that those names that had no lands opposite them had no descriptions. Did any of those names on the list that you then had have any description of lands opposite them on the list?

Mr. ARMSTRONG. Please repeat that question.

The CHAIRMAN. Did the 120 names on the list have any descriptions of land opposite them on the list?

Mr. ARMSTRONG. That is what we understood. How we ascertained that was from an examination of the tract book.

The CHAIRMAN. Well, that is what I am trying to ascertain. When you started in, when Major Campbell spoke to you, did not any of the names on the list have any description of the land opposite the names; there is no description on the list, was there?

Mr. ARMSTRONG. No, sir.

The CHAIRMAN. That is what I wanted to know. Your statement left a little confusion on that point.

Mr. ARMSTRONG. The roll was made up by the men—just a roll of the names.

Mr. SANBORN. How many of those did you say had made selections. I understood you to say one number and then I understood you to say another.

Mr. ARMSTRONG. I am not positive as to what the amount was. I thought it was something like 180.

Mr. SANBORN. That is what I understood you to say it was.

The CHAIRMAN. What we are trying to get at was the two classes. You may make that 180, Mr. Stenographer.

Senator BROWN. Are you acquainted with T. C. Thomas.

Mr. ARMSTRONG. Yes, sir.

Senator BROWN. Do you recall his making an application for an allotment before the committee of five?

Mr. ARMSTRONG. No, sir.

Senator BROWN. You do not know whether he did or not?

Mr. ARMSTRONG. I do not think he did. I do not think he was here at that time.

(The witness was thereupon excused.)

STATEMENT OF ROBERT COUTURE.

ROBERT COUTURE, having been first duly sworn, and his interpreter, William Obern, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Have you an allotment beside the allotment that your wife has?

Mr. COUTURE. Yes, sir.

The CHAIRMAN. You are the husband of Mrs. Carrie Couture?

Mr. COUTURE. Yes, sir.

The CHAIRMAN. Do you know where the improvements are on her allotment?

Mr. COUTURE. Yes, sir.

The CHAIRMAN. What part of her land are they on?

Mr. COUTURE. On the north side of it.

The CHAIRMAN. In which section?

Mr. COUTURE. I am not positive, but I think it is section 27.

Mr. SANBORN. Mr. Chairman, 22 would be right directly north of 27. So if it is on the north side of 80 it would not be on 27.

The CHAIRMAN. I understand. Do you know where her land is in section 22?

Mr. COUTURE. I do not know for a certainty. I had it written down in the minutes——

The CHAIRMAN. But do you know where the land is in that section when you are out there?

Mr. COUTURE. Yes, sir; I would if I were there.

The CHAIRMAN. Is there any road near her house?

Mr. COUTURE. Yes, sir.

The CHAIRMAN. Do you know which way the road runs, whether north and south or east and west?

Mr. COUTURE. It runs in a northerly direction.

The CHAIRMAN. Is the house near the road—I think I asked you that?

Mr. COUTURE. It is about 400 feet.

The CHAIRMAN. Is there somebody else's land on the other side of the road from your wife's house?

Mr. COUTURE. Yes, sir.

The CHAIRMAN. Whose land is it?

Mr. COUTURE. It is Sophy Blakely's land.

(The witness was thereupon excused.)

STATEMENT OF JOHN MAYOTTE.

JOHN MAYOTTE, having been first duly sworn, testified as follows:

The CHAIRMAN. You may state your full name.

Mr. MAYOTTE. My name is John Mayotte.

The CHAIRMAN. Mr. Sanborn, you may examine the witness.

Mr. SANBORN. Thank you, Mr. Chairman. Mr. Mayotte, where do you live?

Mr. MAYOTTE. Right here.

Mr. SANBORN. How long have you lived at Odanah?

Mr. MAYOTTE. I was born here.

Mr. SANBORN. About how old are you?

Mr. MAYOTTE. I am 31.
Mr. SANBORN. Are you a married man?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. You have a wife and how many children?
Mr. MAYOTTE. I have three children.
Mr. SANBORN. You are an Indian?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. What part?
Mr. MAYOTTE. Half-breed.
Mr. SANBORN. Have you ever had an allotment?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. You have had one?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. How much money have you drawn from your allotment?
Mr. MAYOTTE. My own allotment?
Mr. SANBORN. Yes.
Mr. MAYOTTE. I was supposed to get $200 a year at 5 per cent.
Mr. SANBORN. It has not been cut?
Mr. MAYOTTE. No, sir.
Mr. SANBORN. Have you drawn that money?
Mr. MAYOTTE. I have not drawn any.
Mr. SANBORN. What do you do?
Mr. MAYOTTE. I do laboring.
Mr. SANBORN. What work do you do?
Mr. MAYOTTE. Loading logs.
Mr. SANBORN. And unloading logs here?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. You work for the Stearns Lumber Company, do you?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. How much of the time in a day do you work?
Mr. MAYOTTE. About eight or ten hours.
Mr. SANBORN. That is, out of each day. What time in the year—how many months in the year?
Mr. MAYOTTE. I work right along.
Mr. SANBORN. How long have you been working for the Stearns Lumber Company?
Mr. MAYOTTE. I have been working steady for the last six or seven years.
Mr. SANBORN. Has your wife an allotment?
Mr. MAYOTTE. No, sir.
Mr. SANBORN. And you have one boy?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. Has he an allotment?
Mr. MAYOTTE. No, sir.
Mr. SANBORN. Did you make any selections for your children?
Mr. MAYOTTE. Yes, sir; one.
Mr. SANBORN. Did you make any for your wife?
Mr. MAYOTTE. Yes, sir.
Mr. SANBORN. Tell the committee how you have made your selections—how you did it.
Mr. MAYOTTE. I locate them off and get them from the minutes. I got them from Frank Chingway. He is dead.

Mr. SANBORN. How did you get the minutes from him; what I mean is, did you have him go out and look up some land for you?

Mr. MAYOTTE. Yes, sir.

Mr. SANBORN. Did you pay him for that?

Mr. MAYOTTE. Yes, sir; I paid him a dollar down, and I paid him some after the timber was cut.

Mr. SANBORN. How much did you pay him when the timber was cut?

Mr. MAYOTTE. Twenty-five dollars.

Mr. SANBORN. And you only paid him one dollar down?

Mr. MAYOTTE. Yes, sir.

Mr. SANBORN. And he picked out two selections?

Mr. MAYOTTE. Yes, sir.

Mr. SANBORN. When you got those selections, what did you do with them?

Mr. MAYOTTE. I got them right here.

Mr. SANBORN. Tell us what the selections were that you made?

Mr. MAYOTTE. The northeast northeast, section 30, 48, 3; and the northeast northeast, 30, 30, section 30, 47, 3.

Mr. SANBORN. Who did you make them for?

Mr. MAYOTTE. My boy.

Mr. SANBORN. That is, Antoine J.?

Mr. MAYOTTE. Yes, sir; my boy.

Mr. SANBORN. What selection did you make for your wife?

Mr. MAYOTTE. The northwest southwest, section 28, 48, 3; southwest northeast, section 29, 48, 3.

Mr. SANBORN. Those are the selections you made?

Mr. MAYOTTE. Yes, sir.

Mr. SANBORN. What did you do with those numbers when you got them?

Mr. MAYOTTE. These minutes?

Mr. SANBORN. Yes. Did you give it to anybody?

Mr. MAYOTTE. Yes, sir; I made that list in the council hall.

Mr. SANBORN. Who did you hand them to?

Mr. MAYOTTE. I handed it to the chief there.

Mr. SANBORN. You do not know whether they were put on the book or not?

Mr. MAYOTTE. Yes, sir; they were put on the book.

Mr. SANBORN. This book right here [indicating]?

Mr. MAYOTTE. I do not know which book it is. They put it upon the list, anyway.

(The witness was thereupon excused.)

STATEMENT OF JOHN TWO BIRDS.

JOHN TWO BIRDS, having first been duly sworn, testified as follows:

The CHAIRMAN. You may state your full name.

JOHN TWO BIRDS. John Two Birds.

The CHAIRMAN. Mr. Sanborn, you may examine this witness.

Mr. SANBORN. Thank you, Mr. Chairman. You are a full-blooded Indian, are you not?

JOHN TWO BIRDS. Yes, sir.

Mr. SANBORN. How long have you lived at Odanah?

JOHN TWO BIRDS. 46 years.
Mr. SANBORN. Were you born here?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. How did you get your education?
JOHN TWO BIRDS. I went to school four years.
Mr. SANBORN. You have an allotment?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. How many children have you.
JOHN TWO BIRDS. I have four.
Mr. SANBORN. Living?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. Have your children all allotments?
JOHN TWO BIRDS. No, sir; one.
Mr. SANBORN. Who is that, your boy?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. Did you make any selection for him?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. How did you make it?
JOHN TWO BIRDS. I went out and selected out the list for another one, and selected a forty off of the plot.
Mr. SANBORN. You went out and found a forty?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. How did you know that it was vacant?
JOHN TWO BIRDS. I seen it on the plot that it was vacant.
Mr. SANBORN. What plot was that?
JOHN TWO BIRDS. At the farmer's office.
Mr. SANBORN. Where did you make your selection?
JOHN TWO BIRDS. Right there in the office.
Mr. SANBORN. But where is your land located that you selected?
JOHN TWO BIRDS. Right close to the village.
Mr. SANBORN. Right back of the planing mill here—40 acres?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. Is there any timber on that?
JOHN TWO BIRDS. No, sir.
Mr. SANBORN. Where is your other selection?
JOHN TWO BIRDS. Up the river about 5 miles.
Mr. SANBORN. Did you go and look that over yourself?
JOHN TWO BIRDS. No, sir.
Mr. SANBORN. Have you ever been on that?
JOHN TWO BIRDS. No, sir; I have not been on it.
Mr. SANBORN. Do you know whether there is anything on it?
JOHN TWO BIRDS. Yes, sir; about 200,000 feet.
Mr. SANBORN. Of what?
JOHN TWO BIRDS. Pine.
Mr. SANBORN. Do you know what the selections were?
JOHN TWO BIRDS. Yes, sir.
Mr. SANBORN. What are they?
The CHAIRMAN. Does not the list show?
Mr. SANBORN. Yes.
JOHN TWO BIRDS. It is the southwest southwest, 22—37, 3; northwest northwest, 31, 48, 2.
(The witness was thereupon excused.)

STATEMENT OF NANCY MURRAY.

NANCY MURRAY, having first been duly sworn, testified as follows:

Mr. SANBORN. Where do you live?

NANCY MURRAY. At Odanah.

Mr. SANBORN. How long have you lived here?

NANCY MURRAY. Seven years the 23d of last August.

Mr. SANBORN. Is your husband named William Murray?

NANCY MURRAY. His name is Frank Murray.

Mr. SANBORN. Have you an allotment?

NANCY MURRAY. Yes, sir.

Mr. SANBORN. What are you, a half-blood or a quarter-blood?

NANCY MURRAY. Quarter-blood.

Mr. SANBORN. And you have lived here you say a good many years?

NANCY MURRAY. Yes, sir; seven years.

Mr. SANBORN. And you have been a member of this band here?

NANCY MURRAY. Well, I have been allotted in Michigan at L'Anse.

Mr. SANBORN. You are one of the Indians who came from L'Anse?

NANCY MURRAY. Yes, sir.

Mr. SANBORN. And was allotted here afterwards?

NANCY MURRAY. No, sir; it is for my daughter.

Mr. SANBORN. But you have no allotment here?

NANCY MURRAY. No, sir.

Mr. SANBORN. Now tell the committee as to your father and mother; of what tribe they were.

NANCY MURRAY. I have everything here [exhibiting paper].

Mr. SANBORN. Please tell it in your own words; you have it written out.

NANCY MURRAY. My mother was Margaret Bachant.

The CHAIRMAN. Where did she live?

NANCY MURRAY. Her birthplace was La Pointe, and at the age of about 15 years she went to Michigan and was married there. My birthplace was L'Anse, Mich. In later years my mother came here, and is now residing here at her old home with her relatives here; all our ancestors live here.

The CHAIRMAN. On her side?

NANCY MURRAY. Yes, sir.

Mr. SANBORN. You have made an application for an allotment for your son, have you not?

NANCY MURRAY. It is for my daughter, Martha Harriet Wood.

Mr. SANBORN. How old is she?

NANCY MURRAY. Fifteen years last February, the 9th.

Mr. SANBORN. You have had some correspondence with the department in regard to that, have you not?

NANCY MURRAY. I have; yes, sir.

Mr. SANBORN. Have you that correspondence with the department?

NANCY MURRAY. I have [producing letters].

The CHAIRMAN. This one letter would cover the whole thing?

Mr. SANBORN. Yes.

Senator LA FOLLETTE. Do you know how much pine there is on that one forty?

NANCY MURRAY. I do not just remember but there is not a great deal. I can soon learn by the filing that I have here.

Mr. SANBORN. Did you make any selection for your daughter?

NANCY MURRAY. Yes, sir; I have the filing.

Mr. SANBORN. How was that selection made; who looked it up for you?

NANCY MURRAY. Mr. Murray, her stepfather.

Mr. SANBORN. He looked it up, did he?

NANCY MURRAY. Yes, sir.

Mr. SANBORN. Did he look up vacant lands and find a piece?

NANCY MURRAY. I do not know as to that.

Mr. SANBORN. But he filed that with the government farmer, did he?

NANCY MURRAY. Yes, sir; at his office in Odanah.

Mr. SANBORN. And got a receipt?

NANCY MURRAY. Yes, sir.

Mr. SANBORN. That I offer in evidence. It is simply a receipt from the farmer that her daughter filed on a certain piece of land on a certain date.

The CHAIRMAN. Very well, that will go in the record.

The paper referred to is as follows:

ODANAH, WIS., *April 2, 1907.*

This is to certify that Martha Wood, by F. B. Murray, on the 21st day of March, A. D. 1906, filed on the following-described tract of land on the Bad River Reservation, Ashland County, Wis. The same being recorded on the allotment book of the government farmer of said reservation. The NE. ¼ of the NE. ¼ and the SE. ¼ of the NE. ¼ of sec. 36, township 48, range 4 west.

Signed and delivered the day and year above written.

(Signed) NORBERT SEBO,
Assistant Government Farmer.

A true copy.
Attest:
C. E. RICHARDSON.

(Above description in red typewriting and signature in green ink.)

Senator BROWN. Did your daughter get any land?

NANCY MURRAY. No, sir; not yet.

The CHAIRMAN. I think this letter is as much proof as any statement, so we will put that in the record.

(The letter referred to is as follows:)

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 18, 1908.

MARTHA HARRIETTE WOOD,
Odanah, Wis.

MADAM: The office has received your letter of November 26, 1908, regarding your right to an allotment on the Bad River Reservation.

In response you are informed that from previous correspondence it appears that you are entitled to an allotment as a member of the Bad River band, but letters from the agent in charge of the reservation under date of March 7 and April 11, 1908, indicate that all of the land on the reservation available at this time for allotting purposes has been exhausted.

For your information it may be said, however, that there are a number of tracts on the reservation which are claimed by the State of Wisconsin, under the swamp act of September 28, 1850 (9 Stat. L., 519), but until the right of the State to these tracts is determined it will be impossible for the office to give you an allotment in the tracts now claimed by the State. Should it be determined that the State has no right to the swamp lands located within the La Pointe Reservation, the tracts otherwise vacant will be available for allotting purposes, and your rights as a member of this band can be protected by giving you the number of acres to which you are entitled.

It is suggested that you file your application with the officer in charge of the La Pointe Reservation, who will see that your rights to an allotment as a member of this band are protected if any lands available for allotting purposes are restored to the reservation.

Very respectfully, F. M. CONSER, *Chief Clerk.*

(The witness was thereupon excused.)

STATEMENT OF CELIA BIG BOY.

CELIA BIG BOY, having first been duly sworn, testified as follows:

The CHAIRMAN. Do you understand our language?

CELIA BIG BOY. A little bit.

The CHAIRMAN. What is your name?

CELIA BIG BOY. My name is Celia Big Boy.

Mr. SANBORN. Where do you live?

CELIA BIG BOY. Right here.

Mr. SANBORN. In Odanah?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. How long have you lived here?

CELIA BIG BOY. Fourteen years.

Mr. SANBORN. Is your husband living?

CELIA BIG BOY. No, sir; he is dead.

Mr. SANBORN. How long has he been dead.

CELIA BIG BOY. Nearly two months.

Mr. SANBORN. How many children have you?

CELIA BIG BOY. Three children.

Mr. SANBORN. What are their names?

CELIA BIG BOY. Angeline Big Boy, John A. Big Boy, jr., and George Big Boy.

Mr. SANBORN. They are your three children?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. How old is Angeline?

CELIA BIG BOY. Thirteen years.

Mr. SANBORN. What do you do to support your family?

CELIA BIG BOY. I do work at washing.

Mr. SANBORN. Have you had an allotment?

CELIA BIG BOY. I had in Redcliff before I was married.

Mr. SANBORN. Was your husband a member of this tribe over here?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. You have nothing left?

CELIA BIG BOY. No, sir; I have nothing.

Mr. SANBORN. How much money did you get from your allotment?

CELIA BIG BOY. I do not remember.

Mr. SANBORN. Did your husband have any allotment?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. How much did you get from that, if you know?

CELIA BIG BOY. I do not know.

Mr. SANBORN. That is all gone, is it?

CELIA BIG BOY. Well, he was sick and used it all up.

Mr. SANBORN. For how long was he sick?

CELIA BIG BOY. His leg was hurt in the mill about thirteen years ago; one year after I was married.

Mr. SANBORN. How long was he sick?

CELIA BIG BOY. He was sick all the time.

Mr. SANBORN. All the time after that?

CELIA BIG BOY. Yes, sir; but he used to work all the time.

Mr. SANBORN. He used up all his money?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. Now, did you have any selections made for children for lands?

CELIA BIG BOY. I suppose so.

Mr. SANBORN. Did you have picked out for allotment any lands for your children?

CELIA BIG BOY. Yes, sir; my husband used to pick out the lands.

Mr. SANBORN. He picked out the lands, did he?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. Do you know if he picked out some lands for your daughter Angeline?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. You say George Big Boy was your son?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. And John Big Boy, jr., also?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. And he picked out allotments for those two?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. Were those filed with the government farmer; I do not mean filed, but were they given to the government farmer and put on the books?

CELIA BIG BOY. I suppose so.

Mr. SANBORN. You are sure that Angeline Big Boy is living?

CELIA BIG BOY. Yes, sir; she is right here.

Mr. SANBORN. Angeline Big Boy is not on the Allen list at all. She was on the Downs list, and if you will turn to the original Downs list you will see in lead pencil, opposite Angeline, written in by somebody, the word "Dead."

CELIA BIG BOY. That was my other little girl.

Senator LA FOLLETTE. That was another little girl?

CELIA BIG BOY. Yes, sir.

Senator BROWN. Angeline is alive, is she?

CELIA BIG BOY. Yes, sir; Angeline is alive and is here to-day.

The CHAIRMAN. What was the name of the little girl that died?

CELIA BIG BOY. Her name was Margaret.

Senator LA FOLLETTE. Was any allotment ever made to her?

CELIA BIG BOY. Yes, sir.

Senator LA FOLLETTE. For the one that is dead?

CELIA BIG BOY. Yes, sir.

Mr. SANBORN. She is not on the list.

Senator LA FOLLETTE. Her name is not on the list, but Angeline's is?

Mr. SANBORN. Yes, sir.

Senator LA FOLLETTE. And according to the words written in the list she is dead?

Mr. SANBORN. Yes, sir.

The CHAIRMAN. We will make a note of that so that if that should be true she will be protected.

(The witness was thereupon excused.)

STATEMENT OF JAMES DOOLITTLE.

JAMES DOOLITTLE, having been duly sworn, testified as follows:

The CHAIRMAN. What is your full name?

Mr. DOOLITTLE. James Doolittle.

Mr. SANBORN. You are one of the chiefs?

Mr. DOOLITTLE. Yes, sir.

Mr. SANBORN. How long have you been one of the chiefs here?

Mr. DOOLITTLE. I would like to have an interpreter.

The CHAIRMAN. Very well.

(At this point Mr. William Obern acted as interpreter.)

Mr. SANBORN. How long have you been one of the chiefs here?

Mr. DOOLITTLE. Seven years.

Mr. SANBORN. How did you come to be chief?

Mr. DOOLITTLE. I was chosen by the band by reason of my father.

(The witness here handed Mr. Sanborn a paper.)

Mr. SANBORN. That is the certificate of your father as chief, is it?

Mr. DOOLITTLE. Yes, sir; it is by reason of my uncle having been a chief.

Mr. SANBORN. How long have you been with the Bad River Band?

Mr. DOOLITTLE. I was born here in Odanah.

Mr. SANBORN. About how old are you?

Mr. DOOLITTLE. Fifty-five years of age.

Mr. SANBORN. Do you know the St. Croix Indians?

Mr. DOOLITTLE. I do not know them.

Mr. SANBORN. Do you remember when they came up here to draw their rations and get their pay?

Mr. DOOLITTLE. I do know those who came.

Mr. SANBORN. When was the last payment made here?

Mr. DOOLITTLE. In 1880, I think, or in 1887; I think it was 1887, but I would not say for a certainty.

Mr. SANBORN. Look at that [handing witness a paper], and see if that is not part of the last roll that was ever made up here?

Mr. DOOLITTLE. Yes, sir; this is the last.

Mr. SANBORN. I would like to have that appear in the record. That appears, on its face, to be 1874. That would be the twenty years provided by the treaty.

The CHAIRMAN. You do not want the roll to be made part of the record?

Mr. SANBORN. No; simply to show how they made up their lists in making these rolls. So it would be 1874 instead of 1887?

Mr. DOOLITTLE. Yes, sir; it would be that from what I see there. It must be 1874.

(The paper referred to is as follows:)

To the honorable the COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.:

Your petitioners, the undersigned, would respectfully show that they are Chippewa Indians and members of the band for whom was set apart the La Pointe or Bad River Reservation in the State of Wisconsin. That they are informed that the honorable Commissioner of Indian Affairs has referred the rolls of membership of said La Pointe band submitted to the Department of the Interior December 1, 1904, to S. W. Campbell, United States Indian agent at the La Pointe Agency in the State of Wisconsin, to revise so as to include in the land allotment of our reservation Indians living southwest of here, known as the St. Croix Indians, and that in allotting lands at the present time and in the future the Indian Department does not intend to consult the Indians, but

depend upon the agent located here or sent out by the department; and further, that it is the intention of the said department to allot these lands to Chippewa Indians not members of the La Pointe band and not residing upon the Bad River Indian Reservation, to the exclusion of the minor children of the said La Pointe band, which we believe would be contrary to custom and law, and a disregard of our rights in the premises.

The Indian Department has always heretofore recognized the right of the council of each band to pass upon the right of each applicant to an allotment. The act of Congress of February 11, 1901, recognizes such right by providing "that with the consent of the Indians located on the Bad River Reservation the President may allot to each Indian," and removes the age limit as to all Indians residing on the reservation at that date. The act of Congress approved March 2, 1907, removes the age limit entirely. Both acts are for the benefit of the "Indians of the La Pointe or Bad River Reservation."

It has always been regarded as necessary that an applicant must settle, live, and reside to participate in the allotment on the said La Pointe or Bad River Reservation, under conditions prescribed in the treaty of September 30, 1854, and the acts of Congress above referred to, each of which we fully believe establishes a fact that settlement and residence is actually necessary before an applicant shall be admitted to enrollment with said band.

Your petitioners therefore would most respectfully further show that the said St. Croix Indians have never established settlement on the Bad River Reservation, nor have they ever been admitted by the said La Pointe band to enrollment therewith, and should the said St. Croix Indians be Chippewas of Lake Superior they would be a part of those bands for whom was established the existing reservations in the vicinity of where they live, and for which the treaty of September 30, 1854, provides as follows: "Third. For the other Wisconsin bands a tract of land lying about Lac De Flambeau and another tract on Lac Court Oreilles, each equal in extent to three townships, the boundaries of which shall be hereafter agreed upon or fixed under the direction of the President."

Your petitioners as in duty bound petition and pray that the plan of including said St. Croix Indians as members of our band in revising our rolls to the exclusion of our minor children be rescinded, and the rights of our band, through its representatives, to pass upon each application for enrollment therewith be recognized.

Respectfully, yours,

Name.	Witness to mark.
James Doolittle	
Moses White	
George Messenger (his x mark)	S. F. Denomie.
Alex Carpenter (his x mark)	Do.
Joe La Pointe (his x mark)	Do.
Wm. Neveaux	
John Stoddard (his x mark)	Do.
Sam D. Denomie	
Jules Rabedeaux (his x mark)	Do.
William Denomie	
Frank Chosa	
Augus Rabedeaux (his x mark)	Do.
John Mayotte	
John Roundwind, sr. (his x mark)	Do.
Frank La Furnier (his x mark)	Do.
William Knight (his x mark)	Do.
Mike De Fault (his x mark)	Do.
Chas. Manypenny	
Antion Jaco (his x mark)	Do.
Henry Twobirds	
Joe Rain (his x mark)	Do.
Joe Roy (his x mark)	Do.
Henry Denomie	
Wa si gi shuk (his x mark)	Do.

Name.	Witness to mark.
Te ta k mast (his x mark)	S. F. Denomie.
Antoine Perrow (his x mark)	Do.
Ogabethiowan (his x mark)	Do.
John Drier	
Charley Goslin (his x mark)	Do.
William Symour (his x mark)	Do.
Joe Whitebird (his x mark)	Do.
James La Flumia	
Henry Coudecon	
Henry Cloud (his x mark)	Do.
Joseph Vasseur	
Frank Semmon (his x mark)	Do.
W. Obern	
John Morrison	
David Blackbird (his x mark)	Do.
Sam F. Denomie	
Frank Gishkak	
Antone Nepobe Nessi	
Maggie J. Diver	
Angelina Maduayosh	
Joseph Diver	
Jwikabono Que (her x mark)	John Morrison.
John Marksman	
Joseph Denomie	
Elizabeth Denomie	
Nancy Rabideaux (her x mark)	Do.
Susan Rabideaux	
Mrs. Charlotte Chasa	
Mrs. Margaret Lapointe (her x mark)	Do.
Sophia La Pointe	
Joseph Stoddard	
Eliza Morrison	
Mrs. Eunice Suo	
Charles Morrison	
J. A. Neveaux, sr	
Mrs. Si-si-ma-ga (her x mark)	Do.
George Morrison	
Omerkanmi Zishigakowe (her x mark)	Do.
Helen Connors	
Louis Mayotte	
Katie Mayotte	
Nancy Couture	
Mary Houle	
Charlotte Aluh	
Paul Busette	
Bennie Morrisson	
Frank B. Murray	
Frank E. Bresette	
Sarah V. Bresette	
Alfred La Pointe	
Emily L. Bresette	
David Green	
Peter Houle	
Mary Messugar (her x mark)	S. F. Denomie.
Auglick White Bird (his x mark)	Do.
Mrs. Katie Lafernier	
Louis Reil	
Edward Gordon	
Jon. La Rock	
Antoine Stair	
Edward Dennis	
John Sky	
Chas. Hand (his x mark)	

Name.	Witness to mark.
Makadekonie (his x mark)	S. F. Denomie.
Joe Beason (his x mark)	Do.
Susan Beason (her x mark)	Do.
Antoine Goslin (his x mark)	Do.
Joe Frenchman (his x mark)	Do.
Rosie Scott	
Mary Batties (her x mark)	Rosie Scott.
Ogemackins Jaco (her x mark)	S. F. Denomie.
George Blaker (his x mark)	Do.
Mary Blaker (her x mark)	Do.
Gus Frost (his x mark)	Do.
Susan Jacko	
Chingwasinekewe (his x mark)	Sam F. Denomie.
Sophia Jaco (her x mark)	Do.
Joe Chingway	
Thomas Condicon (his x mark)	S. F. Denomie.
Joe Bigboy	
James White, jr	
John Pennock	
Jacob Shaw	
Joseph La Pointe, jr	
Henry Holliday	
Rose Holliday	
Ambrose Rabedeaux (his x mark)	Do.
Antoine Goslin, jr	
Charles R. Haskins	
Lizzie Cloud	
Maggie J. Cloud Denomie (her x mark)	Do.
Maggie Wilson	
Josephine Perd	
John Forcia	
Julia Doherty	
Mollie Doherty	
Edwin Green (his x mark)	Do.
Angline Pond (her x mark)	Sam F. Denomie.
William Pond (his x mark)	Do.
Mary Bresette	
Hattie Cloud (her x mark)	S. F. Denomie.
Hanna Green (her x mark)	Do.
Geo. La Fernier	
Rosa La Fernier	
Lizzie Bresette	
Frank Bresette No. 2	
Louis Belonger	
Katie Denomie	
Mary Stoddard	
Edd Day	
Wm. Webster	
John Crow (his x mark)	Sam F. Denomie.
George Maygabaw	
John F. Cloud	
John Frenchman	
Sa ba di se sh (his x mark)	John Frenchman.
Willie Roy	
Sophia M. Roy (her x mark)	S. F. Denomie.
Alx Newagor	
Nee co go no ken frost chu (her x mark)	Alex. Newagor.
Julia Cloud Frost (her x mark)	S. F. Denomie.
Josette Frost (her x mark)	Sophie Frost.
Frank Frost (his x mark)	Do.
Catherine Frost (her x mark)	Do.
Frances Frost (her x mark)	Do.
Sophie Frost	

Name.	Witness to mark.
Mary Bongo	
Mike Couture	
Margarette Couture (her x mark)	Mike Couture.
Virginia Couture	
Catherine Reson	
Chas. Bamesa, sr. (his x mark)	Maggie Bamesa.
Emily Bamesa (her x mark)	Do.
Maggie Bamesa	
Duffy Bamesa	
Charlotte Deloney (her x mark)	Sam F. Denomie.
Ellen Deloney (her x mark)	Do.
Katie Crow Deloney	
Algline Crow (her x mark)	S. F. Denomie.
Susie Crow	
Joe Wilson (his x mark)	Do.
Frank Scott (his x mark)	Do.
Walter Scott (his x mark)	Do.
Ed Wesley	
Githie ikwe (her x mark)	Do.
Niganibenezikwe (her x mark)	Do.
Joseph Current	
Tracy Currant (her x mark)	Do.
Charlotte Lemieux	
Martha Symour (her x mark)	Do.
Wm. Couture	
Aequabaequa (her x mark)	Wm. Couture.
Louisa Roundwind (her x mark)	Sam F. Denomie.
Adam Scott, jr	
Charlotte Neveaux	
Peter Manypenny	
Medweiosh Scott	
James Jacko	
Dominic Roundwind	
Clara Roundwind	
James Bongo	
Charlotte Bongo	
Nick Decoteau	
Mary N. Decoteau	Nick Decoteau.
Goo Miller	
Mary S. Miller (her x mark)	Goo Miller.
Mary C. Miller (her x mark)	Maggie Wawke chon.
Maggie Wawke chon	
James Miller	
Kate Poupart	
Sophia M. Auge	
Dan Morrison	
Autom Charitte	
John S. Bresette	
John J. Doherty	
Mike Auge	
John Neveaux	
Frank Connors	
Joe Connors, jr	
Frank Gordon	
John A. Stoddard	
Tam Dennis	
Wm. Goslin	
Frank S. Doolittle	
Antoine Smart	
Frank James	
John Shelidyase (his x mark)	James La Frenis.
Chichims Slozark (her x mark)	Do.
Geo. Martin	

Name.	Witness to mark.
Geo. Smart	James La Frenia.
Mary Nutwash (her x mark)	Do.
Josephine Bressette	
Sarah Baker	
Angeline Shurlow	
Julia Bede	
Chas Cameron	
Fred Cameron	
Emma Cameron	
Maggie Cameron	
Miss Emily Cameron	
T. C. Thomas	
E. B. Thomas	
Sarah White	
Mrs. Mary White	
Wm. Lapoint	
Nabaog	
Lucy Connors	
Elizabeth Connors	
James Connors	
Gwe Kiglshig	
Nancy Scott	
Joseph Smart	
Rosa Smart	
Sophia Smart	
Mary Rabidoux	
Peter Goslin	
Maggie Connors	
John Rabideaux (his x mark)	Do.
Josephine Rabideaux	
Frank Bressette	
Maggie Blackbird	
Maggie G. Smart	
Wedese (her x mark)	Do.
Jane Moose	
Alex Nuscagor	
Weeko Martin	
Geo. B. Martin	
Horace Greely	
George Halean	
Joseph A. Cloud	
Lizzie C. Starr	
Ed. Wiggins	
Tensie Shebushing	
Mary James	
Mike La Fernia	
Mary C. Stand	
Eliza Stand (her x mark)	Do.
Maggie Manypenny	
Manda Martin	
Mrs. Mary Connors (her x mark)	Do.
Mary Caram (her x mark)	Do.
Bodane Carette (her x mark)	Do.
Theresa Rabideaux	
Margaret N. Rabideaux	
Charlotte Corbine	
Katie Doherty	
Delia Lafernier	
Lucy Sky	
Charley Kekek	
Mike James	
Pashabanokwe James (her x mark)	Mike La Fernia.
Annie Chingway	

Name.	Witness to mark.
Ed Crow	
Sophin Denomie	
Samuel Denomie, sr	
Thomas Denomie	
George Starr	
Catherine Starr	Antonei G. Starr.
Angus Frost (his x mark)	S. F. Denomie.
Mary Kerbeck (her x mark)	Do.
Philomen Kebec	
A. Dennis	
Stella Dennis	
Sophia Dennis (her x mark)	Stella Dennis.
Julia Day (her x mark)	S. F. Denomie.
Dan Cameron, jr	
John Day (his x mark)	Do.
Wemitigosheikwe (his x mark)	Do.
J. L. Bird	
Robert Morrin, sr	
Wm. Morrin, jr	
Mike Morrin	
Robert Morrin, jr	
Julia Morrin (her x mark)	Kate Deragon.
Kate Deragon	
Deneus Deragon	
Mary Fay	
Frank Deragon	
Maggie Deragon	
Flavia Dennis (her x mark)	Frank Deragon.
John Roy	
Teresa Roy (her x mark)	John Roy.
Maggie Goslin (her x mark)	Do.
Josphin Rashinay (her x mark)	Do.
Samuel Roy (his x mark)	Do.
Peter Gordon	
Ant. Gordon	
Ezkle Gordon	
Henry Demis	
Joe G. Gordon	
Eli Gordon (his x mark)	Robert Morrin.
Jos. Gordon (his x mark)	Ant. Gordon.
Mrs. Mary Gordon (her x mark)	Do.
Frank Lamoreaux	
Lizzie Lamoreaux	
Elie Lamoreaux (his x mark)	Lizzie Lamoreux.
Joe Lamoreax, jr (his x mark)	Do.
George Gordon	
Albert Gordon	
Julia Gordon	
Antron Souliar (his x mark)	Robert Morrin, sr.
Anglick Souliar (her x mark)	Do.
Ira Butterfield	Phebe Gordon.
Agatha Chingway	Willie X. Endotte.
Mike Butterfield	
Charley Butterfield	
Maggie Butterfield	
Kate Morrow	
Mike Neveaux (his x mark)	Margarete Neveaux.
Margarete Neveaux	
Angie Diener	
Alex Butterfield	
Annia Butterfield	
Francis Butterfield	
Stephen Butterfield	

Name.	Witness to mark.
A. J. Vandeventer	
Joseph J. Vandeventer	
Albert Vandeventer	
Ben Vandeventer (his x mark)	
Lewis Vandeventer (his x mark)	
Frank Vandeventer (his x mark)	
Mike Vandeventer (his x mark)	
Michael Deragon	
Maggie Deragon	
Frank Belanger	
Elizabeth Belanger	
Margaret Moreaux (her x mark)	James Moreaux.
George Lemieux	
James Moreaux	
Francis Moreaux	
John Gordon	
Louis Gordon	
Mary Morrin (her x mark)	Robert Morrin.
Angeline Butterfield	
Cecilia Chingway (her x mark)	Angeline Artiechoe.
Angelique Chingway (her x mark)	Cecelia M. Chingway.
Cecelia M. Chingway	
Mike A. Chingway (his x mark)	Do.
Marguerite Gordon (her x mark)	Miss Charlotte Gordon.
Angelica Gordon (her x mark)	Do.
Miss Charlotte Gordon	
John B. Gordon, sr.	
Miss Mary Gordon	
Mary Hall	
Lew Neveaux (his x mark)	Robert Morrin, sr.
Francis Gordon	
Francis Richards	
Alex. D. Richards	
Paul M. Richards	
Mike Richards	
Philias Richards	
Albert Richards	
Kate Richards (her x mark)	Francis Richards.
Freda Katherine Richards	
John Aken (his x mark)	Miss Martha Aken.
Henry Aken (his x mark)	Do.
Alex Aken (his x mark)	Do.
Miss Martha Aken	Do.
Peter Soulier (his x mark)	
Virginia Soulier	Virginia Soulier.
Deffory Berretto	
Mary Bressette	
Maggie Lamoreaux	
Maggie Williams	
Louisa Morrin	
Pauline Defoe (her x mark)	Louisa Morrin.
Ozhiba (her x mark)	
Edd Bressette	
Lizzie Bressette	
Mike Morreaux, sr.	
Angelic Morreaux (her x mark)	Mike Morreaux, sr.
Mike Morreaux, jr. (his x mark)	Do.
John Morreaux (his x mark)	Do.
Louis Morreaux (his x mark)	Do.
Joe Bemesay (his x mark)	Delia J. Bemesay.
Margaret Bemesay (her x mark)	Do.
Gust Bemesay (his x mark)	Do.

Name.	Witness to mark.
Delia J. Bemessy (her x mark)	Delia J. Bemesay.
Charlotte Vandervanter (her x mark)	Do.
Burk Vandervanter (his x mark)	Do.
Delia Cloud	
Catune Soulier (her x mark)	Robert Morrin.
Jo Soulier (his x mark)	Do.
Mike Soulier (his x mark)	Do.
Jo Lamorie, sr. (his x mark)	Do.
Frank Butterfield (his x mark)	Do.
Mary Morrow	
Robert Couture	
Carrie Couture	Annie Couture.
Lizzie Gokee	Do.
Thomas Reil	
Bin-di-ge-thic-wa-noekwe (his x mark)	S. F. Denomie.
Wm. Bendry (his x mark)	Do.
Negawatchikwe	
Flora R. Murphy	
Jennie Jackson	
Sabadis Cloud Wawabugho	
Andoine Guyette (his x mark)	Mary Guyette.
Mary Guyette	
Joe Halfaday	
Lizette Halfaday	
Frank Cadotte (his x mark)	Lizzie Cadotte.
Lizzie Cadotte	
Goggog (his x mark)	S. F. Denomie.
Antoine Starr, sr. (his x mark)	Do.
Frank Blatchford	
Chas. D. Armstrong	

Mr. SANBORN. Do you remember those Indians coming up here after that and wanting something in connection with the lands, or for any other purpose?

Mr. DOOLITTLE. Yes, sir; in the past five years there were ten or so that came up here and asked for land, and they promised to come here and reside and live with us, but I have not seen them here since.

Mr. SANBORN. Do you remember their ever coming here before that, some eight or nine years ago, to see the chiefs about entering land outside of the reservation?

Mr. DOOLITTLE. Yes, sir; I do.

Mr. SANBORN. Tell the committee just what that was, and what they wanted, and what was done.

Mr. DOOLITTLE. There were three bands who came here and they had 73 or 74 names of other Indians that they wished to sever from the band, or do something so as to be able to take land outside of the reservation. That is all I know with reference to those Indians coming here at that time, and that is why I say we could not give them any land, because they had severed their tribal relations and had made no effort to settle here on this reservation. They might have got land if they came here.

Mr. SANBORN. Did they ever take part in anything on this reservation, in council meetings or business meetings or anything else?

Mr. DOOLITTLE. No, sir.

Mr. SANBORN. Were you at the council meeting when that act of February 11, 1901, was presented?

Mr. DOOLITTLE. Yes, sir.

Mr. SANBORN (to the interpreter, Mr. OBERN). I wish you would read Mr. Doolittle that act and ask him if he remembers when that was presented to the council here.

(The interpreter interpreted the act of the Fifty-sixth Congress, second session.)

Mr. DOOLITTLE. Yes, sir; I know of this. I know one of the parties that was active in getting this legislation.

Mr. SANBORN. Was that bill presented to the council and ratified by vote of the council?

Mr. DOOLITTLE. The council house was as crowded as this place is at the present time when the bill was presented, and they adopted it and accepted it, and our chiefs that were at Washington at the time said that it was good, and recommended that it be accepted.

Mr. SANBORN. State to the committee what you understood the rights that you have under that law, if any.

Mr. DOOLITTLE. I understand by this act that I am entitled to get my wife an allotment, or my minor children. There was one word in this act that I did not understand, and by reason of that I went with A. W. Tompkins to Washington, D. C.

Mr. SANBORN. What word is that?

Mr. DOOLITTLE. The word "now."

Mr. SANBORN. To whom could you give allotments under that act that you could not give allotments to before as you understood it; that is, what other people could get allotments under that act of 1901 who could not get them under the treaty?

Mr. DOOLITTLE. Those that are born and residing here.

Mr. SANBORN. Those that were born after the treaty, do you mean?

Mr. DOOLITTLE. Yes, sir.

Mr. SANBORN. You were down at Shell Lake, were you?

Mr. DOOLITTLE. Yes, sir.

Mr. SANBORN. Lone Star testified down there that his grandfather was given land May 11, 1867, and I have written his name down there, Mr. Interpreter; I do not know whether you can make him understand it or not. I want to know whether he (James Doolittle) knows who that is.

Mr. DOOLITTLE. I do; I knew him when he was alive.

Mr. SANBORN. Who was it?

Mr. DOOLITTLE. He was a full-blood Indian.

Mr. SANBORN. Where did he live?

Mr. DOOLITTLE. About 1 mile west of the mouth of the Kakagon.

Mr. SANBORN. That is on this reservation?

Mr. DOOLITTLE. Yes, sir; along the shore.

Mr. SANBORN. Is there anything else that you desire to state?

Mr. DOOLITTLE. This was the only Indian I know of who told the truth about coming here to make a residence here with us. Those Indians that I have seen at Shell Lake I do not know. I am not acquainted with them. I do not know them any more than to say that they are Indians. I know that they are Indians.

(The witness was thereupon excused.)

STATEMENT OF JOE BIG BOY.

JOE BIG BOY, having been first duly sworn, testified as follows:

The CHAIRMAN. Your name is Joe Big Boy?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. You have an allotment, have you?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. Has your wife an allotment?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. What is her name?

JOE BIG BOY. Mary Jane Big Boy.

The CHAIRMAN. Is she on here as Mary J. S. Big Boy?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. That is your wife, Mary J. S. Big Boy?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. She is an Indian, is she?

JOE BIG BOY. Yes, sir; a half breed.

The CHAIRMAN. She belongs to this tribe here?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. How long has she lived here?

JOE BIG BOY. Thirteen years; something like that.

The CHAIRMAN. How did she get her selection, her minutes for her land?

JOE BIG BOY. I do not understand your question.

The CHAIRMAN. I want to know if you found her land for her?

JOE BIG BOY. No, sir; I did not.

The CHAIRMAN. Who did find it for her?

JOE BIG BOY. The farmer, Patterson, gave it to me.

The CHAIRMAN. He gave you the minutes?

JOE BIG BOY. Yes, sir.

The CHAIRMAN. And were they entered on the minutes here?

JOE BIG BOY. They were entered on the books at the farmer's office.

The CHAIRMAN. You can answer me when you understand me, and when you do not you can ask the interpreter. Do you know about how long before the Downs list was made up it was that you got the minutes for her?

JOE BIG BOY. I could not say.

(The witness was thereupon excused.)

STATEMENT OF EDWARD BACHAND.

EDWARD BACHAND, having been first duly sworn, testified as follows:

Mr. SANBORN. Where do you live?

Mr. BACHAND. At Odanah.

Mr. SANBORN. How long have you lived here?

Mr. BACHAND. Seven years here.

Mr. SANBORN. What do you do?

Mr. BACHAND. I am clerking for A. S. Stearns Lumber Company.

Mr. SANBORN. You have a wife and family, have you?

Mr. BACHAND. Yes, sir; I have.

Mr. SANBORN. You are part Indian, are you not?

Mr. BACHAND. Yes, sir.

Mr. SANBORN. How much?

Mr. BACHAND. About quarter Indian.

Mr. SANBORN. Is your family one of the Indian families of this tribe or band?

Mr. BACHAND. Yes, sir.

Mr. SANBORN. You have an allotment?

Mr. BACHAND. Yes, sir; I have.

Mr. SANBORN. I wish you would state to the committee how you got your allotment, that is, how you got your minutes, and everything about it. Yours was not on the Downs list?

Mr. BACHAND. No, sir; I never went in for an allotment here.

Mr. SANBORN. Was your wife a member of this tribe?

Mr. BACHAND. Yes, sir.

Mr. SANBORN. Has she ever had an allotment?

Mr. BACHAND. No, sir.

Mr. SANBORN. She is on this list now?

Mr. BACHAND. Yes, sir; she is on this list.

Mr. SANBORN. And you have two children on this list, a girl and a boy?

Mr. BACHAND. Yes, sir.

Mr. SANBORN. Dayton Bachand and Mary Bachand?

Mr. BACHAND. Yes, sir.

Mr. SANBORN. Tell the committee how you got the minutes for those selections?

Mr. BACHAND. For my wife's first selection I got the minutes from Joseph Stoddard, at the time Mr. Downs had it opened to be filed. It came to my turn when the minutes of the one 40 was taken, so I filed on that one and got the minutes off the map for the other one.

Mr. SANBORN. Did you pay anything for the minutes for this one?

Mr. BACHAND. I had paid, yes, sir, Joe Stoddard.

Mr. SANBORN. Did he go out and look them up for you, as you understood?

Mr. BACHAND. As I understood.

Mr. SANBORN. How much did you pay him for this?

Mr. BACHAND. I paid him $5 down, and was to pay him more when she got the money.

Mr. SANBORN. How much more?

Mr. BACHAND. I really did not make any arrangement with him for any stated sum.

Mr. SANBORN. When you got these minutes, were they turned into the government farmer and put on the book, or how did you make your entry?

Mr. BACHAND. I gave them to the farmer and he put them on the book.

Mr. HOLCOMBE. Has your wife's allotment been cut?

Mr. BACHAND. No, sir.

Mr. HOLCOMBE. How much timber is there on it?

Mr. BACHAND. I could not say, on account of one of the forties.

Mr. HOLCOMBE. The 40 that was paid for to Stoddard?

Mr. BACHAND. It was estimated, I think, at 800,000 on the 80. As to just the single 40, I do not know.

Mr. SANBORN. You have the numbers of the selections in your pocket, have you not?

Mr. BACHAND. I think I have [producing a paper].

Mr. SANBORN. I think they are correct on this list.

Mr. HOLCOMBE. Is your wife a full blood?

Mr. BACHAND. She is about a three-quarter blood.

The witness was thereupon excused.

Mr. SANBORN. Mr. Chairman, there are a lot of these people who will testify as to their allotments and how they got them. I do not know how much of it would be corroborating testimony.

The CHAIRMAN. I do not see the necessity for any more evidence along that line.

Senator LA FOLLETTE. Nor do I.

The CHAIRMAN. It is very apparent that the Allen list differed from the Downs list in the efforts to adjust more allotments to the same amount of land, and also, as I understand, to attempt to equalize that in a measure. Is that not the case?

Mr. SANBORN. Yes, sir; that is what they are trying to do.

The CHAIRMAN. You can file a statement showing the differences that were made in the two lists. Unless the committee feels that they desire more evidence, I do not think we care to hear anything more on that point.

Mr. SANBORN. Very well.

STATEMENT OF SARAH HOLLIDAY.

SARAH HOLLIDAY, having been first duly sworn, testified as follows:

Mr. SANBORN. Where do you live?

Mrs. HOLLIDAY. At Odanah.

Mr. SANBORN. How long have you lived here?

Mrs. HOLLIDAY. Seven years.

Mr. SANBORN. You are a member of this tribe here?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. You are a part Indian, are you not?

Mrs. HOLLIDAY. I am.

Mr. SANBORN. About what part?

Mrs. HOLLIDAY. I am a full-blood.

Mr. SANBORN. Are you married?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. Where did you live before that?

Mrs. HOLLIDAY. At l'Anse, Mich.

Mr. SANBORN. Were your family members of this tribe, your father and mother?

Mrs. HOLLIDAY. My grandfather was.

Mr. SANBORN. He was a member of this band?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. Were you born at l'Anse?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. Did you move away from here to l'Anse, or was it your father?

Mrs. HOLLIDAY. It was my grandfather.

Mr. SANBORN. Your grandfather moved over there?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. But you came back here about seven years ago?

Mrs. HOLLIDAY. Yes, sir; for the first time in 1900. I came back here and I was recognized by the band then, in 1900.

Mr. SANBORN. You have lived here ever since?

Mrs. HOLLIDAY. Yes, sir. Circumstances allowed me to come up, and I moved up then.

Mr. SANBORN. Is your husband a member of this band?

Mrs. HOLLIDAY. No, sir.

Mr. SANBORN. Does he live here?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. How long has he lived here?

Mrs. HOLLIDAY. Seven years.

Mr. SANBORN. Did he have an allotment here?

Mrs. HOLLIDAY. No, sir.

Mr. SANBORN. Did he ever have one?

Mrs. HOLLIDAY. He had one at L'Anse.

Mr. SANBORN. Did you have one at L'Anse?

Mrs. HOLLIDAY. No, sir.

Mr. SANBORN. Did you make a selection of some land here?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. How long ago did you make your selection?

Mrs. HOLLIDAY. In 1905.

Mr. SANBORN. How did you get your selection?

Mrs. HOLLIDAY. Through Henry Armstrong.

Mr. SANBORN. Did he look them up for you?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. Did you pay him for that?

Mrs. HOLLIDAY. No, sir.

Mr. SANBORN. How did he come to do it for you?

Mrs. HOLLIDAY. At the time when I made my contract, when I sawed my timber up, I agreed to pay him for it then, for locating it.

Mr. SANBORN. How much did you agree to pay him?

Mrs. HOLLIDAY. I have not the contract which I made with him.

Mr. SANBORN. Do you not know how much it was?

Mrs. HOLLIDAY. I can not remember just now.

Mr. SANBORN. When you got those minutes what did you do with them—that is, the descriptions; did you give them to the government farmer, or did he give them to him?

Mrs. HOLLIDAY. He just filed those for me and I got my receipt with me.

Mr. SANBORN. Have you got your receipt now?

Mrs. HOLLIDAY. Yes, sir.

Mr. SANBORN. Please let me see it.

The witness here produced paper.

Mr. SANBORN. The receipt is as follows:

OBANAH, WIS., *November 7, 1905.*

Received of Henry C. Armstrong the following descriptions of land, upon which he has this day filed in favor of Sarah Holliday, to wit: The northeast of the northeast of the northwest of the northeast, section 18, township 46, range 2 west.

WILLIAM J. EGBERT,
Government Farmer.

The CHAIRMAN. This paper may be inserted in the record at this point:

I, William Owen, one of the chiefs of the L'Anse and Vieux de Sert band of Chippewa Indians, do hereby certify that I am personally acquainted with Ella I. Lucas, Elmer J. Pennock, Mamie De Planta, Bessie Wilde, Henry E. Holliday, Sarah Holliday, Julia Bashand, Mary Lightfoot, and Peter W. Light-

foot: that these people are Chippewa Indians of Lake Superior, and formerly resided at L'Anse; that their homes have been permanently at Odanah, Wis., for many years; that each of said persons is over twenty-one years of age, and is entitled to an allotment of 80 acres of land pursuant to the terms of the treaty of 1854; that none of these persons ever had an allotment on the L'Anse and Vieux de Sert Reservation, nor have they now an opportunity to secure land here, this reservation being entirely allotted.

WILLIAM OWEN.

L'ANSE, MICH., *Mar. 4, 1904.*

I do hereby certify that an examination of the records in my office do not show any land in any of the above-named persons.

DOUGLAS MCINTYRE,
Special Dis. Agent.

(The witness was thereupon excused.)

STATEMENT OF SAMUEL W. CAMPBELL.

SAMUEL W. CAMPBELL, having been recalled, testified as follows:

The CHAIRMAN. You heard the testimony of Charles Armstrong, did you?

Mr. CAMPBELL. Yes.

The CHAIRMAN. In which he stated that you appeared before the council or committee and told them that if any names were put on the list without descriptions that they would not get any land, or something to that effect. Will you state what occurred at that time, and your reasons for it.

Mr. CAMPBELL. I can not remember it distinctly now. I presume it might be so, what he testified to there, that they had to give the description of the land or there could not be any allotment given to them; that I could not go into the woods and select their allotments for them. They had to select their own allotments. I can not remember distinctly about the transaction.

The CHAIRMAN. Was this with reference to the incident that he testified you said that they should put these descriptions upon this list they were making?

Mr. CAMPBELL. They had to give the descriptions for me to put on the list. They had to get the land that they wanted for their allotments before I could send it to Washington.

The CHAIRMAN. That is true, but the testimony here is, and I think that is the custom amongst Indians generally, where they pass on an enrollment, they simply make the roll, and then each one attends to his own selection. His statement would seem to indicate that the council were required by you at that time to file these selections—extend the descriptions.

Mr. CAMPBELL. I never did it before. They never presented any roll before that to me. The other rolls made all had descriptions on the roll.

The CHAIRMAN. As made by the council?

Mr. CAMPBELL. Made by the individuals.

The CHAIRMAN. He testifies that they were working on this roll and that you directed them——

Mr. CAMPBELL. That was the Downs roll, was it?

The CHAIRMAN. It was what was the inception of the Downs roll. It was before he came, but what finally developed into the Downs roll.

Mr. CAMPBELL. The first list made out, 12 committeemen made it. When they had that complete they sent for me, and that was adopted by the council and read, name by name, and the description and the allotment was on that list when I read it. In reference to the Downs roll, I can not remember that I ever was before the council in regard to the Downs roll—I can't remember it. I may have been, but I don't remember it. I remember the first roll distinctly, because I read that out in open council.

The CHAIRMAN. The question is whether it is your custom or have you ever required the council or the committee to make selections for individuals?

Mr. CAMPBELL. No, sir. I could not send the names in. I may have informed an Indian that I could not send his name to Washington on the list if it had no description of land.

Mr. SANBORN. And you may have stated that in open council?

Mr. CAMPBELL. I should not wonder. If my attention was called to it, I answered it in that way.

STATEMENT OF WILLIAM DENOMIE.

WILLIAM DENOMIE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. SANBORN. Where do you live?

Mr. DENOMIE. Here at Odanah.

Mr. SANBORN. How long have you lived here?

Mr. DENOMIE. Off and on, about fourteen or fifteen years. Three years steadily—the last three years.

Mr. SANBORN. Where were you born?

Mr. DENOMIE. Born in Michigan.

Mr. SANBORN. And you came here first about how long ago?

Mr. DENOMIE. Thirteen or fourteen—about fifteen years.

Mr. SANBORN. From L'Anse?

Mr. DENOMIE. No, sir; from Ashland, Wis.

Mr. SANBORN. What part of Michigan did you come from?

Mr. DENOMIE. Marquette.

Mr. SANBORN. Did your father come here with you at that time?

Mr. DENOMIE. He moved to La Pointe from Marquette. From there to Ashland and then here.

Mr. SANBORN. You are a graduate of Cornell?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. After graduating you taught?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. Where?

Mr. DENOMIE. At Lac Court d'Oreilles and Fond du Lac.

Mr. SANBORN. How long at Lac Court d'Oreilles?

Mr. DENOMIE. Five and a half or six years.

Mr. SANBORN. How long in Fond du Lac?

Mr. DENOMIE. About two years and a half. Eight years all together.

Mr. SANBORN. What are you doing now?

Mr. DENOMIE. At the present I am conducting a small confectionery store and a pool and billiard hall.

Mr. SANBORN. Here in Odanah?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. Have you any children on this list?

Mr. DENOMIE. I have two.

Mr. SANBORN. How did you get their selections?

Mr. DENOMIE. I went to the farmer and asked for a list of all vacant lands that were left on the reservation. He referred me to the plat book, and I took a list of some of the lands and took that list, and my father, who is a cruiser, an experienced land looker, and requested him to look over that. First went over the list and referred to this plat book for the purpose of finding out where the timber, if there was any on this vacant land, was. Then I requested him to go out and look at some of it. Some time afterwards I asked him if he had found any timber, and he gave me the selections on which he found some timber and those I filed in the farmer's office.

Mr. SANBORN. About when did you file those?

Mr. DENOMIE. In May, 1903.

Mr. SANBORN. Your father's name was what?

Mr. DENOMIE. Samuel Denomie, sr.

Mr. SANBORN. He had lived here quite awhile, right along?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. Did you go to Carlyle from here?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. And from Carlyle went to these places to teach?

Mr. DENOMIE. I came back here and stayed here about eight months, and was appointed to service from here.

Mr. SANBORN. You were in the government employ at Lac Court d'Oreilles and also at Fon du Lac?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. You married while you were at Lac Court d'Oreilles, didn't you?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. And you married a member of that band there?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. And came back here?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. Now, state whether you made a selection for your wife.

Mr. DENOMIE. In 1904, March of that year, when I learned that the committee was in session here for the purpose of passing on applications for allotments, I appeared before the committee and made an application for my wife and two children, which applications were granted by the unanimous vote of the committee of twelve.

Mr. SANBORN. On what grounds did you ask for your wife, who belonged at Lac Court d'Oreilles?

Mr. DENOMIE. On the ground that she was a Chippewa Indian, a Lake Superior Chippewa Indian, and that having married me, a member of the band, and on account of the custom of the different bands of Lake Superior Chippewas, where a woman of one band marries a member of another band she marries into that band.

Mr. SANBORN. Becomes a member of that band?

Mr. DENOMIE. Yes, sir; and is recognized and acknowledged as a member.

Mr. SANBORN. What was the result of your application on her behalf?

Mr. DENOMIE. Her application was granted by the committee.

Mr. SANBORN. What happened after that?

Mr. DENOMIE. When the committee completed the schedule it was submitted, I understand, to Major Campbell, and her name was on the schedule when he came here and appeared during the summer and read that list over in open council, and no objections were made to our application at that time. I was present at that council. Later, when complaints were made against the schedule, and Downs—Major Downs—was sent here to make an investigation, I was informed that our application was objected to.

Mr. SANBORN. Do you know the reason which was given for objecting to it?

Mr. DENOMIE. I was informed later. I came here and was told that she was objected to on account of her being a member of the Lac Court d'Oreilles band, and that she did not belong here.

Mr. SANBORN. What occurred after that?

Mr. DENOMIE. I remember at the hearing that Major Downs gave these people that were objected to—he took the evidence—I remember I was asked to state on what grounds I based claim for her right to an allotment on the reservation, and the party objecting to her was asked to state on what grounds he objected to her right to an allotment on the reservation. That, as I have said before, I claim that she had a right on account of marriage, and that the committee granted her application unanimously after I had stated to the committee that she had never had an allotment at Lac Court d'Oreilles or elsewhere. I then left here and shortly afterwards I was notified that she had been eliminated from the list on account of nonresidence.

Mr. SANBORN. On account of whose nonresidence?

Mr. DENOMIE. Hers.

Mr. SANBORN. Hers or yours, too?

Mr. DENOMIE. I don't know that there was any distinction made. I presume it was hers.

Mr. SANBORN. What was done finally?

Mr. DENOMIE. Well, I wrote to the commissioner and appealed her case to him, stating just what I had done in connection with our application up to that time, and stating the grounds on which I claimed that she had a right to an allotment here, and I stated further that if her application was rejected on the ground of nonresidence that ought not to be held against her, because I was in the service at the time that the law of 1901 was enacted and consequently could not be living here on the reservation, and we ought not to lose our residence on that account.

Mr. SANBORN. Because you were in the United States service at these places you should not lose your residence here for that reason?

Mr. DENOMIE. Yes, sir.

Mr. SANBORN. And what was the decision of the commissioner on that?

Mr. DENOMIE. The commissioner wrote back—I wrote directly to the commissioner and the commissioner's answer came from Major Campbell. Major Campbell referred his reply to me. The commissioner wanted to know as to the truthfulness of the statements I had made, and he wanted to know whether I really was in the service at that time—that is, 1901—and whether I had been appointed from this reservation, whether I had been allotted here, and whether it was true as to the marriage custom I had mentioned. I gathered that in-

formation, submitted it to Major Campbell, and the matter was forwarded to the commissioner. Shortly after a copy of a letter was sent to me by Major Campbell, a copy of the commissioner's letter to him, instructing him that from the information presented he thought that she was entitled to an allotment here, and he was instructed to accept her selection and to submit her name with the next schedule submitted.

Mr. SANBORN. And the result is that she is on the Allen list and not on the Downs list?

Mr. DENOMIE. Yes, sir; when she ought to have been on the Downs roll.

Senator LA FOLLETTE. On the Allen list she gets a reduced allotment?

Mr. DENOMIE. Yes, sir.

Senator LA FOLLETTE. And does not get the allotment that she would have had under her former selection?

Mr. DENOMIE. No, sir.

Senator LA FOLLETTE. Is that it?

Mr. DENOMIE. That is it.

Senator LA FOLLETTE. When her right to that selection was finally sustained by the commissioner?

Mr. DENOMIE. Yes, sir. I might say something further in connection with her selection. When I was informed that she was entitled to land and that her name was to be submitted with the next schedule submitted by the agent I wrote to the agent asking him if that meant that she could not get back on the Downs roll and he replied and stated that his understanding of the commissioner's letter was that he did not intend that she should go on the Downs roll, and I, of course, in that proceeding lost her original selection. I had to look up some other land.

Senator LA FOLLETTE. In the meantime, what had become of the land that she had first selected?

Mr. DENOMIE. When she was stricken from the list here, when Downs was here, she and the others who were taken from the list, the land that they had was thrown open.

Senator LA FOLLETTE. And taken by others?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Did you pick out the land that is on the Allen list now?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. They cut it down, I suppose—you said a minute ago they dropped her and you had to select another. What became of the one you selected for her the last time?

Mr. DENOMIE. I may explain further when I found that our original selection was lost or had been taken by another party—in the meantime these one hundred children, about one hundred children had been eliminated from the Downs roll on account of not having been born before the enactment of that law of 1901—at the same time I wrote to Major Campbell asking for the information I have just mentioned, I also asked him if he could accept filings on those children's selections that had been eliminated from the Downs roll, and he said that his instructions from the commissioner were that he could not receive filings. I then came up and selected two forties for their selections, the children that had been eliminated from the

list. One of those selections was of a minor who had died, and another 40 had been taken by a minor who had been eliminated but was alive and is alive to-day. Now, in the Allen allotment he gave her the 40 that was held by the filing of the child that had died, and took the other away and gave her a 40 without any timber on it.

Senator LA FOLLETTE. Who did that?

Mr. DENOMIE. Allen, the man that is responsible for the Allen roll.

Senator LA FOLLETTE. You have testified to complaints having been made against the roll which finally became the Downs roll. From whom did those complaints come, from a large number of persons?

Mr. DENOMIE. I could not say as to the number of complaints or what their nature was. I just understand——

Senator LA FOLLETTE. That has been referred to by other witnesses here, and it has not been explained.

Mr. SANBORN. These Indians don't know that. That would be in the department. They don't know who it was who complained.

Senator LA FOLLETTE. They didn't know or don't know upon what grounds the roll was attacked?

Mr. SANBORN. No.

Mr. HOLCOMBE. Weren't they advised by the department of what the grounds were?

Mr. SANBORN. No.

Mr. HOLCOMBE. You have three letters there that state the grounds.

Mr. SANBORN. That was after the Allen list. I mean on the Downs list they didn't know.

Mr. HOLCOMBE. Did you hear of any complaints?

Mr. DENOMIE. I heard of them, but I didn't know the nature of them.

Mr. HOLCOMBE. Do you know of anyone who did complain?

Mr. DENOMIE. No, sir.

Senator LA FOLLETTE. Did you know if those complaints came from Indians or from others, or do you know?

Mr. DENOMIE. I don't know.

Mr. HOLCOMBE. Do you know of anyone on the Allen list that got a better tract of land than he got on the Downs list?

Mr. DENOMIE. I am not familiar with the Allen selections. I never was able to find out just what that list was, how it was made—there never was a copy submitted to the people. In fact, I could not find out whether the children were on there or not.

Mr. HOLCOMBE. I am not speaking of children now; I mean old people.

Mr. DENOMIE. Yes.

Mr. SANBORN. The Indians have never had a copy of the Allen list. I was not able to get it and did not get it until just about the time this investigation was to be made. I tried to get it a good many times, but was unable to get a copy of the Allen list. They never had it here and consequently they have never been able to locate their lands on the Allen list.

This list which I have here contains the names of the Indians who were on both the Allen and the Downs lists, with a description of the land assigned to each Indian on both the Allen and the Downs lists opposite to his name.

The CHAIRMAN. Are the names which were on the Downs list and which were dropped off entirely in this list or in the Allen list?

Mr. SANBORN. No; there are no names on that list except such as are in both.

The CHAIRMAN. That may be put into the record.

Names.	Allen list.	Downs list.
John Akin	NE. ¼ SW. ¼ sec. 30; SE. ¼ NE. ¼ sec. 31, T. 48, R. 3.	S. ½ NW. ¼ sec. 31, T. 48, R. 3.
Mary Antoine	W. ½ NW. ¼ sec. 18, T. 47, R. 3	Lot 3, sec. 1, T. 47, R. 3; NW. ¼ NE. ¼ sec. 31, T. 48, R. 2.
Francis Auge	SW. ¼ NE. ¼ sec. 27; SE. ¼ NW. ¼ sec. 33, T. 47, R. 5.	NW. ¼ NE. ¼ sec. 36, T. 46, R. 4; SW. ¼ NE. ¼ sec. 27, T. 47, R. 3.
Dalon Bachand	Lots 2 and 3, sec. 27, T. 48, R. 2	Lot 2, sec. 27, T. 48, R. 2.
Georgiana Bachand	NE. ¼ NE. ¼ sec. 16; NE. ¼ NE. ¼ sec. 18, T. 46, R. 3.	SE. ¼ NE. ¼ sec. 8, T. 47, R. 3; NE. ¼ NE. ¼ sec. 16, T. 46, R. 3.
Mary Bachand	Lots 1 and SE. ¼ NE. ¼ sec. 5, T. 46, R. 3.	E. ½ NE. ¼ sec. 5, T. 46, R. 3.
Francis Baker	SW. ¼ SE. ¼ sec. 16; SE. ¼ SW. ¼ sec. 31, T. 48, R. 3.	N. ½ SE. ¼ sec. 31, T. 48, R. 3.
Bennie Beauregard	S. ½ SE. ¼ sec. 15, T. 46, R. 2	SW. ¼ NW. ¼ and SE. ¼ SE. ¼ sec. 15, T. 46, R. 2.
Bernard Beauregard	NE. ¼ SW. ¼ sec. 7; SE. ¼ SE. ¼ sec. 28, T. 46, R. 3.	N. ½ SW. ¼ sec. 22, T. 48, R. 3.
Maggie Beauregard	SW. ¼ SE. ¼ sec. 6; NW. ¼ SW. ¼ sec. 7, T. 47, R. 2.	SE. ¼ NW. ¼ sec. 25, T. 48, R. 4; NW. ¼ SW. ¼ sec. 7, T. 47, R. 2.
Mary Beauregard	SE. ¼ SE. ¼ sec. 10; NE. ¼ SE. ¼ sec. 29, T. 48, R. 3.	NE. ¼ SE. ¼ and lot 2, sec. 19, T. 48, R. 3.
William Beauregard	NE. ¼ NE. ¼ sec. 26; NW. ¼ NE. ¼ sec. 28, T. 46, R. 2.	N. ½ NW. ¼ sec. 24, T. 46, R. 2.
Julia Bede	S. ½ SW. ¼ sec. 26, T. 46, R. 2	S. ½ SW. ¼ sec. 28; T. 46, R. 2.
Lizzie Bede	N. ½ SE. ¼ sec. 26, T. 46, R. 2	N. ½ SE. ¼ sec. 28, T. 46, R. 2.
Alfred Bell	N. ½ NW. ¼ sec. 30, T. 48, R. 2	W. ½ SE. ¼ sec. 14, T. 48, R. 3.
Cecilia Belonger	SW. ¼ SW. ¼ sec. 15; SE. ¼ SE. ¼ sec. 16, T. 48, R. 3.	Lot 2, sec. 36, T. 48, R. 2; lot 1, sec. 33, T. 48, R. 1.
Cecilia Belonger	NW. ¼ SW. ¼ and lots 2 and 3, sec. 6, T. 47, R. 2.	NW. ¼ SW. ¼ and lot 3, sec. 6, T. 47, R. 2.
Elizabeth Belonger	SW. ¼ SW. ¼ sec. 29; NE. ¼ NW. ¼ sec. 31, T. 48, R. 3.	NE. ¼ NW. ¼ sec. 31; SW. ¼ SW. ¼ sec. 29, T. 48, R. 3.
Maggie C. Be-me-say	SW. ¼ SW. ¼ sec. 13; SE. ¼ SE. ¼ sec. 14, T. 46, R. 2.	SW. ¼ NE. ¼ sec. 33, T. 48, R. 2; SE. ¼ SE. ¼ sec. 14, T. 46, R. 2.
Mary Benache	NW. ¼ SE. ¼; NE. ¼ SW. ¼ sec. 5, T. 47, R. 1.	NW. ¼ SE. ¼; NE. ¼ SW. ¼ sec. 5, T. 47, R. 1.
Billy Bender	SW. ¼ NE. ¼ sec. 16; SE. ¼ SW. ¼ sec. 19, T. 47, R. 3.	E. ½ SW. ¼ sec. 19, T. 47, R. 3.
William Besom	Lots 2 and 3, sec. 5, T. 47, R. 1	Lots 1 and 3, sec. 5, T. 47, R. 1.
George Bigboy	W. ½ SE. ¼ sec. 14, T. 46, R. 2	W. ½ SE. ¼ sec. 14, T. 46, R. 2.
John Bigboy, jr	NE. ¼ NW. ¼ sec. 36, T. 47, R. 2	NE. ¼ NW. ¼ sec. 36; NW. ¼ NW. ¼ sec. 27, T. 47, R. 2.
Mary J. S. Bigboy	SE. ¼ SW. ¼ sec. 25; SE. ¼ SE. ¼ sec. 27, T. 46, R. 2.	S. ½ SW. ¼ sec. 25, T. 46, R. 2.
Frank Blackbird	W. ½ SW. ¼ SW. ¼ sec. 22; NW. ¼ SE. ¼ sec. 31, T. 48, R. 3.	NW. ¼ NW. ¼; NE. ¼ SW. ¼, sec. 22, T. 48, R. 3.
William Blanchard	NE. ¼ SE. ¼ sec. 8; NE. ¼ SE. ¼ sec. 17, T. 47, R. 1.	N. ½ SE. ¼ sec. 8, T. 47, R. 1.
George Bondin	N. ½ SW. ¼ sec. 5, T. 46, R. 3	S. ½ NE. ¼ sec. 20, T. 48, R. 3.
Sophia Bondin	S. ½ SW. ¼ sec. 5, T. 46, R. 3	N. ½ NE. ¼ sec. 20, T. 48, R. 3.
Bessie Bongo	SE. ¼ SE. ¼ sec. 27; NE. ¼ NE. ¼ sec. 35, T. 46, R. 3.	SE. ¼ SE. ¼ sec. 27, T. 46, R. 3; NE. ¼ NE. ¼ sec. 36, T. 47, R. 2.
Kate Bongo	Lot 2, sec. 5, T. 46, R. 3	E. ½ SW. ¼ sec. 9, T. 47, R. 3.
Louise Bongo	Lot 7, sec. 5, T. 46, R. 3	NE. ¼ SW. ¼ sec. 13, T. 47, R. 3; SE. ¼ SW. ¼ sec. 14, T. 47, R. 2.
Madeline Bongo	SE. ¼ SE. ¼ sec. 7; E. ½ NE. ¼ NE. ¼ sec. 9, T. 47, R. 3.	E. ½ NE. ¼ sec. 9, T. 47, R. 3.
Mary S. Bongo	NW. ¼ NW. ¼ sec. 7; NE. ¼ SW. ¼ sec. 18, T. 47, R. 3.	N. ½ NW. ¼ sec. 7, T. 47, R. 3.
Alex. H. Bresette	SE. ¼ SE. ¼ sec. 32; SE. ¼ NW. ¼ sec. 33, T. 48, R. 3.	S. ½ NW. ¼ sec. 33, T. 48, R. 3.
Anna C. Bresette	NW. ¼ SE. ¼ sec. 16, T. 47, R. 2	N. ½ SE. ¼ sec. 16, T. 47, R. 2.
Charlotte D. Bresette	NE. ¼ SW. ¼ sec. 26; SW. ¼ NE. ¼ sec. 28, T. 46, R. 2.	S. ½ NE. ¼ sec. 25, T. 46, R. 2.
Chas. Bresette, jr	Lot 8, sec. 35, T. 48, R. 3	Lot 8, sec. 35, T. 48, R. 3.
Cora Bresette	NE. ¼ SE. ¼ sec. 6; NE. ¼ SW. ¼ sec. 10, T. 46, R. 3.	S. ½ SW. ¼ sec. 33, T. 46, R. 3.
Dominick H. Bresette	NE. ¼ NE. ¼ sec. 33; NE. ¼ NE. ¼ sec. 34, T. 46, R. 2.	E. ½ NE. ¼ sec. 34, T. 46, R. 2.
Emily V. Bresette	SW. ¼ SE. ¼ sec. 6, T. 46, R. 3; NE. ¼ SW. ¼ sec. 14, T. 47, R. 2.	NE. ¼ NW. ¼ sec. 27, T. 47, R. 3; NE. ¼ SW. ¼ sec. 14, T. 47, R. 2.
Francis Bresette	Lot 1, sec. 7; NE. ¼ SW. ¼ sec. 22, T. 46, R. 3.	N. ½ SW. ¼ sec. 36, T. 46, R. 3.
George Bresette	SE. ¼ NW. sec. 22; NW. ¼ NE. ¼, sec. 25, T. 46, R. 2.	N. ½ NE. ¼ sec. 25, T. 46, R. 2.

Names.	Allen list.	Downs list.
John C. Bressette	SE. ¼ SE. ¼ sec. 16, T. 47, R. 2; NE. ¼ NE. ¼ sec. 31, T. 48, R. 2.	S. ½ SE. ¼ sec. 16, T. 47, R. 2.
Madeline Bressette	SW. ¼ NE. ¼ sec. 29, T. 48, R. 3; NE. ¼ SW. ¼ sec. 36, T. 48, R. 4.	NE. ¼ SW. ¼ sec. 36, T. 48, R. 4; SW. ¼ NE. ¼ sec. 29, T. 48, R. 3.
Maggie Bressette	SW. ¼ NE. ¼ sec. 19; NW. ¼ SW. ¼ sec. 24, T. 46, R. 2.	N. ½ SE. ¼ sec. 18, T. 47, R. 1.
Michael Bressette	NW. ¼ SE. ¼ sec. 8; SE. ¼ SW. ¼ sec. 16, T. 47, R. 1.	S. ½ SE. ¼ sec. 8, T. 47, R. 1.
Michael H. Bressette, jr	S. ½ SW. ¼ sec. 5, T. 47, R. 1	S. ½ SW. ¼ sec. 5, T. 47, R. 1.
Simon Bressette	SE. ¼ NE. ¼; NE. ¼ NW. ¼ sec. 1, T. 47, R. 2; lot 1, sec. 35, T. 48, R. 2.	SE. ¼ NW. ¼ sec. 35; lot 1 and NE. ¼ NW. ¼ sec. 1, T. 47, R. 2.
Simon F. Bressette	NW. ¼ NE. ¼ sec. 19; NE. ¼ SW. ¼ sec. 24, T. 46, R. 2.	Lot 7, sec. 9, T. 48, R. 3.
Susie Bressette	NE. ¼ SW. ¼ sec. 16, T. 47, R. 1; SE. ¼ NE. ¼ sec. 13, T. 47, R. 2.	S. ½ SE. ¼ sec. 17, T. 47, R. 1.
George Buck	NW. ¼ SE. ¼ sec. 33; lot 2, sec. 36, T. 48, R. 2; and lot 1, sec. 1, T. 47, R. 2.	NW. ¼ SW. ¼ sec. 31; lot 1, sec. 36, T. 48, R. 2; and NW. ¼ NE. ¼ sec. 6, T. 47, R. 2.
Jim Buck	E. ½ SW. ¼ SW. ¼ sec. 11; SE. ¼ SW. ¼ sec. 15, T. 47, R. 3.	S. ½ SW. ¼ sec. 31, T. 47, R. 3.
Charlie Butterfield	N. ½ NW. ¼ sec. 32, T. 48, R. 3	N. ½ NW. ¼ sec. 32, T. 48, R. 3.
Mike Butterfield	S. ½ NW. ¼ sec. 32, T. 48, R. 3	S. ½ NW. ¼ sec. 32, T. 48, R. 3.
Kate Butterfield	Lot 1, sec. 5, T. 47, R. 1, and lot 1, sec. 33, T. 48, R. 1.	Lot 1, sec. 32, T. 48, R. 1.
Cecilia F. Cadotte	N. ½ NW. ¼ sec. 32, T. 46, R. 2	N. ½ NW. ¼ sec. 32, T. 46, R. 2.
Charlotte J. Cadotte	S. ½ SW. ¼ SW. ¼ sec. 33, T. 47, R. 2, and SE. ¼ NE. ¼ sec. 16, T. 46, R. 2.	SE. ¼ NE. ¼ sec. 34; SW. ¼ SW. ¼ sec. 33, T. 47, R. 2.
Heirs of Theresa M. Cadotte	NW. ¼ NE. ¼ sec. 9; SW. ¼ SW. ¼ sec. 16, T. 47, R. 3.	NE. ¼ SW. ¼ sec. 17; SW. ¼ SW. ¼ sec. 16, T. 47, R. 2.
Theresa Cadotte	Lot 3 and NW. ¼ SE. ¼ sec. 3, T. 48, R. 3.	SW. ¼ SW. ¼ and NW. ¼ SE. ¼ sec. 2, T. 48, R. 3.
Charlotte Cajune	NW. ¼ NE. ¼ sec. 16; NW. ¼ SW. ¼ sec. 18, T. 47, R. 3.	NW. ¼ NE. ¼ NW. ¼ SE. ¼ sec. 16, T. 47, R. 6.
Emma Cameron	S. ½ NW. ¼ sec. 27, T. 48, R. 3	Lot 9, sec. 14, T. 48, R. 3.
Daniel Cameron	S. ½ SW. ¼ sec. 19, T. 48, R. 3	NW. ¼ NE. ¼ sec. 30; SW. ¼ SW. ¼ sec. 19, T. 49, R. 3.
Katie Carpenter	E. ½ SE. ¼ sec. 31, T. 48, R. 3	SE. ¼ SE. ¼ sec. 31, T. 48, R. 3; NE. ¼ NE. ¼ sec. 26, T. 46, R. 2.
Lizzie Carpenter	NE. ¼ NE. ¼; E. ½ NW. ¼ NE. ¼ sec. 21, T. 48, R. 3.	NE. ¼ NE. ¼ sec. 21; SW. ¼ SW. ¼ sec. 15, T. 48, R. 3.
Angelique Belonger Carroll	SE. ¼ NE. ¼ sec. 36; SW. ¼ SW. ¼ sec. 36, T. 48, R. 3.	SW. ¼ SE. ¼ SE. ¼ NE. ¼ sec. 36, T. 48, R. 3.
Alex Charette	Lot 2, sec. 18, T. 47, R. 1; NW. ¼ SE. ¼ sec. 13, T. 47, R. 2.	NW. ¼ NW. ¼ sec. 1, T. 47, R. 2; lot 2, sec. 18, T. 47, R. 1.
Julia Charette	W. ½ SE. ¼ sec. 25, T. 48, R. 4	SE. ¼ SE. ¼ sec. 25, T. 48, R. 4; lot 1, sec. 36, T. 48, R. 3.
Naomi Charette	SE. ¼ NW. ¼ sec. 30; SW. ¼ SW. ¼ sec. 34, T. 46, R. 2.	SW. ¼ SW. ¼ sec. 34, T. 46, R. 2.
Angelique Charlow	N. ½ SE. ¼ sec. 7, T. 47, R. 3	NW. ¼ SW. ¼; NW. ¼ SE. ¼ sec. 7, T. 47, R. 3.
Edward Charlow	SW. ¼ SE. ¼ sec. 7; W. ½ NE. ¼ NE. ¼ sec. 10, T. 47, R. 2.	NW. ¼ SW. ¼ sec. 11; NE. ¼ SE. ¼ sec. 10, T. 47, R. 2.
Frank Charlow	NE. ¼ NE. ¼ SE. ¼ SE. ¼ sec. 8, T. 47, R. 1.	E. ½ NE. ¼ sec. 8, T. 47, R. 1.
Mary Charlow	NW. ¼ NE. ¼ sec. 7; E. ½ NE. ¼ SE. ¼ sec. 10, T. 47, R. 2.	N. ½ NW. ¼ sec. 19, T. 47, R. 3.
Agnes Chingway	SE. ¼ NW. ¼ sec. 30; NE. ¼ SE. ¼ sec. 33, T. 48, R. 2.	NE. ¼ SW. ¼ sec. 31, T. 48, R. 3; NE. ¼ SE. ¼ sec. 36, T. 48, R. 2.
Anna J. Chingway	W. ½ NW. ¼ sec. 17, T. 47, R. 1	W. ½ NW. ¼ sec. 17, T. 47, R. 1.
Emma Chingway	SW. ¼ SE. ¼ sec. 10; SW. ¼ NW. ¼, or lot 2, sec. 18, T. 46, R. 3.	SE. ¼ NW. ¼ SW. ¼ SE. ¼ sec. 19, T. 46, R. 3.
Mike A. Chingway	E. ½ SW. ¼ sec. 20, T. 48, R. 3	E. ½ SW. ¼ sec. 20, T. 48, R. 3.
Frank Chosa	SW. ¼ NE. ¼ sec. 16; NW. ¼ NW. ¼ sec. 16, T. 46, R. 3.	SW. ¼ NE. ¼ SW. ¼ SE. ¼ sec. 16, T. 46, R. 2.
Lizzie Starr Church	Lots 2 and 4, sec. 3, T. 48, R. 3	Lot 4, sec. 3, T. 48, R. 3; lot 4, sec. 19, T. 46, R. 3.
Delia Vanderventer Cloud	E. ½ SW. ¼ sec. 25, T. 48, R. 4	SW. ¼ NW. ¼ sec. 21, T. 48, R. 3; NW. ¼ SE. ¼ sec. 31, T. 48, R. 2.
Lizzie F. Cloud	Lots 4 and 5, sec. 6, T. 47, R. 1	Lots 4 and 5, sec. 6, T. 47, R. 1.
O-zho-gay Cloud	SE. ¼ NE. ¼ sec. 16; NE. ¼ NE. ¼ sec. 27, T. 48, R. 3.	Lots 1 and 2, sec. 1, T. 48, R. 3.
Susie Coleman	S. ½ NE. ¼ sec. 7, T. 47, R. 3	SE. ¼ SE. ¼ sec. 19; SW. ¼ SW. ¼ sec. 5, T. 47, R. 3.
Caroline Condecon	SE. ¼ NW. ¼ sec. 16, T. 47, R. 2; SW. ¼ SE. ¼ sec. 23, T. 47, R. 3.	E. ½ NW. ¼ sec. 16, T. 47, R. 2.
Agnes Mary Connors	SE. ¼ NW. ¼ sec. 7; NW. ¼ NW. ¼ sec. 16, T. 46, R. 3.	NE. ¼ SE. ¼ sec. 32, T. 47, R. 3; NW. ¼ NW. ¼ sec. 16, T. 46, R. 3.
Lizzie Rabideaux Connors	W. ½ SE. ¼ sec. 7, T. 46, R. 2	W. ½ SE. ¼ sec. 7, T. 46, R. 2.
Maggie Rabideaux Connors	E. ½ SE. ¼ sec. 36, T. 48, R. 4	E. ½ SE. ¼ sec. 36, T. 48, R. 4.
Charlotte Corbine	NW. ¼ NE. ¼ sec. 15; SE. ¼ SE. ¼ sec. 21, T. 46, R. 3.	NW. ¼ NW. ¼ sec. 16, T. 46, R. 3; SE. ¼ NE. ¼ sec. 10, T. 46, R. 2.
Gust Covio	E. ½ NW. ¼ sec. 14, T. 46, R. 2	E. ½ NW. ¼ sec. 14, T. 46, R. 2.
Carrie Couture	NE. ¼ SW. ¼ E. ½ SW. ¼ SW. ¼ sec. 22, T. 48, R. 3.	NW. ¼ NW. ¼ sec. 27; SW. ¼ SW. ¼ sec. 22, T. 48, R. 3.

Names.	Allen list.	Downs list.
Alex Crow	NE. ¼ SE. ¼ sec. 4; NW. ¼ NE. ¼ sec. 16, T. 46, R. 3.	Lots 1, 3, 4, 9, 11, sec. 10, T. 48, R. 3.
Peter Crow	W. ½ SW. ¼ sec. 19, T. 47, R. 3	(1795) W. ½ SW. ¼ sec. 19, T. 47, R. 3.
Julia Johnson Dacotah	NE. ¼ NE. ¼ sec. 20; W. ½ NW. ¼ NE. ¼ sec. 21, T. 48, R. 3.	NE. ¼ SE. ¼ SW. ¼ NW. ¼ sec. 20, T. 48, R. 3.
Louis Dacotah	NE. ¼ NE. ¼ sec. 16; NW. ¼ SE. ¼ sec. 28, T. 48, R. 3.	W. ½ SE. ¼ sec. 28, T. 48, R. 3.
Mary N. Dacotah	SW. ¼ SW. ¼ sec. 27; SE. ¼ SW. ¼ sec. 28, T. 48, R. 3.	NW. ¼ NE. ¼ NE. ¼ NW. ¼ sec. 29, T. 48, R. 2.
Gwe-go-gi-big Davidson	S. ½ NE. ¼ sec. 30, T. 48, R. 2	S. ½ NE. ¼ sec. 30, T. 48, R. 2.
Mezia Davidson	NW. ¼ SE. ¼ sec. 29; NW. ¼ SW. ¼ sec. 34, T. 46, R. 2.	N. ½ NW. ¼ sec. 30, T. 48, R. 2.
Ervie G. Day	W. ½ SW. ¼ sec. 16, T. 46, R. 2	N. ½ SW. ¼ sec. 10, T. 46, R. 2.
George Day	Lot 8, sec. 1, T. 46, R. 3	Lot 10, sec. 1, T. 46, R. 3.
George J. Day, jr	NE. ¼ NW. ¼ E. ½; NW. ¼ NW. ¼ sec. 17, T. 46, R. 2.	SW. ¼ NE. ¼ sec. 7, T. 47, R. 3; NW. ¼ NW. ¼ sec. 17, T. 46, R. 2.
Julia Day, sr	W. ½ SE. ¼ sec. 27, T. 48, R. 3	W. ½ SE. ¼ sec. 27, T. 48, R. 3.
Julia G. Day	E. ½ NE. ¼ NE. ¼; NW. ¼ NE. ¼ sec. 15, T. 46, R. 2.	N. ½ NE. ¼ sec. 15, T. 46, R. 2.
Josephine Day	S. ½ NE. ¼ sec. 12, T. 46, R. 2	S. ½ NE. ¼ sec. 12, T. 46, R. 2.
Mamie G. Day	E. ½ NE. ¼ sec. 20, T. 46, R. 2	E. ½ NW. ¼ sec. 17, T. 46, R. 2.
James Defoe	W. ½ SW. ¼ sec. 16, T. 47, R. 1	N. ½ NW. ¼ sec. 25, T. 46, R. 2.
Mike Defoe	N. ½ NE. ¼ sec. 22, T. 46, R. 3	N. ½ NE. ¼ sec. 22, T. 46, R. 3.
Pauline Defoe	SE. ¼ SE. ¼ sec. 7; SE. ¼ SW. ¼ sec. 17, T. 47, R. 1.	SE. ¼ SE. ¼ sec. 7; SE. ¼ SW. ¼ sec. 17, T. 47, R. 1.
Charlotte Deloney	Lot 4, sec. 5; lots 3 and 4, sec. 10, T. 47, R. 1.	Lot 4 and SW. NW. ¼ sec. 5, T 47, R. 1.
Ellen Deloney	NE. ¼ NE. ¼ sec. 29; NE. ¼ NE. ¼, sec. 30, T. 46, R. 3.	NE. ¼ NE. ¼ sec. 29; NE. ¼ NW. ¼ sec. 28, T. 46, R. 3.
Susan Deloney	NW. ¼ SW. ¼ sec. 28; SW. ¼ NE. ¼ sec. 31, T. 48, R. 2	NW. ¼ SW. ¼, SE. ¼ SW. ¼ sec. 28 T. 48, R. 2.
Cecilia Dennis	SW. ¼ NW. ¼, SW. ¼ SE. ¼ sec. 18, T. 46, R. 2.	S. ½ NW. ¼ sec. 16, T. 46, R. 2.
Lizzie Dennis, sr	SW. ¼ NE. ¼ lot 4, sec. 30, T. 46, R. 3.	Lot 4, SW. ¼ NE. ¼ sec. 30, T. 46, R. 3.
Louisa Dennis	SW. ¼ NW. ¼ sec. 1; NW. ¼ SW. ¼ sec. 16, T. 47, R. 2.	SW. ¼ NW. ¼ sec. 11, T. 47, R. 3; NW. ¼ SW. ¼ sec. 18, T. 47, R. 2.
Mary I. Dennis	Lots 1, 2, 3, 4, 5, NW. ¼ SE. ¼ sec. 2, T. 48, R. 3.	Lots 1, 2, 3, 4, sec. 2, T. 48, R. 3, and SW. ¼ SW. ¼ sec. 16, T. 46, R. 2.
Theresa Dennis	SW. ¼ NW. ¼ sec. 20; SE. ¼ SE. ¼ sec. 21, T. 48, R. 3.	Lot 2 sec. 22, SE. ¼ SE. ¼ sec. 21, T. 48, R. 3.
Anna Clara Denomie	W. ½ NE. ¼ SE. ¼ sec. 30; SW. ¼ NE. ¼ sec. 31, T. 48, R. 3.	NE. ¼ SE. ¼ sec. 30, NE. ¼ SE. ¼ sec. 22, T. 48, R. 3.
Clarilda C. Denomie	W. ½ lot 4, sec. 1; NE. ¼ NE. ¼ sec. 22, T. 46, R. 2.	Lots 1 and 2 sec. 1, T. 46, R. 2.
Delia Denomie	N. ½ NE. ¼ sec. 32, T. 48, R. 3	NE. ¼ NE. ¼ sec. 32, T. 48, R. 3, NW. ¼ SE. ¼ sec. 31, T. 46, R. 3.
Edward S. Denomie	NW. ¼ NW. ¼ sec. 8; NW. ¼ NE. ¼ sec. 32, T. 47, R. 3.	NW. ¼ NW. ¼ sec. 8, T. 47, R. 3, SW. ¼ NE. ¼ sec. 1, T. 46, R. 2.
Frances Agnes Denomie	N. ½ SE. ¼ sec. 20, T. 46, R. 2	N. ½ SE. ¼ sec. 20, T. 46, R. 2.
Gerard J. Denomie	NW. ¼ SW. ¼ sec. 9; SE. ¼ NW. ¼ sec. 21, T. 47, R. 3	SW. ¼ NW. ¼ sec. 27, T. 48, R. 3, SW. ¼ NE. ¼ sec. 8, T. 47, R. 3.
Henry J. Denomie	SE. ¼ SE. ¼ sec. 24; NW. ¼ NE. ¼ sec. 27, T. 48, R. 3.	NW. ¼ NW. ¼ sec. 26; SW. ¼ SW. ¼ sec. 23, T. 48, R. 3.
Henry W. Denomie	SW. ¼ NW. ¼ sec. 9; NE. ¼ SW. ¼ sec. 24, T. 47, R. 3.	SW. ¼ NW. ¼, NW. ¼ SW. ¼ sec. 9, T. 47, R. 3.
Julia M. Denomie	NW. ¼ NW. ¼ sec. 8; SW. ¼ NW. ¼ sec. 32, T. 46, R. 3.	SW. ¼ SE. ¼, SW. ¼ NW. ¼ sec. 32, T. 46, R. 3.
Lawrence Denomie	NE. ¼ SW. ¼ sec. 28; NE. ¼ SW. ¼ sec. 29, T. 47, R. 3.	S. ½ SW. ¼ sec. 29, T. 47, R. 3.
Lillian Denomie	S. 40 A., lot 1, sec. 16; SW. ¼ NE. ¼ sec. 27, T. 48, R. 3.	SW. ¼ NE. ¼, NE. ¼ SE. ¼ sec. 27, T. 48, R. 3.
Lizzie A. Denomie	Lot 4, SW. ¼ NW. ¼ sec. 4, T. 46, R. 3.	Lot 3, sec. 18; lot 4, sec. 4, T. 46, R. 3.
Lucy M. Denomie	E. ½ lot 4, sec. 1; SE. ¼ SE. ¼ sec. 22, T. 46, R. 2.	Lots 3 and 4, sec. 1, T. 46, R. 2.
Lucy A. Denomie	NW. ¼ SE. ¼ sec. 7; NW. ¼ SW. ¼ sec. 21, T. 46, R. 3.	W. ½ SW. ¼ sec. 21, T. 46, R. 3.
William J. Denomie	NE. ¼ NE. ¼ sec. 18; NW. ¼ NE. ¼ sec. 21, T. 46, R. 3.	NE. ¼ NW. ¼, NW. ¼ NE. ¼ sec. 21, T. 46, R. 3.
Joseph Deragon	S. ½ SE. ¼ sec. 12, T. 46, R. 2	S. ½ SE. ¼ sec. 12, T. 46, R. 2.
Maggie B. Deragon	SE. ¼ NE. ¼, NW. ¼ SE. ¼ sec. 28, T. 47, R. 3.	SE. ¼ NE. ¼, NW. ¼ SE. ¼ sec. 28, T. 47, R. 3.
Beatrix F. Doherty	Lot 7, sec. 25; SW. ¼ NE. ¼ sec. 30, T. 48, R. 3.	NE. ¼ NW. ¼, SW. ¼ NE. ¼ sec. 30, T. 48, R. 3.
Chas. L. Doherty	Lot 4, or SW. ¼ SW. ¼ sec. 31, T. 48, R. 2, and NE. ¼ SE. ¼ sec. 24, T. 48, R. 3.	NE. ¼ SW. ¼ sec. 30, T. 48, R. 3; SW. ¼ SW. ¼ sec. 31, T. 48, R. 2.
Mary Ducate	Lots 9, 10, and 11, sec. 12, T. 46, R. 3.	NE. ¼ SW. ¼ sec. 24, T. 47, R. 3; lot 4, sec. 13, and lots 10 and 11, sec. 12, T. 46, R. 3.
John Forcia	Lots 10 and 12, sec. 1, T. 46, R. 3, and SW. ¼ NE. ¼ sec. 21, T. 47, R. 3.	SW. ¼ NE. ¼ sec. 21, T. 47, R. 3; lots 7, 8, and 12, sec. 1, T. 46, R. 3.
Mary J. Gheen	NE. ¼ SE. ¼ sec. 27, NE. ¼ SW. ¼ sec. 29, T. 48, R. 3.	NE. ¼ SW. ¼ sec. 29; lot 2, sec. 3, T. 48, R. 3.

Names.	Allen list.	Downs list.
Joseph Gishgak	N. 89-82 A., lot 1, sec. 16, NE. ¼ SW. ¼ sec. 31, T. 48, R. 3.	NW. ¼ NW. ¼ sec. 12, T. 48, R. 8; lots 6 and 9, sec. 11, and lots 6 and 8, sec. 18, T. 48, R. 2.
Josephine Gishgak	NE. ¼ SE. ¼ sec. 16, SW. ¼ SE. ¼ sec. 23, T. 48, R. 3.	NE. ¼ NE. ¼ sec. 11; SW. ¼ SE. ¼ sec. 2, T. 48, R. 8.
John R. Gokes	NW. ¼ NW. ¼ SE. ¼ SE. ¼ sec. 29, T. 48, R. 3.	NW. ¼ NW. ¼ sec. 29, NE. ¼ NE. ¼ sec. 30, T. 48, R. 3.
Angelique Gordon	W. ½ SW. ¼ sec. 20, T. 47, R. 3	W. ½ SW. ¼ sec. 20, T. 47, R. 3.
Francis A. Gordon	Lot 1, sec. 6, T. 47, R. 1, and SW. ¼ SW. ¼ sec. 16, T. 48, R. 3.	Lot 1 and SE. ¼ SE. ¼ sec. 6, T. 47, R. 1.
Joseph Gordon, sr.	Lots 1, 2, 3, sec. 32, T. 48, R. 1	SE. ¼ NE. ¼ sec. 32, T. 48, R. 3; lots 2 and 3, sec. 32, T. 48, R. 1.
Julia Gordon	NE. ¼ NW. ¼ SW. ¼ NW. ¼ sec. 28, T. 47, R. 3.	NE. ¼ NW. ¼; NE. ¼ SW. ¼ sec. 28, T. 47, R. 3.
Maggie Butterfield Gordon	W. ½ SW. ¼ sec. 31, T. 48, R. 3	W. ½ SW. ¼ sec. 31, T. 48, R. 3.
Antoine Goslin, jr.	S. ½ NW. ¼ sec. 16, T. 47, R. 1	E. ½ NW. ¼ sec. 22, T. 48, R. 3.
Antoine Goslin, sr.	S. ½ NW. ¼ sec. 21, T. 48, R. 3	S. ½ NW. ¼ sec. 21, T. 48, R. 3.
James Goslin	N. ½ SE. ¼ sec. 21, T. 48, R. 3	N. ½ SE. ¼ sec. 21, T. 48, R. 3.
Madeline Goslin	E. ½ SE. ¼ sec. 17, T. 48, R. 3	E. ½ SE. ¼ sec. 17, T. 48, R. 3.
Peter Goslin	SE. ¼ NE. ¼; NE. ¼ SE. ¼ sec. 21, T. 48, R. 2.	SE. ¼ NE. ¼ sec. 31, SW. ¼ NE. ¼ sec. 14, T. 46, R. 2.
Mary Greeley	SW. ¼ SE. ¼ sec. 25, NE. ¼ NE. ¼ sec. 28, T. 46, R. 2.	S. ½ SE. ¼ sec. 25, T. 46, R. 2.
Sophia Greeley	NW. ¼ SE. ¼ sec. 28, T. 47, R. 2; NW. ¼ SW. ¼ sec. 33, T. 47, R. 2.	N. ½ NW. ¼ sec. 16, T. 46, R. 2.
Mary E. Green	S. ½ SE. ¼ sec. 24, T. 46, R. 2	S. ½ SE. ¼ sec. 24, T. 46, R. 2.
Kate Day Gurnoe	SE. ¼ SE. ¼ sec. 19; SE. ¼ NW. ¼ sec. 20, T. 47, R. 3.	E. ½ NW. ¼ sec. 30, T. 47, R. 3.
Antoine Guyatte	E. ½ SE. ¼ SW. ¼; SW. ¼ SE. ¼ sec. 33; W. ½ SE. ¼ SW. sec. 36, T. 47, R. 3.	SE. ¼ SW. ¼ sec. 36, T. 47, R. 3; NW. ¼ SE. ¼ sec. 29, T. 46, R. 3.
Joe Halliday	Lot 2, NE. ¼ SE. ¼ sec. 19, T. 48, R. 3.	NE. ¼ SE. ¼ sec. 9, SE. ¼ SE. ¼ sec. 32, T. 48, R. 3.
Mary Deragon Hall	SE. ¼ NW. ¼ NE. ¼; SE. ¼ sec. 21, T. 46, R. 3.	SE. ¼ NW. ¼; SW. ¼ NE. ¼ sec. 21, T. 46, R. 3.
Esther G. Hamlin	W. ½ SW. ¼ sec. 25, T. 48, R. 4	W. ½ SW. ¼ sec. 25, T. 48, R. 4.
Harold W. Hammond	NW. ¼ NE. ¼ sec. 23, T. 47, R. 2	NW. ¼ NE. ¼; NE. ¼ NW. ¼ sec. 28, T. 47, R. 2.
Francis Hanley	N. ½ NW. ¼ sec. 30, T. 47, R. 3	N. ½ NW. ¼ sec. 30, T. 47, R. 3.
Jim Hart	NW. ¼ SE. ¼ sec. 6; W. ½ NW. ¼ SW. ¼ sec. 11, T. 47, R. 2.	NE. ¼ NE. ¼ sec. 34, T. 48, R. 3; NE. ¼ SE. ¼ sec. 14, T. 46, R. 2.
Verna H. Hartow	NW. ¼ NE. ¼ sec. 17; NE. ¼ NE. ¼ sec. 31, T. 47, R. 3.	NW. ¼ NE. ¼ sec. 17, T. 47, R. 3; SE. ¼ SE. ¼ sec. 31, T. 48, R. 2.
Eva Haskins	E. ½ SW. ¼ NW. ¼ sec. 12; SW. ¼ SE. ¼ sec. 18, T. 47, R. 3.	SW. ¼ NW. ¼, SW. ¼ SW. ¼, sec. 12, T. 47, R. 2.
William B. Haskins	NW. ¼ NW. ¼ sec. 27, T. 47, R. 3	NW. ¼ NW. ¼ sec. 27, T. 47, R. 2; NE. ¼ SE. ¼ sec. 32, T. 46, R. 2.
Henry E. Holliday	SW. ¼ NW. ¼, NW. ¼ SE. ¼, sec. 20, T. 47, R. 3.	NW. ¼ SE. ¼ sec. 20, T. 47, R. 3; SW. ¼ NW. ¼ sec. 7, T. 47, R. 2.
Sarah Holliday	Lots 1 and 2 sec. 35, T. 48, R. 3	Lots 1 and 2 sec. 35, T. 48, R. 3.
Anna Holmes	S. ½ SW. ¼ sec. 36, T. 46, R. 2	S. ½ SW. ¼ sec. 36, T. 46, R. 2.
Fred Holmes	S. ½ SE. ¼ sec. 30, T. 47, R. 3	S. ½ SE. ¼ sec. 30, T. 47, R. 3.
Mary Ann Holmes	SW. ¼ NE. ¼, SE. ¼ NW. ¼, sec. 31, T. 47, R. 3.	SE. ¼ NW. ¼, NW. ¼ NW. ¼, sec. 31, T. 47, R. 3.
Susan Holmes	NW. ¼ NE. ¼, NE. ¼ NW. ¼, sec. 31, T. 47, R. 3.	NE. ¼ NW. ¼ sec. 31; NW. ¼ NE. ¼, sec. 36, T. 47, R. 3.
William Holmes	N. ½ SW. ¼ sec. 30, T. 47, R. 3	N. ½ SW. ¼ sec. 30, T. 47, R. 3.
Mary B. Hook	SE. ¼ NW. ¼ sec. 5, SW. ¼ SE. ¼ sec. 16, T. 47, R. 2.	Lot 6, sec. 2, T. 48, R. 3.
Charlotte Jackson	N. ½ NW. ¼ sec. 35, T. 46, R. 2	N. ½ NW. ¼ sec. 35, T. 46, R. 2.
John Jackson	N. ½ NE. ¼ sec. 35, T. 46, R. 2	N. ½ NE. ¼ sec. 35, T. 46, R. 2.
Henry Jocko	NW. ¼ SE. ¼ sec. 13, SW. ¼ SW. ¼ sec. 14, T. 46, R. 2.	S. ½ SE. ¼ sec. 13, T. 46, R. 2.
Jane C. Jocko	NE. ¼ SW. ¼ sec. 13, SW. ¼ NE. ¼, sec. 16, T. 46, R. 2.	N. ½ SW. ¼ sec. 25, T. 46, R. 2.
John Jocko, jr	SE. ¼ NW. ¼, SE. ¼ SE. ¼, sec. 1, T. 46, R. 2.	SE. ¼ NW. ¼ SE. ¼ SE. ¼ sec. 1, T. 46, R. 2.
Manido Jocko	NE. ¼ SE. ¼ sec. 13, SW. ¼ NE. ¼ sec. 21, T. 46, R. 2.	N. ½ SE. ¼ sec. 13, T. 46, R. 2.
Mary Jocko	NW. ¼ SW. ¼ sec. 13, NW. ¼ NW. ¼, sec. 31, T. 46, R. 2.	N. ½ SW. ¼ sec. 13, T. 46, R. 2.
O-gi-ma-kwe Jocko	W. ½ SE. ¼ sec. 1, T. 46, R. 2	W. ½ SE. ¼ sec. 1, T. 46, R. 2.
Susan Jocko	NE. ¼ NE. ¼, SW. ¼ SE. ¼, sec. 36, T. 47, R. 2.	SE. ¼ SE. ¼ sec. 36, T. 47, R. 2, and lot 4 sec. 5, T. 46, R. 3.
Theresa Decotah Johnson	N. ½ NE. ¼ sec. 31, T. 48, R. 3	S. ½ NE. ¼ sec. 34, T. 48, R. 3.
Boni Ka-gun-dosh	S. 33.20 A. of lot 12, sec. 25, and NE. ¼ NW. ¼ sec. 33, T. 47, R. 3.	SW. ¼ NE, NW. ¼ NW. ¼ sec. 28, T. 47, R. 3.
Charlotte M. Ka-wi-osh	NE. ¼ NE. ¼ sec. 17, SE. ¼ NE. ¼ sec. 31, T. 47, R. 3.	Lot 3, sec. 3, T. 48, R. 3; NE. ¼ NE. ¼, sec. 17, T. 47, R. 3.
Charlie Kakak	SW. ¼ NW. ¼, NW. ¼ SW. ¼, sec. 25, T. 46, R. 2.	S. ½ NW. ¼ sec. 25, T. 46, R. 2.
William Knight, jr	NE. ¼ NE. ¼ sec. 16, SW. ¼ SW. ¼ sec. 28, T. 47, R. 3.	E. ½ NE. ¼ sec. 16, T. 47, R. 3.
Frank La Ferrie	SE. ¼ NE. ¼ NE. ¼ NW. ¼ sec. 26, T. 46, R. 2.	SE. ¼ NE. ¼, NE. ¼ NW. ¼, sec. 2 6 T. 46, R. 2.

Names.	Allen list.	Downs list.
James La Fernis	NW. ¼ SW. ¼ sec. 29, SE. ¼ NW. ¼ sec. 30, T. 47, R. 3	NW. ¼ SW. ¼ sec. 29, T. 47, R. 3; NE. ¼ SE. ¼ sec. 25, T. 46, R. 2.
Joseph La Fernis	NW. ¼ NE. ¼ sec. 26, SE. ¼ NW. ¼ sec. 34, T. 46, R. 2.	N. ½ NE. ¼ sec. 26, T. 46, R. 2.
Louis La Fernis	NW. ¼ NE. ¼ sec. 7; lot 6, sec. 12, T. 46, R. 3.	SE. ¼ NE. ¼ lot 6, sec. 12, T. 46, R. 3.
Frank Lamorie	NW. ¼ NW. ¼, SE. ¼ NW. ¼, sec. 36, T. 46, R. 2.	NW. ¼ NW. ¼, SE. ¼ NW. ¼, sec. 36, T. 46, R. 2.
Maggie Lamorie	W. ½ NW. ¼ sec. 8, T. 47, R. 1	SW. ¼ NW. ¼ sec. 3, SW. ¼ NE. ¼ sec. 5, T. 47, R. 1.
Frances A. La Pointe	NW. ¼ SE. ¼ sec. 16; SE. ¼ NW. ¼ sec. 30, T. 48, R. 3.	SE. ¼ NW. ¼ sec. 30, T. 48, R. 3; NE. ¼ SW. ¼ sec. 29, T. 48, R. 3.
Francis C. La Pointe	E. ½ SW. ¼ sec. 30, T. 48, R. 2	E. ½ SW. ¼ sec. 30, T. 48, R. 2.
Margaret La Pointe	SE. ¼ NW. ¼ NE. ¼ SW. ¼ sec. 31, T. 48, R. 2.	SW. ¼ NE. ¼ sec. 31, T. 47, R. 3; NE. ¼ SW. ¼ sec. 31, T. 48, R. 2.
John La Rock	SE. ¼ NW. ¼ sec. 16; SE. ¼ SE. ¼ sec. 18, T. 46, R. 3.	S. ½ NW. ¼ sec. 16, T. 46, R. 3.
Agnes Lamieux	NW. ¼ SE. ¼ SE. ¼ SE. ¼ sec. 16, T. 47, R. 3.	E. ½ SE. ¼ sec. 16, T. 47, R. 3.
Eli Lamieux	Lots 3, 4, sec. 13; lots 1, 5, sec. 24, T. 46, R. 3.	Lot 1, sec. 24, T. 46, R. 3; lot 2, sec. 19, T. 46, R. 2.
Madeline Less	S. ½ SW. ¼ sec. 29, T. 47, R. 3	NE. ¼ SW. ¼ sec. 29; SE. ¼ NW. ¼ sec. 21, T. 47, R. 3.
Louisa Lord	SE. ¼ SW. ¼ sec. 13; SE. ¼ NE. ¼ sec. 14, T. 46, R. 2.	SE. ¼ NW. ¼ sec. 21, T. 46, R. 3; SE. ¼ NE. ¼ sec. 14, T. 46, R. 2.
Charlotte F. Mauypenny	SW. ¼ NW. ¼ SW. ¼ SE. ¼ sec. 31, T. 47, R. 3.	SW. ¼ NW. ¼ sec. 31, T. 47, R. 3; NE. ¼ SW. ¼ sec. 7, T. 46, R. 2.
Dora Holmes Markesman	SE. ¼ NW. ¼ SE. ¼ SW. ¼ sec. 28, T. 47, R. 3.	SE. ¼ NW. ¼ SW. ¼ sec. 28, T. 47, R. 3.
Sam P. Markesman	W. ½ SE. ¼ sec. 34, T. 46, R. 2	W. ½ SE. ¼ sec. 34, T. 46, R. 2.
Rosa G. Martin	S. ½ NE. ¼ sec. 19, T. 47, R. 3	S. ½ NW. ¼ sec. 16, T. 47, R. 3
Antoine J. Mayotte	NE. ¼ SW. ¼ sec. 16; N. ½ SE. ¼ NE. ¼ sec. 30, T. 48, R. 3.	SE. ¼ NE. ¼ sec. 30, T. 48, R. 3; SE. ¼ NE. ¼ sec. 30, T. 47, R. 3.
Francis Mayotte	N. ½ SE. ¼ sec. 30, T. 47, R. 3	N. ½ SE. ¼ sec. 30, T. 47, R. 3.
Julia Mayotte	SE. ¼ SW. ¼ sec. 16; NW. ¼ SW. ¼ sec. 28, T. 48, R. 3.	W. ½ SW. ¼ sec. 28, T. 48, R. 3.
Kate Defoe Mayotte	SW. ¼ SE. ¼ sec. 8; SW. ¼ NE. ¼ sec. 9, T. 47, R. 3.	Lot 3, sec. 19, T. 46, R. 3; SW. ¼ NE. ¼ sec. 9, T. 47, R. 3.
Geo. McBride	E. ½ SE. ¼ SE. ¼ sec. 29, T. 47, R. 3; lot 3, sec. 24, T. 48, R. 4.	Lot 3, sec. 24, T. 48, R. 4.
Madeline Me-dwa-gwan	SE. ¼ SE. ¼ sec. 17; N. ½ NE. ¼ SE. ¼ sec. 20, T. 47, R. 3.	SE. ¼ SE. ¼ sec. 17; SE. ¼ SE. ¼ sec. 7, T. 47, R. 3.
Angeline Me-dwe-i-ash	NE. ¼ NW. ¼; lot 1, sec. 18, T. 46, R. 2.	NE. ¼ NW. ¼ lot 1, sec. 18, T. 46, R. 2.
Edward Me-dwe-i-ash	N. ½ SE. ¼ sec. 19, T. 47, R. 3	N. ½ SE. ¼ sec. 19, T. 47, R. 3.
Joseph Me-dwe-i-ash	S. ½ NW. ¼ sec. 19, T. 47, R. 3	S. ½ NW. ¼ sec. 19, T. 47, R. 3.
Alex Me-se-ba	SE. ¼ NW. ¼ NE. ¼ SW. ¼ sec. 32, T. 46, R. 2.	SE. ¼ NW. ¼ NE. ¼ SW. ¼ sec. 32, T. 46, R. 2.
John Me-se-ba	NE. ¼ SW. ¼. lot 3, sec. 18, T. 46, R. 2.	N. ½ SE. ¼ sec. 18, T. 46, R. 2.
Lucy Me-se-ba	NW. ¼ SW. ¼ sec. 26; NE. ¼ NW. ¼ sec. 25, T. 46, R. 2.	N. ½ SW. ¼ sec. 25, T. 46, R. 2.
Manido Me-se-ba	E. ½ SE. ¼ sec. 36, T. 47, R. 2	SW. ¼ SE. ¼ NE. ¼ SE. ¼ sec. 36, T. 47, R. 2.
George Miller	S. ½ NW. ¼ sec. 35, T. 46, R. 2	S. ½ NW. ¼ sec. 35, T. 46, R. 2.
Mary Miller, sr	SW. ¼ SE. ¼ NE. ¼ SW. ¼ sec. 33, T. 48, R. 2.	NE. ¼ SW. ¼ SW. ¼ SE. ¼ sec. 33, T. 48, R. 2.
Mary S. Miller	SE. ¼ SE. ¼ sec. 8; SW. ¼ SW. ¼ sec. 9, T. 47, R. 3.	SW. ¼ SW. ¼ sec. 9; SW. ¼ NW. ¼ sec. 8, T. 47, R. 3.
Mish-a-wa-ka-mi-go-kee	W. ½ SE. ¼ NW. ¼ NW. ¼ SE. ¼ sec. 29, T. 47, R. 3.	NE. ¼ NE. ¼ sec. 32; NE. ¼ NE. ¼ sec 30, T. 47, R. 3.
Mary S. Moore	NW. ¼ NE. ¼ SE. ¼ NE. ¼ sec. 21, T. 47, R. 2.	NW. ¼ NE. ¼ sec. 21; SW. ¼ NW. sec. 20, T. 47, R. 3.
John M. Moran	SE. ¼ SW. ¼ lot 1, sec. 27, T. 48, R. 2.	SE. ¼ SW. ¼ sec. 27, T. 48; SW. ¼ NE. ¼, sec. 34, T. 48, R. 2.
Robert Moran, sr	S. ½ NW. ¼ sec. 5, T. 47, R. 1	NW. ¼ SW. ¼ SE. ¼ NW. ¼, sec. 5, T. 47, R. 1.
Charlotte D. Morrison	NE. ¼ NW. ¼ sec. 31; NE. ¼ NE. ¼, sec. 33, T. 48, R. 2.	NE. ¼ NE. ¼ NW. ¼ SE. ¼, sec. 33, T. 48, R. 2.
Clara M. Morrison	SW. ¼ NE. ¼ sec. 3, T. 46, R. 3	SW. ¼ NE. ¼ sec. 3, T. 46, R. 3; NE. ¼ SE. ¼ sec. 32, T. 48, R. 2.
Daniel D. Morrison	SW. ¼ NW. ¼ sec. 8; SW. ¼ SW. ¼, sec. 34, T. 46, R. 3.	W. ½ SW. ¼ sec. 34, T. 46, R. 3.
E. C. Morrison	SW. ¼ SE. ¼ sec. 2, T. 47, R. 2	NW. ¼ NE. ¼, SW. ¼ SE. ¼, sec. 2, T. 47, R. 2.
George J. Morrison	SW. ¼ NW. ¼, NE. ¼ SW. ¼, sec. 35, T. 48, R. 3.	NE. ¼ SW. ¼, SW. ¼ NW. ¼, sec. 35, T. 46, R. 3.
Ida A. Morrison	SW. ¼ NE. ¼ sec. 7; SW. ¼ NW. ¼, sec. 26, T. 46, R. 3.	W. ½ NW. ¼ sec. 26, T. 46, R. 3.
John J. Morrison	Lot 8, sec. 24, SW. ¼ SW. ¼, sec. 30, T. 48, R. 3.	SW. ¼ SW. ¼ NW. ¼ NW. ¼, sec. 30, T. 48, R. 3.
Mary Morrow	NW. ¼ SE. ¼, NE. ¼ SW. ¼, sec. 17, T. 47, R. 1.	NE. ¼ SW. ¼ sec. 17, lots 3, 4, sec. 10, T. 47, R. 1.
Mike Morrow	Lots 1, 2, sec. 19, T. 46, R. 2	Lot 1, sec. 19, NE. ¼ SW. ¼, sec. 18, T. 46, R. 2.

Names.	Allen list.	Downs list.
Jane Moses	N. ½ NW. ¼ sec. 29, T. 47, R. 2	E. ½ NW. ¼ sec. 29, T. 47, R. 3.
Ne-ne-a-bine, Wa-se-gi-jig	E. ½ NW. ¼ sec. 18, T. 47, R. 1	N. ½ NE. ¼ sec. 23, T. 48, R. 3.
Charlotte Neveaux	Lot 3, sec. 18, E. ½ NW. ¼ NW ¼, SW. ¼ NW. ¼ sec. 22, T. 46, R. 3.	NW. ¼ NW. ¼ sec. 22, T. 46, R. 3; SW. ¼ SW. ¼ sec. 7, T. 48, R. 2.
Ellen Neveaux	SW. ¼ NE. ¼ sec. 29; SE. ½ NE. ¼, sec. 34, T. 46, R. 2.	S. ½ SE. ¼ sec. 36, T. 46, R. 2.
Joseph A. Neveaux	SE. ¼ NW. ¼ sec. 29; SE. ¼ SE. ¼, sec. 31, T. 46, R. 2.	NW. ¼ NE. ¼ sec. 12, T. 47, R. 2; NE. ¼ SE. ¼ sec. 21, T. 46, R. 2.
Joseph E. Neveaux	SW. ¼ SW. ¼ sec. 14, T. 47, R. 2; SE. ¼ NE. ¼ sec. 32, T. 47, R. 3.	W. ½ SW ¼ sec. 14, T. 47, R. 2.
Maggie C. Neveaux	SE. ¼ SE. ¼ sec. 19, T. 46; SE. ¼ NW. ¼ sec. 25, T. 47, R. 2.	W. ½ SE. ¼ sec. 14, T. 47, R. 2.
Robert Neveaux	S. ½ NE. ¼ sec. 1, T. 46, R. 2	SE. ¼ NW. ¼ sec. 13, T. 47, R. 2; SE. ¼ NE. ¼ sec. 1, T. 46, R. 2.
Aggie Ney	SE. ¼ SW. ¼ sec. 32; SE. ¼ NE. ¼, sec. 35, T. 46, R. 2.	SW. ¼ NW. ¼ sec. 35; SE. ¼ NE. ¼, sec. 35, T. 46, R. 2.
Fred Ney	NE. ¼ SE. ¼ sec. 19; NW. ¼ SW ¼, sec. 35, T. 46, R. 2.	W. ½ SW. ¼ sec. 35 T. 46, R. 2.
Louisa Ney	NE. ¼ SW. ¼ sec. 30; NE. ¼ SE. ¼, sec. 35, T. 46, R. 2.	NW. ¼ SW. ¼ sec. 36; NE. ¼ SE. ¼, sec. 35, T. 46, R. 2.
Mary Ney, jr	SE. ¼ NW. ¼ sec. 17; NE. ¼ NW. ¼, sec. 35, T. 46, R. 2.	W. ½ SE. ¼ sec. 35, T. 46, R. 2.
Stella Ney	SW. ¼ SW. ¼ sec. 17; SE. ¼ SW. ¼, sec. 35, T. 46, R. 2.	E. ½ SW. ¼ sec. 35, T. 46, R. 2.
William Ney	NE. ¼ SE. ¼ sec. 16; SW. ¼ SW. ¼, sec. 35, T. 46, R. 2.	SE. ¼ SW. ¼ sec. 31, T. 48; SW. ¼ SW. ¼ sec. 3, T. 47, R. 2.
Bernard Obern	Lot 6, sec. 6, T. 46, R. 2; SW. ¼ SE. ¼, sec. 6, T. 47, R. 2.	SW. ¼ SE. ¼ sec. 6, T. 47; NE. ¼ NW. ¼ sec. 20, T. 46, R. 3.
Delia Obern	NE. ¼ NE. ¼ sec. 22; NE. ¼ NW. ¼, sec. 35, T. 47, R. 3.	E. ½ NW. ¼ sec. 35, T. 47, R. 2.
Francis Obern	E. ½ lot 1, sec. 5; NW. ¼ SE. ¼, sec. 16, T. 46, R. 2.	NW. ¼ NW. ¼ sec. 35, T. 47; lot 1, sec. 5, T. 46, R. 2.
Lawrence Obern	SW. ¼ NE. ¼ sec. 25, T. 47, R. 2; NE. ¼ SW. ¼, sec. 32, T. 47, R. 3.	NE. ¼ NW. ¼ sec. 22, T. 46, R. 3; SW. ¼ NE. ¼ sec. 25, T. 47, R. 2.
Lizzie Obern	W. ½ SW. ¼ SW. ¼ sec. 11; NE. ¼ NW. ¼, sec. 16, T. 47, R. 3.	W. ½ SW. ¼ sec. 11, T. 47, R. 3.
Oss-wa-bik	S. ½ NW. ¼ sec. 24, T. 46, R. 2	Lots 1, 3, sec. 22, T. 48, R. 3.
Albert Ozios	E. ½ NE. ¼ SE. ¼ SE. ¼ SE. ¼ sec. 30, T. 48, R. 3.	SE. ¼ SE. ¼ sec. 30, T. 48, R. 3; NE. ¼ SE. ¼ sec. 17, T. 47, R. 1.
Alex Ozios	S. ½ NE. ¼ SE. ¼ sec. 20; W. ½ SE. ¼ SE. ¼ SW. ¼ SE. ¼ sec. 29, T. 47, R. 3.	NW. ¼ NW. ¼ sec. 29; NE. ¼ SE. ¼ sec. 20; T. 47, R. 3.
Nellie Ozios	E. ½ NE. ¼ NW. ¼ sec. 16; NE. ¼ NW. ¼ sec. 18, T. 46, R. 3.	SW. ¼ NE. ¼ sec. 21, T. 48, R. 3; NW. ¼ NW. ¼ sec. 16, T. 46, R. 3.
Olive Julia Ozios	NW. ¼ NW. ¼ sec. 6, T. 47, R. 2; SE. ¼ SE. ¼ sec. 32, T. 47, R. 3.	SW ¼ NE. ¼ sec. 30, T. 48, R. 4; NW. ¼ NW. ¼ sec. 6, T. 47, R. 2.
Elmer E. Peunock	W. ½ NE. ¼ NW. ¼ sec. 16; NW. ¼ NW. ¼ lot 1, sec. 18, T. 46, R. 3.	N. ½ NE. ¼ sec. 16, T. 46, R. 2.
Susan Pennock	N. ½ NW. ¼ sec. 24, T. 46, R. 2	SE. ¼ SW. ¼ sec. 19, T. 48, R. 3; SW. ¼ NE ¼ sec. 16, T. 46, R. 2.
Maggie Pero	W. ½ SW. ¼ sec. 16, T. 47, R. 1	SW. ¼ SW. ¼ sec. 10, T. 48, R. 3; S. 40 A, lot 3 in sec. 9, T. 48, R. 3.
Esther Gokee Petite	SE. ¼ NE. ¼ sec. 31; NW. ¼ NW. ¼ sec. 33, T. 48, R. 2.	NE. ¼ SW. ¼ sec. 10, T. 46, R. 3; NW. ¼ NW. ¼ sec. 33, T. 48, R. 2.
Mary Pine	N. ½ NW. ¼ sec. 16, T. 47, R. 1	NW. ¼ NE. ¼; SE. ¼ NW. ¼ sec. 27, T. 48, R. 3.
Angeline Pond	NW. ¼ SW. ¼ sec. 16; NE. ¼ SW. ¼ sec. 21, T. 48, R. 3.	S. ½ NE. ¼ sec. 31, T. 48, R. 3.
Cordelia Poupart	SW. ¼ SE. ¼ SE. ¼ SW. ¼ sec. 25, T. 46, R. 3.	NE. ¼ NE. ¼ sec. 35; SE. ¼ SE. ¼ sec. 26, T. 46, R. 3.
Helen Poupart	SW. ¼ NW. ¼; NW. ¼ SE. ¼ sec. 31, T. 48, R. 2.	S. ½ NW. ¼ sec. 31, T. 48, R. 2.
Kate Poupart	SE. ¼ SW. ¼ sec. 6; SW. ¼ NW. ¼ sec. 7, T. 47, R. 2.	SW. ¼ SE. ¼ sec. 7; SE. ¼ SW. ¼ sec. 6, T. 47, R. 2.
Sylvester Poupart	NE. ¼ NE. ¼ SW. ¼ NE. ¼ sec. 28, T. 47, R. 3.	NW. ¼ NE. ¼ sec. 32, T. 48, R. 3; NE. ¼ NE. ¼ sec. 28, T. 47, R. 3.
Vincent Poupart	SW. ¼ SW. ¼ sec. 5, T. 47, R. 3; SE. ¼ SE. ¼, or lot 1, sec. 36, T. 46, R. 3.	SE. ¼ NE. ¼ sec. 29; SW. ¼ NW. ¼ sec. 28, T. 47, R. 3.
Anna Mary Rabideaux	NE. ¼ SE. ¼ sec. 7; SE. ¼ SE. ¼ sec. 16, T. 46, R. 3.	SE. ¼ SE. ¼; NW. ¼ SE. ¼ sec. 16, T. 46, R. 3.
Charlotte G. Rabideaux, jr	N. ½ lot 5, sec. 6, T. 46, R. 2; lots 6, 7, sec. 13, T. 46, R. 3.	Lots 5, 6, sec. 6, T. 46, R. 2.
Frank Rabideaux	Lot 4, sec. 7, NE. ¼ SE. ¼ sec. 31, T. 46, R. 2.	Lot 4, NE. ¼ SE. ¼ sec. 31, T. 46, R. 3.
Henry Rabideaux	Lot 3, sec. 7, lots 1, 2, sec. 30, T. 46, R. 3.	Lots 1, 2, sec. 30, T. 46, R. 3.
John Rabideaux, jr	SE. ¼ NE. ¼ sec. 29; NW. ¼ NW. ¼ sec. 30, T. 48, R. 2.	S. ½ NE. ¼ sec. 29, T. 48, R. 2.
John Rabideaux, sr	S. ½ SE. ¼ sec. 17, T. 47, R. 1	SE. ¼ SE. ¼ sec. 29, T. 48, R. 3; SW. ¼ NW. ¼ sec. 1, T. 46, R. 2.
John Brisette Rabideaux	NW ¼ NW. ¼; SW. ¼ SW. ¼ sec. 23, T. 46, R. 3.	SE. ¼ SE. ¼ sec. 9, T. 48, R. 3; NW. ¼ NW. ¼ sec. 28, T. 46, R. 3.
Lawrence A. Rabideaux	NE. ¼ NE. ¼ sec. 7; SE. ¼ SE. ¼ sec. 19, T. 46, R. 3.	E. ½ SE ¼ sec. 19, T. 46, R. 3.

Names.	Allen list.	Downs list.
Mary Rabideaux	SW. ¼ NE. ¼; SE. ¼ NW. ¼ sec. 28, T. 48, R. 2.	SW. ¼ NW. ¼ sec. 4, T. 46, R. 3; SW. ¼ NE. ¼ sec. 26, T. 48, R. 2.
Mary J. Rabideaux	SE. ¼ SW. ¼ sec. 11; NW. ¼ NW. ¼ sec. 20, T. 46, R. 2.	SE. ¼ SW. ¼ sec. 11; NE. ¼ NE. ¼ sec. 7, T. 46, R. 2.
Paul Rabideaux	SE. ¼ NW. ¼; NW. ¼ NE. ¼ sec. 30, T. 46, R. 3.	Lot 10, sec. 15, T. 48, R. 3; SE. ¼ NW. ¼ sec. 30, T. 46, R. 3.
Stella M. Rabideaux	S. ½ NW. ¼ sec. 29, T. 46, R. 2.	SW. ¼ SE. ¼ sec. 10, T. 48, R. 3; NW. ¼ SE. ¼ sec. 29, T. 47, R. 3.
Jim Ratskin	NE. ¼ NE. ¼; SW. ¼ NW. ¼ sec. 36, T. 46, R. 2.	NE. ¼ NE. ¼; NE. ¼ SW. ¼ sec. 36, T. 46, R. 2.
Louis Reil	Lot 1, sec. 2, T. 47, R. 3; S. ½ SE. ¼ NE. ¼ sec. 30; lot 3, sec. 35, T. 48, R. 3.	Lot 3, sec. 35, T. 48, R. 3; SE. ¼ SW. ¼ sec. 3, T. 47, R. 3.
Thomas Reil	SE. ¼ SW. ¼ sec. 4; SW. ¼ NE. ¼ sec. 5, T. 47, R. 1.	Lot 2, sec. 5; SE. ¼ SW. ¼ sec. 4, T. 47, R. 1.
Alex Richards	Lot 1, sec. 19, T. 48, R. 3	Lot 1, sec. 19, T. 48, R. 3.
Edgar Genery Richter	Lot 4, SW. ¼ NW. ¼ sec. 5, T. 48, R. 3.	N. ½ SW. ¼ sec. 32, T. 46, R. 3.
William Rufus	W. ½ SE. ¼ sec. 4, T. 47, R. 1.	W. ½ SE. ¼ sec. 4, T. 47, R. 1.
Mary Santarnow	SE. ¼ SW. ¼ sec. 7; SE. ¼ SW. ¼ sec. 29, T. 46, R. 3.	E. ½ SE. ¼ sec. 23, T. 46, R. 2.
Theodore Santarnow	E. ½ SE. ¼ sec. 23, T. 46, R. 2.	S. ½ SW. ¼ sec. 29, T. 46, R. 3.
Esther Sevalier	NW. ¼ SE. ¼; N. ½ SW. ¼ SE. ¼ sec. 19, T. 48, R. 3.	SE. ¼ SW. ¼; SW. ¼ SE. ¼ sec. 19, T. 48, R. 3.
Louis Sevalier	W. ½ NW. ¼ SW. ¼ sec. 11; SW. ¼ SW. ¼ sec. 16, T. 47, R. 3.	NE. ¼ NW. ¼, SW. ¼ SW. ¼ sec. 16, T. 47, R. 3.
Manuel E. Sevalier	SE. ¼ NE. ¼ sec. 7; NW. ¼ SE. ¼ sec. 19, T. 46, R. 3.	NW. ¼ SW. ¼ sec. 16, T. 47, R. 2; NW. ¼ SE. ¼ sec. 19, T. 46, R. 3.
Susan Obern Shafer	NE. ¼ SW. ¼ sec. 7, T. 46, R. 2; E. ½ SE. ¼ SW. ¼ sec. 28, T. 47, R. 2.	SE. ¼ SE. ¼ sec. 23, T. 46, R. 3; SE. ¼ SW. ¼ sec. 28, T. 47, R. 2.
Mary J. Shaw	W. ½ NE. ¼ NE. ¼ sec. 15; NE. ¼ NW. ¼ sec. 21, T. 46, R. 2.	N. ½ NW. ¼ sec. 21, T. 46, R. 2.
Dan Sky	N. ½ NW. ¼ sec. 7, T. 47, R. 2	NW. ¼ SE. ¼ sec. 15, T. 48, R. 3; NW. ¼ NW. ¼ sec. 7, T. 47, R. 2.
Lizzie Sky	N. ½ NE. ¼ sec. 30, T. 47, R. 3	NW. ¼ NE. ¼; SE. ¼ NW. ¼ sec. 30, T. 47, R. 2.
Francis J. Smart	NE. ¼ NW. ¼ sec. 32, T. 47, R. 3; NW. ¼ NW. ¼ sec. 34, T. 48, R. 2.	NW. ¼ NW. ¼ sec. 34, T. 48, R. 2; NE. ¼ SW. ¼ sec. 27, T. 47, R. 2.
Margaret M. Smart	N. ½ SW. ¼ sec. 2, T. 48, R. 3	N. ½ SW. ¼ sec. 3, T. 48, R. 3.
Samuel Smart	S. ½ SW. ¼ sec. 8, T. 47, R. 2	S. ½ SW. ¼ sec. 8, T. 47, R. 3.
Francis Smith	Lot 5, NE. ¼ NW. ¼ sec. 2, T. 47, R. 3.	Lot 1. NE. ¼ NW. ¼ sec. 2, T. 47, R. 3.
Antoine Sohlier	N. ½ NW. ¼ sec. 20, T. 47, R. 3	NW. ¼ NE. ¼; NE. ¼ NW. ¼ sec. 7, T. 47, R. 2.
Frank C. Soulier	SE. ¼ NE. ¼; NE. ¼ SE. ¼ sec. 16, T. 47, R. 3.	NW. ¼ NW. ¼ sec. 13; SW. ¼ SE. ¼ sec. 17, T. 47, R. 3.
Joseph C. Soulier	NE. ¼ SE. ¼ sec. 17; NE. ¼ SW. ¼ sec. 16, T. 47, R. 3.	NE. ¼ SE. ¼ sec. 17; NE. ¼ SE. ¼ sec. 8, T. 47, R. 3.
Peter Soulier	W. ½ NE. ¼ sec. 25, T. 48, R. 4	NW. ¼ SE. ¼; NW. ¼ NE. ¼ sec. 25, T. 48, R. 4
William Soulier, jr.	E. ½ SE. ¼ sec. 16, T. 47, R. 1	W. ½ NW. ¼ sec. 15, T. 48, R. 3.
William Soulier, sr.	SW. ¼ SE. ¼; E. ½ SW. ¼ sec. 17, T. 47, R. 3.	SE. ¼ SW. ¼ sec. 17; SW. ¼ SE. ¼ sec. 8, T. 47, R. 3.
Maggie Green Sprink	S. ½ NE. ¼ sec. 27, T. 47, R. 2	SE. ¼ NE. ¼; SE. ¼ SW. ¼ sec. 27, T. 47, R. 2.
Madeline Steen	SE. ¼ NW. ¼; SE. ¼ SE. ¼ sec. 16, T. 46, R. 2.	S. ½ SE. ¼ sec. 16, T. 46, R. 2.
Frank Stoddard	S. ½ NE. ¼ sec. 30, T. 47, R. 3	SW. ¼ NE. ¼ sec. 30; NE. ¼ SE. ¼ sec. 7, T. 47, R. 3.
George Stoddard	S. 32 A. of lot 10, sec. 13, T. 25; SW. ¼ NE. ¼ sec. 33, T. 47, R. 3.	S. 32 A. of lot 10; S. 33.20 A. lot 12, sec. 25, T. 47, R. 3.
Julia Stoddard	E. ½ SE. ¼ sec. 8, T. 47, R. 3	E. ½ SE. ¼ sec. 8, T. 47, R. 3.
Isaac Stone	S. ½ SW. ¼ sec. 18, T. 47, R. 3	S. ½ SW. ¼ sec. 18, T. 47, R. 3.
John Stone	SE. ¼ SW. ¼; lot 4, sec. 13, T. 46, R. 2.	Lot 3, sec. 15, T. 48, R. 3
Mary Sweet	NW. ¼ SE. ¼ sec. 26; NE. ¼ SE. ¼ sec. 36, T. 48, R. 2.	NE. ¼ SE. ¼ sec. 36; NW. ¼ SE. ¼ sec. 35, T. 48, R. 3.
Arthur Taylor	S. ½ NE. ¼ sec. 13, T. 47, R. 1	S. ½ NE. ¼ sec. 18, T. 47, R. 1.
Frank R. Taylor	NE. ¼ NW. ¼ sec. 10; NE. ¼ SW. ¼ sec. 19, T. 47, R. 3.	NE. ¼ NW. ¼ sec. 10, T. 47, R. 3; SE. ¼ SE. ¼ sec. 7, T. 46, R. 2.
Julia Valleur Treme	SW. ¼ NW. ¼ sec. 28, T. 48, R. 2	S. ½ NW. ¼ sec. 28, T. 48, R. 2.
John E. Twobirds, jr.	SE. ¼ NE. ¼ sec. 8; NE. ¼ NW. ¼ sec. 19, T. 47, R. 3.	SW. ¼ SW. ¼ sec. 22, T. 47, R. 3 NW. ¼ NW. ¼ sec. 21, T. 48, R. 2.
Hazel B. Van Buren	SE. ¼ NE. ¼ sec. 31, T. 46, R. 3; NW. ¼ NW. ¼ sec. 32, T. 47, R. 3.	S. ½ NE. ¼ sec. 31, T. 46, R. 3.
John Van Buren	N. ½ NE. ¼ sec. 14, T. 46, R. 2	N. ½ NE. ¼ sec. 14, T. 46, R. 2.
Bernard C. Vanderventer	Lot 2, sec. 7; NE. ¼ SE. ¼ sec. 32, T. 46, R. 3.	NW. ¼ SE. ¼ sec. 19; lot 8, sec. 15, T. 48, R. 3.
Bert Vanderventer	NW. ¼ SE. ¼ sec. 30; lot 8, sec. 31, T. 46, R. 2.	Lot 8, sec. 31; NW. ¼ SE. ¼ sec. 30, T. 46, R. 2.
Delia M. Vanderventer	NW. ¼ NW. ¼ sec. 28; NE. ¼ NE. ¼ sec. 29, T. 47, R. 3.	NE. ¼ NE. ¼ sec. 29; SE. ¼ NE. ¼ sec. 21, T. 47, R. 3.
Elmer E. Vanderventer	SW. ¼ NE. ¼; NW. ¼ SE. ¼ sec. 36, T. 48, R. 4.	NW. ¼ SE. ¼ sec. 36, T. 48, R. 4; SW. ¼ SW. ¼ sec. 25, T. 48, R. 3.
George Vanderventer	NW. ¼ SE. ¼ sec. 6, T. 46, R. 3; SW. ¼ SE. ¼ sec. 8, T. 47, R. 3.	SW. ¼ SE. ¼ sec. 3; lot 5, sec. 2, T. 47, R. 3.

Names.	Allen list.	Downs list.
Joseph Vanderventer	NW. ¼ NW. ¼ sec. 18; NW. ¼ NE. ¼ sec. 29, T. 47, R. 3.	NW. ¼ NW. ¼; NE. ¼ NW. ¼, sec. 16, T. 47, R. 3.
Mary M. Vanderventer	N. ½ SE. ¼ sec. 3, T. 47, R. 3	N. ½ SE. ¼ sec. 3, T. 47, R. 3.
Susie Belonger Vanderventer	NW. ¼ SW. ¼ sec. 20; NW. ¼ NW. ¼ sec. 31, T. 48, R. 3.	NW. ¼ NW. ¼ sec. 31; NW. ¼ SW. ¼ sec. 20, T. 48, R. 3.
Anna L. Varette	E. ½ SW. ¼ sec. 21, T. 47, R. 3	E. ½ SW. ¼ sec. 21, T. 47, R. 3.
August Wan-ban-ne-no-din	NE. ¼ NW. ¼ sec. 22; SW. ¼ SE. ¼ sec. 23, T. 46, R. 2.	S. ½ SE. ¼ sec. 23, T. 46, R. 2.
John Wan-ban-ne-no-din	SE. ¼ SW. ¼ sec. 21; NW. ¼ SE. ¼ sec. 23, T. 46, R. 2.	W. ½ SE. ¼ sec. 23, T. 46, R. 2.
Maggie Wan-ke-chon	W. ½ NW. ¼ NW. ¼ sec. 17; NE. ¼ NE. ¼ sec. 19, T. 46, R. 2.	N. 40 A. of lot 5, sec. 15, T. 46, R. 3; NE. ¼ NE. ¼ sec. 19, T. 46, R. 2.
Mary Webster	SW. ¼ NE. ¼; NW. ¼ SE. ¼ sec. 8, T. 47, R. 3.	NW. ¼ NE. ¼; NE. ¼ NW. ¼ sec. 18, T. 47, R. 3.
O-mon-dwa Webster	SW. ¼ NW. ¼; NE. ¼ SE. ¼ sec. 29, T. 47, R. 3.	SW. ¼ NW. ¼; NE. ¼ SE. ¼ sec. 29, T. 47, R. 3.
Julia Whitebird	N. fr. ½ NW. ¼ sec. 5, T. 47, R. 2; NE. ¼ SE. ¼ sec. 32, T. 47, R. 3.	N. ½ NW. ¼ sec. 5, T. 47, R. 2.
Peter Whitebird	NE. ¼ NW. ¼ sec. 17; NW. ¼ NE. ¼ sec. 18, T. 47, R. 3.	NE. ¼ SW. ¼ sec. 18; NE. ¼ NW. ¼ sec. 17, T. 47, R. 3.
Edward Wiggins	Lot 4; S. ½ SW. ¼ SE. ¼; NW. ¼ SW. ¼ sec. 19, T. 48, R. 3.	NW. ¼ SW. ¼ lot 4, sec. 19, T. 48, R. 3; SE. ¼ SE. ¼ sec. 32, T. 47, R. 3.
Frances Wiggins	SE. ¼ SE. ¼ sec. 9; NW. ¼ SW. ¼ sec. 21, T. 48, R. 3.	N. ½ SW. ¼ sec. 21, T. 48, R. 3.
Mamie Wiggins	W. ½ lot 1, sec. 5, T. 46, R. 2; lot 6, sec. 13, T. 46, R. 3.	NW. ¼ SW. ¼; SW. ¼ SE. ¼ sec. 15, T. 48, R. 3.
Kate Willard (dead)	SW. ¼ NE. ¼; SE. ¼ SE. ¼ sec. 35, T. 46, R. 2.	SW. ¼ NE. ¼; SE. ¼ SE. ¼ sec. 35, T. 46, R. 2.
Maggie Demgon Williams	N. ½ SW. ¼ sec. 7, T. 47, R. 3	SW. ¼ SW. ¼; NE. ¼ SW. ¼ sec. 7, T. 47, R. 3.

Mr. HOLCOMBE. I have here a letter which has not been offered in evidence. It seems to be a copy of a letter addressed to Hon. E. A. Morse, House of Representatives, Washington, D. C., dated December 28, 1908, and signed by R. G. Valentine, acting commissioner, in which this statement appears:

Subsequently, in 1904, an effort was made to allot members of this band in accordance with the provisions of the act of February 11, 1901, supra, at which time the council or business committee of the tribe were given an opportunity to indicate the description of land to be assigned each member for his individual allotment. A schedule prepared along these lines, showing allotments to some 402 Indians, was submitted to the office, but prior to its approval a number of protests were received in which it was alleged that gross injustice had been done by the council or business committee in assigning the best lands on the reservation to certain favored individuals—particularly half breeds—and that the old and ignorant members of the tribe who had no one to [illegible] after their interests had been omitted entirely, or else given the least valuable tracts. These protests became so numerous and appeared to be so well f[illegible]ed that a special officer was appointed to investigate this matter. His repo[illegible] confirmed these allegations and, on June 14, 1907, the office recommended to the department that the former unapproved schedule be revised and th[illegible] allotments be made without regard to the wishes of the council or b[illegible] committee of the tribe.

It seems to me that opportunity ought to be given the prote[illegible] now to be heard.

The CHAIRMAN. That undoubtedly refers to what was given [illegible] Downs roll.

Senator LA FOLLETTE. Those protests must have gone in throu[illegible] agent. Let him be examined upon that point. Then we will [illegible]now who these protestants are.

STATEMENT OF SAMUEL W. CAMPBELL—Continued.

SAMUEL W. CAMPBELL having been recalled, testified as follows:

The CHAIRMAN. I call your attention to a roll of 402 names submitted to the department for approval prior to January, 1905, against

which protests were filed, to the extent and effect that the department sent a man up here to investigate them, the protests being directed to the proposition that in allotting lands the better lands had been given to mixed bloods and that the full bloods were required to take the poorer lands. Do you recall a matter of that kind?

Mr. CAMPBELL. I can't recall that assertion. I think there were some affidavits forwarded to me by the Indians to be sent down to the commissioner—I think there was—I can't tell it for certain from memory. If there was, we ought to have some record of it, writing and sending those affidavits. It would be on record in my book up at Ashland.

Senator LA FOLLETTE. Don't you remember any of the people who filed affidavits with you?

Mr. CAMPBELL. No, sir; I do not.

Senator LA FOLLETTE. You don't recall any of the names?

Mr. CAMPBELL. No, sir; the entire thing that dissatisfied a great many of the Indians with reference to the Downs list was the elimination of one hundred and some odd children from that list. That dissatisfied the parents of those children, and then they were dissatisfied with the Downs list.

Senator LA FOLLETTE. You have a record in your office of all the correspondence?

Mr. CAMPBELL. I undoubtedly have it.

Senator LA FOLLETTE. Will you look it up and produce it?

Mr. CAMPBELL. Anything that went to the commissioner I have got a copy of in my letter book. Perhaps I didn't take a copy of the affidavits.

Senator LA FOLLETTE. Possibly you did.

Mr. CAMPBELL. Possibly I may have, to keep a complete record, but if I did not I certainly will have the letter transmitting those affidavits to the commissioner.

Senator LA FOLLETTE. And you will have the correspondence with the commissioner?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Look that up and produce it before the committee.

Mr. CAMPBELL. Do you want it before you leave here?

Senator LA FOLLETTE. Yes.

Mr. SANBORN. It is a fact, isn't it, that nearly all of the full bloods on this reservation here were assigned their allotments some time ago?

Mr. CAMPBELL. I think so.

Mr. LA FOLLETTE. That is before the Downs roll was made?

Mr. CAMPBELL. I think so. I mean of the adults.

Mr. SANBORN. This Downs list, as they have it now here, contains these one hundred and some odd names of children that the department held could not be put on there?

Mr. CAMPBELL. Yes, sir.

Mr. SANBORN. That was the holding of the department after it left here?

Mr. CAMPBELL. Yes, sir; that was after it left here, the order eliminating those children, and I think, if my memory serves me right, that in the same letter he wrote to eliminate those children that were born after 1901, reference was also made to swamp lands, those that had filed on swamp lands, because, I think, some of the Indians came

to me and I am not certain whether I wrote a letter, but I told them that that would be thrown open. I think I wrote to the commissioner to ask his opinion in regard to that, whether when these children were eliminated and those who were entitled to an allotment had filed on swamp lands, if they could file upon the lands of the children which were eliminated. I think I have the opinion of the commissioner on that. I am not certain whether I told them that was thrown open to anybody.

Senator LA FOLLETTE. You can communicate by telephone with your office?

Mr. CAMPBELL. Yes.

Senator LA FOLLETTE. I would suggest that you communicate as early as you can in the morning with the custodian of your letter files there, of your correspondence and papers, relative to this matter and that he be directed to produce them before the committee to-morrow.

Senator PAGE. How many years have you been here in this locality?

Mr. CAMPBELL. Eleven years last July.

Senator PAGE. Practically all through this discussion in regard to the lists?

Mr. CAMPBELL. I never took any active part in the Downs list. The man was sent from Washington. I never took any active part in the making of the first list. I never came near the committee until they sent me word that they had completed that list and wanted me to come down in open council and read it. I wanted to keep myself out of it as much as possible, and when they sent an inspector here from Washington to make this list up I left it entirely to him.

The CHAIRMAN. Have the correspondence here as early in the morning as you can.

STATEMENT OF CHARLES D. ARMSTRONG—Continued.

CHARLES D. ARMSTRONG resumed the stand and testified as follows:

The CHAIRMAN. You were testifying this evening as to a meeting of the committee where you were making up the enrollment of some four-hundred-odd names, I think?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Who else besides yourself composed that committee?

Mr. ARMSTRONG. William Obern, James Doolittle, David Blackbird, and I think John Twobirds.

The CHAIRMAN. That would be four, and yourself would make five. Was that a committee of five?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. I understood that that committee was the committee that was appointed after the committee of twelve was dissolved.

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Didn't you serve on the committee before that, when it was composed of twelve?

Mr. ARMSTRONG. When that committee was made up it was appointed collectively in council.

The CHAIRMAN. Which committee?

Mr. ARMSTRONG. The committee of twelve; that was somewhere about February 10 or 12, 1904.

The CHAIRMAN. You were on that committee of twelve?

Mr. ARMSTRONG. I was one of the twelve selected.

The CHAIRMAN. Which one of those committees was it that made up the list where Major Campbell said you had got to fill out the assignments—the descriptions?

Mr. ARMSTRONG. The committee of twelve.

The CHAIRMAN. Were there any full bloods on that committee?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Who were they?

Mr. ARMSTRONG. David Blackbird, James Doolittle, Moses White, Edward Haskins, George Messenger. I think that is all the full bloods.

The CHAIRMAN. Was Obern on that committee?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. And you were on that committee?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Now, I think you have testified that in putting these descriptions on you showed no discrimination, didn't you?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Now, it was that list, as I understand—and if I don't, I want to be corrected—it was that list that the complaints were made to, was it not?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. I think you testified you were a full blood?

Mr. ARMSTRONG. Half blood.

The CHAIRMAN. That is all.

STATEMENT OF DAVID BLACKBIRD.

DAVID BLACKBIRD, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. Do you remember the time when the committee of twelve was working on the roll, and some of your committee went to the farmer's office and got the plots and filled the descriptions opposite to the names of some of the people on the roll?

Mr. BLACKBIRD. Yes, sir.

The CHAIRMAN. Now, in filling out those descriptions, was any advantage given to anybody whose name was on the roll, as to the kind of timber or value of allotments they were getting?

Mr. BLACKBIRD. No, sir.

The CHAIRMAN. You are a full blood?

Mr. BLACKBIRD. Yes, sir.

The CHAIRMAN. Have you heard complaints that the mixed bloods were getting the best lands and the full bloods were getting the poorer lands?

Mr. BLACKBIRD. No, sir.

Mr. HOLCOMBE. Is this the book that you took to fill out that list from [indicating]?

Mr. BLACKBIRD. I didn't see that book at that time. Only other papers.

Mr. HOLCOMBE. Where did you get the description of the lands that you filled in on the list?

Mr. BLACKBIRD. We didn't give no lands. All I remember of is considering the applicants' standing, and so forth, and passing upon their rights to an allotment of land.

The CHAIRMAN. Weren't you ever present when you had the roll and the committee filled out the descriptions of the land?

Mr. BLACKBIRD. All that we used to do was to pass upon their rights to allotments of land. As far as the land goes, we didn't give the land.

Mr. SANBORN. About how many full-blood land cruisers are there on this reservation?

Mr. BLACKBIRD. I know of two full bloods, Joe Stoddard and Henry Condeacon.

STATEMENT OF WILLIAM OBERN—Continued.

WILLIAM OBERN, having been recalled, testified as follows:

The CHAIRMAN. Do you recall the time when you had a list of names—a roll—and the assignment of selections of allotments was made out by the committee?

Mr. OBERN. Senator, we didn't do anything during the time that we were making up the allotment list but take into consideration their rights to allotments. I was thinking ever since Mr. Armstrong testified to that that I would ask you to put me back on the stand, and I am glad you have. It is probable after Major Campbell came down there we did do something of that kind. It seems to me that Patterson did once say something about not having room to do the work over there and we had better go into the council hall, and I think he came over himself and did it.

The CHAIRMAN. You think he was there with his books and papers?

Mr. OBERN. Yes, if my recollection is right. I am not at all positive on that. I would rather you take more evidence on that because my memory is not very clear on that. It seems to me Patterson was there with the book. I don't think it was ever left to the committee to do that—that is, the committee of twelve—to give out this land, because most of the men on that committee could not look into that book and follow the descriptions of the land; a majority of that committee was not familiar with the minutes in the book like this—could not read the minutes and could not write them.

The CHAIRMAN. You were there?

Mr. OBERN. I was there, and I was acting as secretary most of the time—all of the time that this Downs list was being made up.

The CHAIRMAN. Do you remember filling out the descriptions?

Mr. OBERN. I don't recollect. I may have done it. I don't deny it.

Senator PAGE. Haven't you ever had a map of all of these lands made out and the name of each man who had made selections entered onto that plat, so it showed at a glance just what lands were left?

Mr. OBERN. Yes, sir; there are such plats. There are some at the company's office and some at the county office at Ashland, maps made up by Ashland people, and there are plat books with all the lands of the Indians as they took them, each forty.

Senator PAGE. Did you Indians have that before you?

Mr. OBERN. No, sir. If we ever did have anything it must have been this book [indicating a book].

The CHAIRMAN. Don't you remember of the plat being brought in where the committee was at work at this time? You heard Mr. Armstrong's statement; I understood him to say it was plats.

Mr. OBERN. He said plat book.

Mr. HOLCOMBE. I would like to have Mr. Armstrong recalled.

STATEMENT OF CHARLES D. ARMSTRONG—Continued.

CHARLES D. ARMSTRONG, having been recalled, testified as follows:

The CHAIRMAN. At the time you testified to filling out the descriptions of land on that list of some 480, I think you said, did you have this book [indicating book]?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. I understood you to say you had plats the other time. Did you have any?

Mr. ARMSTRONG. No; we had the tract book.

The CHAIRMAN. Was the farmer there?

Mr. ARMSTRONG. I don't think he was. As I remember it, Mr. Obern and myself went over that book.

The CHAIRMAN. And filled out the names?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. At that time were you very familiar with the value of the respective descriptions that went onto the list?

Mr. ARMSTRONG. I had been, prior to that time, quite familiar, had been over the reservation and knew about where the timber was, and so forth.

The CHAIRMAN. And you were at that time, as you put those pieces on, familiar with the difference in value between the different pieces you put on?

Mr. ARMSTRONG. Judging from what I knew about it before.

The CHAIRMAN. Now, did you know who were mixed bloods and who were full bloods on the list, as you went down and put these descriptions on?

Mr. ARMSTRONG. No, sir; I don't know as we took that into consideration at all.

The CHAIRMAN. You tried to treat them all fairly, did you?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. What was your understanding of the complaint that was made against that list down in Washington?

Mr. ARMSTRONG. Against the original list?

The CHAIRMAN. Yes.

Mr. ARMSTRONG. The Downs list?

The CHAIRMAN. Yes. I am speaking now of that list that you worked on, where you put the descriptions in.

Mr. ARMSTRONG. That was the Downs list.

The CHAIRMAN. It afterwards became the Downs list?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. As we understood you a few moments ago, it was that list to which objection was made, resulting in some one being sent up here, is that right?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. What do you understand the objections were to that list?

Mr. ARMSTRONG. Well, the objection was, as I understand it, that these 180 had been that intimate with the farmer in charge of the reservation that they were able to secure good selections against the others.

The CHAIRMAN. The 180 whose descriptions you put on?

Mr. ARMSTRONG. No.

The CHAIRMAN. Those that were already put on?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Then, as you understand it, the complaint did not go to the names or descriptions that you and Obern put on, but was to the selections which were made before that?

Mr. ARMSTRONG. Yes, sir.

Mr. HOLCOMBE. It amounts to the same thing.

The CHAIRMAN. It may in some way.

Mr. HOLCOMBE. That they were too good.

The CHAIRMAN. But these men weren't responsible for any discrimination.

Senator PAGE. Is it the fact that the full bloods were all protected or taken care of in the earlier allotments?

Mr. ARMSTRONG. As I remember it, there were a few that had not been.

Senator PAGE. But practically all of them?

Mr. ARMSTRONG. Yes, sir; practically all of them.

Senator PAGE. In making your calculations, didn't you have some way of putting down each plot of land in this reservation that was assigned—how did you, in your own mind, ascertain that the lands were all allotted—did you have some plat?

Mr. ARMSTRONG. We went from the tract book.

Senator PAGE. That gave you the allottees which appeared in each town?

Mr. ARMSTRONG. Yes, sir.

Mr. HOLCOMBE. I would like to know exactly how you filled in that list. Did you take each vacant tract as you came to it and assign that tract to a given name until you had used up all the vacant tracts in the book?

Mr. ARMSTRONG. As I remember it, Mr. Obern and I would turn to a town and we would look up the number of vacant tracts in it, and we judged from our best recollection what the timber was, and would say, "Now, that is pretty good timber," and jot down the next name there.

Mr. HOLCOMBE. From your general idea of the whole township, without respect to the particular subdivision?

Mr. ARMSTRONG. Yes, sir.

Mr. HOLCOMBE. That is all.

STATEMENT OF FRANCES LELAND.

FRANCES LELAND, an Indian woman, having first been duly sworn, testified as follows:

The CHAIRMAN. Please state your name in full.

Mrs. LELAND. Frances Leland.

The CHAIRMAN. Where do you live?

Mrs. LELAND. At Ashland, Wis.

The CHAIRMAN. Are you of Indian blood?
Mrs. LELAND. Yes, sir.
The CHAIRMAN. Of what degree.
Mrs. LELAND. Quarter blood.
The CHAIRMAN. Of what band or tribe are you a member?
Mrs. LELAND. The Odanah.
The CHAIRMAN. Was your mother an Odanah?
Mrs. LELAND. My mother is dead.
The CHAIRMAN. Was she an Odanah?
Mrs. LELAND. Yes, sir; and lived on the reservation.
The CHAIRMAN. What was her name?
Mrs. LELAND. Mrs. Joseph Toulton.
The CHAIRMAN. Did she ever have an allotment?
Mrs. LELAND. Yes, sir.
The CHAIRMAN. Were you ever enrolled?
Mrs. LELAND. Do you mean was my name ever on there?
The CHAIRMAN. Yes; were you allowed on the roll by the council?
Mrs. LELAND. Yes, sir.
The CHAIRMAN. After you were enrolled did you ever make an application for allotment?
Mrs. LELAND. Yes, sir.
The CHAIRMAN. What steps did you take to make your application?
Mrs. LELAND. I came into the council and was recognized by them and was given a selection.
The CHAIRMAN. You gave the council your selection?
Mrs. LELAND. Yes, sir.
Mr. SANBORN. When was that?
Mrs. LELAND. Four or five years ago, I judge, when they had that roll made up.
Mr. SANBORN. Where did you get the selection?
Mrs. LELAND. I took my mother's selection. She died and I took it, and they gave it to me, when I was trying to get another number and did not; Mrs. Murray's daughter has it.
Mr. SANBORN. You took your mother's selection?
Mrs. LELAND. That is, 40 of it.
Mr. SANBORN. She had not received her allotment complete, had she?
Mrs. LELAND. No, sir; she died before she got the patent.
Mr. SANBORN. When you took the description to the council what did they say?
Mrs. LELAND. They took it and recognized it.
Mr. SANBORN. Did you understand that that was on the list which they called the Downs list, or didn't you know?
Mrs. LELAND. Is that Mr. Downs who came here? I think it is.
Mr. SANBORN. Mr. Downs came first and afterwards Mr. Allen came.
Mrs. LELAND. I think it was Downs, if I am not mistaken. But I am not positive.
Mr. SANBORN. Now, you say that after you left your description with them that that description was taken off?
Mrs. LELAND. No, sir; it was put on in my name on the roll and O. K.'ed by Mr. Campbell.
Mr. SANBORN. What became of it then?

Mrs. LELAND. It was scratched off the next day. It was O. K.'ed to-day and the next morning Charley Armstrong told my husband my name was scratched off.

Mr. SANBORN. Did you take it then before the council?

Mrs. LELAND. No sir; because we had trouble then and I thought I would wait until they came again, and this was the first time I have had a chance.

Mr. SANBORN. Did you take that description to the farmer at any time?

Mrs. LELAND. Mr. Patterson, do you mean?

Mr. SANBORN. Yes.

Mrs. LELAND. No, sir; I did not. I brought it right to the council.

Mr. SANBORN. Then you say they put another description in for you?

Mrs. LELAND. Well, forty of my mother's, and they give me another forty somewhere else. There was another man who took this. I think his name was Mike Augur. His adopted child he put in there instead, and he said he had not filed yet.

Mr. SANBORN. I do not just understand.

Mrs. LELAND. No; and I do not either.

Mr. SANBORN. You first filed for eighty, did you not?

Mrs. LELAND. Yes, sir.

Mr. SANBORN. It was your mother's?

Mrs. LELAND. Yes, sir.

Mr. SANBORN. After this Armstrong told you they had taken you off, did they give you any other allotment?

Mrs. LELAND. No, sir, they did not; they left me off entirely. They said I was not entitled to it.

Senator LA FOLLETTE. Who did you say got that description?

Mrs. LELAND. My mother.

Senator LA FOLLETTE. The land upon which you had filed, who finally got that?

Mrs. LELAND. They are fighting for it now. It was Mrs. Murray's daughter or Mr. Torbert's child, I think.

Senator LA FOLLETTE. Was it valuable land?

Mrs. LELAND. I think one part of it was; the other my mother had cut and I only had it for farming.

The CHAIRMAN. Did they ever give any reason why they took it off?

Mrs. LELAND. None.

The CHAIRMAN. Did you ever hear any reason claimed by anybody?

Mrs. LELAND. No, sir; only because I did not live here on the reservation—that is, in Odanah.

The CHAIRMAN. How did you hear that; do you remember who you heard it from?

Mrs. LELAND. No, sir, I do not; from several; in fact, I believe Charley Armstrong told me himself that I was not entitled, because I did not live here.

The CHAIRMAN. Do you know whether there was a council meeting that evening—what time in the day was it that they told you they received it?

Mrs. LELAND. The next day.

The CHAIRMAN. You do not catch my question. What time in the day was it that they told you they had received your application and accepted it?

Mrs. LELAND. The day that Mr. Campbell came down here?

The CHAIRMAN. What time of day was it, if you remember?

Mrs. LELAND. I can not remember. I was at home then.

The CHAIRMAN. You were not here?

Mrs. LELAND. I was at the council, but when I was told I was all right and was recognized by the committee I went home.

The CHAIRMAN. What time of the day was that?

Mrs. LELAND. It was in the afternoon.

The CHAIRMAN. Do you know whether they had a meeting in the evening?

Mrs. LELAND. No, sir; they did not because they all went home.

The CHAIRMAN. Do you know or have you any means of knowing who had the list that night?

Mrs. LELAND. It was supposed to be in Mr. Patterson's house. There was a lady living in Mr. Patterson's house at the time—Mrs. Riley, I think her name was, if I am not mistaken—and she looked at it for curiosity and she saw her name there, and my name was there on the first part of the evening without being scratched off, and the next day when my husband came down here he was met by Mr. Armstrong, who told him my name was off, and several others, I do not know how many, and my son also. He was O. K.'ed. I think he was on some swamp land.

The CHAIRMAN. Was he also taken off?

Mrs. LELAND. Yes, sir; he was taken off.

The CHAIRMAN. Was he living with you at Ashland?

Mrs. LELAND. Yes, sir; he was.

The CHAIRMAN. And you understood that was the reason, because you were not living down here with them, your name should not be on?

Mrs. LELAND. Yes, sir.

Mr. SANBORN. You were taken off the night after the council meeting was held at which Major Campbell was here, were you?

Mrs. LELAND. He was here the next day.

Mr. SANBORN. You were dropped some time between that and the next day, were you?

Mrs. LELAND. Yes, sir; after Mr. Campbell was here.

Mr. SANBORN. That was after the last council meeting had been held on that list?

Mrs. LELAND. Yes, sir. I would like to state that my allotment is the west ½ southeast ¼ section 36, township 48, range 4 west.

(The witness was thereupon excused.)

STATEMENT OF DAN MORRISON.

DAN MORRISON, having first been duly sworn, testified as follows:

Senator LA FOLLETTE. Where do you live?

Mr. MORRISON. I live at Odanah.

Senator LA FOLLETTE. How long have you lived here?

Mr. MORRISON. I have lived here about thirteen years myself. My folks have lived here longer than that.

Senator LA FOLLETTE. Are you a member of this tribe or band?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. What blood are you?

Mr. MORRISON. I am a half-breed.

Senator LA FOLLETTE. Did you make a filing on any land here?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. Did you employ anybody to cruise for you before you made your filing?

Mr. MORRISON. Yes, sir; I hired different ones to go out and look at the land to see if it was worth taking.

Senator LA FOLLETTE. Were you able in that way to find any land that was desirable?

Mr. MORRISON. Yes, sir; I did in time.

Senator LA FOLLETTE. Did you spend any money in having search made for land?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. That you wanted to make a filing on?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. Who was the farmer at this agency at that time?

Mr. MORRISON. Roger Patterson.

Senator LA FOLLETTE. Where does he live now?

Mr. MORRISON. I believe he is located out on the Central at a place called Marengo, a short way out of Ashland on the Wisconsin Central.

Senator LA FOLLETTE. About how long was he farmer here, if you know?

Mr. MORRISON. I judge he was here about ten years.

Senator LA FOLLETTE. When did he go out of office?

Mr. MORRISON. Possibly three years ago or a little more, I could not just recollect.

Senator LA FOLLETTE. Do you know why he went out?

Mr. MORRISON. I understood that there were complaints against him, and it was the opinion he was asked to resign, and so he did. I could not say positively, but it was also spoken that there were complaints against him.

Senator LA FOLLETTE. When you were making search for land upon which to file did you have any conversation with him?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. State if he made any proposition to you about your paying any money to him for desirable location which he had covered up in any way, or that he knew about.

Mr. MORRISON. Do you want me to state how I obtained three allotments; that is, the minutes of three different allotments for my wife and two children?

Senator LA FOLLETTE. Yes, you may state it all.

Mr. MORRISON. It was always the habit here that Roger Patterson had absolute control of the minutes laying in the farmer's office in a sort of book, and that a man was not located with the location of land, and where the timber laid, would have to go to that book to get descriptions from Patterson, and then go out and look at it from that description that Patterson would give him.

Senator LA FOLLETTE. In order to know what land was vacant?

Mr. MORRISON. In order to see if there was timber on it. So, in this way, I obtained selections for my wife. Everybody knows that Bill La Pointe in town is a land looker, and after I got descriptions from him for my wife I paid him $2 a day for expenses.

Senator LA FOLLETTE. That is after you got descriptions from Patterson?

Mr. MORRISON. Yes, sir; and I went out there.

Senator LA FOLLETTE. Then you paid this land looker to go and look up the land?

Mr. MORRISON. To look up the land, and after I saw it was fit to file on, or make a filing of it, my wife's description was entered on that book, and that settled the description for my wife. Then came the question of locating for my two children. I went to extreme bother to try and get them on something that would be of some benefit or value to them, and I went to Patterson and asked him if I could not get the description of a few minutes or several, so that if I was out in the woods and was not satisfied with one I could look at the other. He gave me several descriptions of land, and I hired Simon Denomie, who is another land looker, and took him out several times. I paid him, I think, two dollars and a half a day and his usual expenses, and he looked at several pieces of land and found that the description that Patterson had been giving me was worthless, there being no timber on it, and I finally came to the conclusion to give it up. I saw by getting the minutes from Patterson that it did not advance me at all in my search, and I finally came to the conclusion that I would have to find some other way of doing. So I practically gave it up. So one day as I passed his office, at the farmer's office, he called me in and said, "How have you made out in your selections?" I said, "I have not met with any success at all; I think you are giving me the worst of it. I have paid out $15 for a man, and I would like to get some satisfaction." He said, "I have a proposition to make." I went on, understanding of course that I would get something, because the allotment list would be made up most any time; and he said, "I have got a selection here that another party wants, but you have had a little hard time looking up your selections and you can get this, providing you will pay so much."

Senator LA FOLLETTE. How much?

Mr. MORRISON. He asked $500. He brought it up to me in this way: That there was a party who was willing to give $500, but I had had hard luck and he would cut it in two with me, and I would not swear, nor do I recollect, but anyway the understanding between me and Patterson was that I gave him an order for $250, to be paid, I suppose, when the timber was cut.

Senator LA FOLLETTE. You say you would not swear; you do not recollect. What do you mean that you would not swear and that you do not recollect about?

Mr. MORRISON. I meant that the order was written, but whether I signed it or not I do not know; whether it was really necessary for me to sign it at that time.

Senator LA FOLLETTE. Was it an order or was it a note?

Mr. MORRISON. It was an order payable when the timber was cut, I expect.

Senator LA FOLLETTE. An order on whom?

Mr. MORRISON. I would not swear that it would be on my own allotment or on the child's when it would get the allotment, but I virtually got that allotment for my girl under those conditions.

Senator LA FOLLETTE. You succeeded, then, in getting this allotment?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. Did you have it looked up?

Mr. MORRISON. Yes, sir; I took a man and went out and looked up both forties.

Senator LA FOLLETTE. How did you find it?

Mr. MORRISON. I found it a very valuable eighty.

Senator LA FOLLETTE. Has it been cut yet?

Mr. MORRISON. No, sir; it was on the Downs list, and for my third selection.

Senator BROWN. Did you pay him the $250?

Mr. MORRISON. I signed an order.

Senator LA FOLLETTE. He signed an order on the lumber when it was cut.

Senator BROWN. When it is cut you expect to pay him the $250?

Mr. MORRISON. I certainly do. I can not tell whether it has been paid on account of my timber not being cut.

Senator LA FOLLETTE. He expects to pay if that sort of a proposition was enforceable.

Senator BROWN. How long ago did you make that contract with Patterson?

Mr. MORRISON. It was before the list was made that Mr. Downs came here to rectify.

Senator BROWN. Four or five years ago?

Mr. MORRISON. Something like that; something like four or five or six years.

Senator BROWN. Have you ever talked with Patterson about it since?

Mr. MORRISON. No, sir; I never have.

Senator BROWN. Has he ever asked you whether you ever cut it or not?

Mr. MORRISON. No, sir; he never did.

Senator BROWN. Do you know whether you gave the order on your own timber or the children's timber?

Mr. MORRISON. I could not tell you that.

Senator LA FOLLETTE. I suppose that Patterson knows that it is in this Downs list that has been suspended and nothing done with it?

Mr. MORRISON. He certainly knows all about it.

Senator BROWN. If the order is on your own lumber, it is collectible now, is it not?

Mr. MORRISON. I suppose it will be just as soon as the timber is cut.

Senator BROWN. Do you mean to say that your proposition is that you are to pay him $250 when the timber is cut and he was to get nothing if he did not cut the timber?

Mr. MORRISON. He is to get his money whenever the timber is cut, certainly.

Senator BROWN. And if you do not see fit to cut it he will never get anything?

Mr. MORRISON. It is certainly going to be cut. It is under contract to be cut within a certain length of time for that to be cut in. I am under contract with the Stearns Lumber Company for that timber to be cut.

Senator BROWN. On your own land?

Mr. MORRISON. Yes, sir. Whether that order will be paid out of mine or my daughter's I do not know.

Senator BROWN. Do you know of any other Indians who have bought selections in the same way?

Mr. MORRISON. No, sir; I do not know that I could name anybody in particular.

Senator BROWN. Was that Patterson's reputation, of selling selections at so much?

Mr. MORRISON. I understand so. I have heard a good deal of it.

Senator BROWN. Do you know of another case where he did except your own?

Mr. MORRISON. No, sir; I do not know that I could name anybody.

Senator BROWN. Do you know of anybody who could name any other transaction of that character?

Mr. MORRISON. There might be some.

Senator BROWN. Have you told your friends about this?

Mr. MORRISON. I have told a very few of them.

Senator BROWN. How soon after you made that contract did you tell anybody?

Mr. MORRISON. I do not know that I told anybody right off.

Senator BROWN. Well, how soon did you tell it?

Mr. MORRISON. Possibly a year or so.

Senator BROWN. Who did you tell it to within a year or so?

Mr. MORRISON. I believe I told Mr. Armstrong of it.

Senator BROWN. Anybody else?

Mr. MORRISON. I do not know that I have particularly.

Senator LA FOLLETTE. If you have anything to state further about the third selection you may state it.

Mr. MORRISON. The third selection I obtained through Mr. Obern, and we agreed upon a reasonable price. I have given Mr. Obern $15, as far as my recollection goes, but this was merely a business transaction between me and Mr. Obern because he had the description, and the land-looker himself, and that was all. We never settled upon any particular price with the exception I supposed I would give him $25, or whatever it might be, for location fee.

Senator BROWN. The third selection that you are speaking of was made after your other one that you paid $250 for, or agreed to, was it not?

Mr. MORRISON. I would not swear whether it was made afterwards or before. I guess it was made afterwards, because it was for the youngest child.

Senator BROWN. Did you talk with the farmer, Patterson, about that one?

Mr. MORRISON. No, sir; I did not talk with Patterson about that.

Senator BROWN. You did not go to him and ask him if he could not tell you where there was some good land?

Mr. MORRISON. No, sir; it was not necessary as long as I could get somebody else.

Senator BROWN. But you said a while ago that you tried and got discouraged with other people hunting up these other selections. Now, after you had dealt with Patterson and got a valuable piece of land under this contract that you have described, you went back to these land agents, did you, to hunt the third selection?

Senator LA FOLLETTE. He did not know whether it was before or after.

Senator BROWN. He testified that it was after.

Senator LA FOLLETTE. You are mistaken about that.

Senator BROWN. This third selection was made after the other two, was it not?

Mr. MORRISON. Yes, sir; because of the child.

Senator BROWN. And it was after that that you had this deal with Patterson?

Mr. MORRISON. I believe it was.

Senator BROWN. And when you sought to make the third selection you did not go to Patterson, but went to a land agent?

Mr. MORRISON. I did not go to a land agent, but a member of this band.

Senator BROWN. A man engaged in that business?

Mr. MORRISON. I suppose so; I do not know that he is particularly engaged in the business, but he would know more of the description than I would.

Senator BROWN. Why did you not go to Patterson?

Mr. MORRISON. Well, if I had seen an opening I suppose I would have.

Senator BROWN. What do you mean by an opening?

Mr. MORRISON. A chance to get that allotment and see what there was and be allotted probably.

Senator BROWN. But you were not looking at the allotment book when you went in and made the $250 deal?

Mr. MORRISON. He made that proposition to me after I had taken the description from his own book.

Senator BROWN. That was a satisfactory contract to you, was it?

Mr. MORRISON. Yes, sir; it was under those conditions.

Senator BROWN. And yet you did not go to him to help make another one for your third selection?

Mr. MORRISON. No, sir; I did not.

Senator BROWN. That is all.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF CHARLES D. ARMSTRONG.

CHARLES D. ARMSTRONG was recalled for further examination:

The CHAIRMAN. Mr. Armstrong, do you know Mrs. Frances Leland?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Did you ever hear of her being accepted by the council at one time and then her name being stricken off the rolls?

Mr. ARMSTRONG. As I recall it, she was on the Downs list when it was first made up by the committee of twelve and after Downs took charge of the list.

The CHAIRMAN. To refresh your memory—I do not think you were in the room when she testified—she said she was here in the afternoon and her case was accepted by the council and she turned in a description of the land and a selection, and it was received by them, and the next morning she was told her name had been stricken off. Do you remember anything about that?

Mr. ARMSTRONG. No, sir; I do not remember anything about that at all.

The CHAIRMAN. Do you remember the occasion of her appearing and being received by the committee or the council, or both?

Mr. ARMSTRONG. I do not remember of her appearing before the committee, because I was not sitting with that committee of twelve, although I was selected with the original twelve. I was sick during the period from February 10 to June.

The CHAIRMAN. Do you know of a complaint being made against her being on there on the ground that she did not reside here at Odanah?

Mr. ARMSTRONG. I think so.

The CHAIRMAN. Do you know of the complaint having been made about the time she was put on, or soon after—immediately after?

Mr. ARMSTRONG. As I recall it, she was put on the list by the original twelve, in which, as I stated before, Mr. Campbell read out the roll aloud to the council. She was included in that roll at that time.

The CHAIRMAN. Do you remember about her having any selection assigned to her and being put on the list?

Mr. ARMSTRONG. I do not.

The CHAIRMAN. After this inquiry, do you remember telling her that her name had been stricken off, that she had been dropped, or words to that effect?

Mr. ARMSTRONG. I may have, but I can not recall it.

The CHAIRMAN. Do you remember of Morrison telling you that he had made a deal with Patterson for a selection and was to pay him $250?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Do you remember when he told you that?

Mr. ARMSTRONG. I think it was after the letter from the Commissioner of Indian Affairs relative to the elimination of 114 children under the act of February 11, 1901, as his children were among those left out.

The CHAIRMAN. Do you know of any similar case?

Mr. ARMSTRONG. I think that someone had filed on the claim on this description.

The CHAIRMAN. I mean do you know of any similar cases to his that anybody had paid, or promised to pay, or made any agreements or trade with Patterson in order to get his selection?

Mr. ARMSTRONG. I had heard it rumored around, but I do not know. No one here told me that I recollect.

The CHAIRMAN. When had you heard it rumored—at that time?

Mr. ARMSTRONG. Yes, sir; along about that time.

The CHAIRMAN. About the time the list was being made up, or about the time that Morrison told you about it?

Mr. ARMSTRONG. I think it was before Morrison told me.

The CHAIRMAN. But you had never heard of any cases by name?

Mr. ARMSTRONG. No, sir; I have not.

The CHAIRMAN. So you could not give the committee any names of parties of whom they could inquire, could you?

Mr. ARMSTRONG. I think I could give the name of Theodore Santarnow.

Senator LA FOLLETTE. Is he here now?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Do you recall any others?

Mr. ARMSTRONG. I think I heard the name of Simon Breget spoken of.

The CHAIRMAN. Do you know whether he is here?

Mr. ARMSTRONG. I think he is here about the building somewhere.

Senator BROWN. When did you talk with Morrison about the matter?

Mr. ARMSTRONG. I think it was after the commissioner had written here. His letter was posted at the farmer's office, eliminating 114 children from the Downs list.

Senator BROWN. That was when Morrison told you about this $250 contract?

Mr. ARMSTRONG. It was sometime after that.

Senator BROWN. How many years ago is that?

Mr. ARMSTRONG. I think that was in 1905; the spring of 1905.

Senator BROWN. How came he to tell you?

Mr. ARMSTRONG. Well, this child, for which he had secured this land, having been eliminated, he went on to tell me how much that had cost him or he considered it cost him.

Senator BROWN. Did he ask any advice about whether he should pay it?

Mr. ARMSTRONG. Not of me; no, sir.

Senator BROWN. Did you give him any advice as to whether he had done right or wrong?

Mr. ARMSTRONG. I did not.

Senator BROWN. He just told you; that was all there was to it?

Mr. ARMSTRONG. That was all there was to it.

The CHAIRMAN. Who did you tell this to afterwards?

Mr. ARMSTRONG. I think I told it to several people. I can not recollect.

The CHAIRMAN. How long ago?

Mr. ARMSTRONG. At different times—from that time up to now, in talking about the Downs list, and the troubles, and so forth.

The CHAIRMAN. Did you ever communicate this to any official?

Mr. ARMSTRONG. Not before now.

The CHAIRMAN. Not until to-night?

Mr. ARMSTRONG. No, sir.

(The witness was thereupon excused.)

STATEMENT OF THEODORE SANTARNOW.

THEODORE SANTARNOW, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. SANTARNOW. In Odanah.

The CHAIRMAN. How long have you lived there?

Mr. SANTARNOW. It will be twelve years this fall.

The CHAIRMAN. Do you know Mr. Patterson, the former farmer here?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. Did you ever make a selection for an allotment for yourself or any members of your family?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. One for yourself?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. Of course I know nothing of your family. Is your wife living?

Mr. SANTARNOW. No, sir.

The CHAIRMAN. Have you any children?

Mr. SANTARNOW. I have three children.

The CHAIRMAN. You made selections for your children, did you?

Mr. SANTARNOW. For one, the oldest one.

The CHAIRMAN. Was that one of the selections that went into the Downs list?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. Is your selection in the Downs list?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. What degree of blood are you?

Mr. SANTARNOW. Quarter.

The CHAIRMAN. Now, you may state whether or not you ever had any arrangement with Mr. Patterson by which he was to get anything for giving you information as to what might be a valuable or desirable selection.

Mr. SANTARNOW. No, sir; he gave me the minutes to go and look at it. He said, "That is a good eighty." So I did. It was a good one.

The CHAIRMAN. Is that all he said?

Mr. SANTARNOW. That is all he said. He did not ask me anything. He did not ask me for pay or anything else.

The CHAIRMAN. Neither before nor afterwards?

Mr. SANTARNOW. No, sir; he never did; only after I took that, which was about two years before the list was made, I came to find out that I was slipped off that. That was the list that was made before; that I was given this to take land, my land, not my daughters; so I came to find out that somebody else had taken that; that Dan Morrison had taken it, had taken the eighty, so I was slipped off that list and had to wait until the next one. So, when I found that out I went to Mr. Patterson and said, "See here, I thought I had that; you gave me that description, and now Dan has got it." It was allotted and he had his patent then. I was expecting to get my patent on it. He said that was a mistake, so he put me on another one that was a half mile from here.

The CHAIRMAN. What kind of a one did he put you on the second time?

Mr. SANTARNOW. Well, it is not very bad, and not the very best, either.

The CHAIRMAN. Did you have any kind of an understanding with him in regard to the second one, that you were to pay him anything or give him anything, or that he was to get any benefit from it at all?

Mr. SANTARNOW. No, sir.

The CHAIRMAN. None at all?

Mr. SANTARNOW. None at all.

The CHAIRMAN. When did you first hear that Patterson got money or got anything for giving these selections?

Mr. SANTARNOW. I never heard anything about it, only I heard Dan's got it and he bought it——

The CHAIRMAN. I say when did you first hear that Patterson got anything from anybody for giving them good selections?

Mr. SANTARNOW. The first time I heard it, I did not hear it from Dan himself, but heard it from other people whom Dan told that he paid $200 for the selection.

The CHAIRMAN. How long ago was that?

Mr. SANTARNOW. That was just before the Downs list, they call it, was made; after I found out that Dan had got it.

The CHAIRMAN. Have you heard of others doing anything of that kind?

Mr. SANTARNOW. No, sir.

The CHAIRMAN. Now, as a matter of fact, according to Morrison's testimony, his child got this.

Mr. SANTARNOW. I do not know anything about that.

The CHAIRMAN. You just understood that Dan Morrison got it?

Mr. SANTARNOW. That Dan Morrison got it. I saw it on the map; that was the first time I saw it. I was looking up some cedar for a man and that is how I came to look on the map. All the names are on the map of people who took the land, so I went to Patterson after I came out and he told me it was a mistake that he made when he gave me that. It was taken before I took it.

The CHAIRMAN. Now, you swear that you never had any kind of an understanding or arrangement with him that he was to get any benefit at all from your getting a selection?

Mr. SANTARNOW. No, sir; I never did.

The CHAIRMAN. Have you ever heard of any other cases than Dan Morrison's—I think I asked you that, did I not?

Mr. SANTARNOW. Yes, sir; I have not.

The CHAIRMAN. Can you remember who told you that Dan had said that he paid Patterson $250?

Mr. SANTARNOW. Henry Holliday.

The CHAIRMAN. Is he here now?

Mr. SANTARNOW. Yes, sir.

The CHAIRMAN. How did you get the minutes for your daughter's selection?

Mr. SANTARNOW. I believe Mr. Obern gave me the minutes. In the hurry of making the list, he gave me the vacant minutes and I took them and went to look at it afterwards, and it was fair enough. There was not much pine, but there was a good deal of hemlock.

(The witness was thereupon excused.)

STATEMENT OF HENRY E. HOLLIDAY.

HENRY E. HOLLIDAY, having been first duly sworn, testified as follows:

The CHAIRMAN. Please give your full name.

Mr. HOLLIDAY. Henry Edward Holliday.

The CHAIRMAN. Where do you live?

Mr. HOLLIDAY. In Odanah.

The CHAIRMAN. How long have you lived at Odanah?

Mr. HOLLIDAY. About seven years.

The CHAIRMAN. Do you know Theodore Santarnow?

Mr. HOLLIDAY. Yes, sir.

The CHAIRMAN. Were you in this room while he was testifying just now?

Mr. HOLLIDAY. Yes, sir.

The CHAIRMAN. Do you recall any conversation with him in regard to Morrison's selection?

Mr. HOLLIDAY. Yes, sir.

The CHAIRMAN. About when was that?

Mr. HOLLIDAY. It was when the Downs list was being considered.

The CHAIRMAN. Do you remember the circumstances under which you had the conversation with Santarnow?

Mr. HOLLIDAY. I do.

The CHAIRMAN. Where was it?

Mr. HOLLIDAY. I think it was at my house.

The CHAIRMAN. Will you relate the conversation?

Mr. HOLLIDAY. He was telling me that Patterson had granted him some minutes; that he went out to look and found them to be pretty good, very good in fact, and he was then on the list or had been scheduled for the list, and he had filed on these minutes, but he found out later that somebody else had filed on them, and I asked him who it was that had filed on these minutes and he told me it was Dan Morrison, and it brought to my recollection what Dan Morrison had told me previous to that time about Patterson offering him good minutes for a certain sum of money.

The CHAIRMAN. Did he say how much?

Mr. HOLLIDAY. Two hundred and fifty dollars. The way that came about was this: I was trying to get minutes for myself, and I had had considerable trouble. I would go to Patterson and he would give me some minutes, and I would run all over the woods and I could not get anything, and in speaking of it with Dan, he told me that I ought to make him an offer. He told me the circumstances under which he had got this good selection.

The CHAIRMAN. Did you ever have any talk with Patterson?

Mr. HOLLIDAY. No, sir.

The CHAIRMAN. How did you finally get your selection?

Mr. HOLLIDAY. By going in the woods and looking.

The CHAIRMAN. And you never had any understanding or arrangement or agreement with Patterson that he should have any benefit of any kind from it?

Mr. HOLLIDAY. No, sir.

The CHAIRMAN. Do you know of any other case than Dan Morrison's?

Mr. HOLLIDAY. I do not.

The CHAIRMAN. Have you heard of any case that you could give the name of—some one that we could call to testify?

Mr. HOLLIDAY. No, sir. I heard it rumored that that was the practice, though. Other than the Dan Morrison case I have heard nothing.

The CHAIRMAN. That was the only name you ever heard?

Mr. HOLLIDAY. Yes, sir.

The CHAIRMAN. That is all.

(The witness was thereupon excused.)

STATEMENT OF T. C. THOMAS.

T. C. THOMAS, having been first duly sworn, testified as follows:

Senator LA FOLLETTE. Mr. Thomas, you live on the reservation here?

Mr. THOMAS. Yes, sir.

Senator LA FOLLETTE. Are you an Indian?

Mr. THOMAS. Yes, sir.

Senator LA FOLLETTE. Of what blood?

Mr. THOMAS. Full-blood.

Senator LA FOLLETTE. Have you selected your allotment?

Mr. THOMAS. Yes, sir.

Senator LA FOLLETTE. Did you select your allotment during the time this man Patterson was the farmer?

Mr. THOMAS. Yes, sir.

Senator LA FOLLETTE. State to the committee whether Mr. Patterson ever attempted to get any money out of you after you had made selections because he had given you lists which turned out to be of some value.

Mr. THOMAS. On February 17, 1907, I was admitted to be allotted in open council, and my name was scratched off by someone for the reason that I came from Michigan. My name had not gone in with the others. After a while the chiefs said that I ought to have been on the list, and some of my church members said that I had a right to take an allotment because I had never received an allotment anyway. So they went up to the Indian agent's office, together with myself, and we presented a small list, which the Indian agent forwarded to Washington to be approved. The list that was made prior to this, where I was left out, was not approved, and after I signed mine it was forwarded. It was not approved for the reason that the timber that is in the tract was not paid the full value for, and my allotment was not approved until 1903. That winter, 1902, I believe, my selection, 140, was cut, and Mr. Patterson told me I should go over now until I had some money. The money had been deposited and I should go over and draw some money because I needed it; and he said: "I want you to sign an order for $25." I said, "What is that order for?" "Well," he said, "it is for expenses in selecting your allotment." I said, "I selected my own allotment; you furnished me the minutes of vacanies in your book and I went out and hired a man and selected my own allotment." I said, "I do not know why I should pay out any money for what I did for myself." He said that was the custom to pay something when you got the minutes. I said, "Well, I won't sign it; I won't sign any order for what I did myself." I did not like it, and I went away. I did not pay him, and I did not sign anything.

The CHAIRMAN. Do you know of any other cases of that kind—either of that kind or where he got something. In your case you got your patent, your allotment, before he asked for this, did you not?

Mr. THOMAS. Yes, sir; before I got my patent.

The CHAIRMAN. But you had your allotment?

Mr. THOMAS. I had my allotment already.

The CHAIRMAN. Was the timber cut?

Mr. THOMAS. The timber was cut and my allotment was selected and approved by the council and by the agent.

The CHAIRMAN. Now, tell us if you know of any case like that or any case where he demanded anything before the selection, either way.

Mr. THOMAS. I could not say, but I heard a man this evening say that he had made a statement already that would show a similar character; that he had a deal——

The CHAIRMAN. Do you know the man's name?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. What is it?

Mr. THOMAS. It is Antoine Dennis.

The CHAIRMAN. Do you know whether he is here?

Mr. THOMAS. I do not know whether he is here or not.

The CHAIRMAN. Did you hear him make the statement?

Mr. THOMAS. Yes, sir; he went over there when I was taking supper. He said, "I have a statement here that I am going to present to the committee."

The CHAIRMAN. He lives in town, does he?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Was his statement like yours or like Morrison's? You heard Mr. Morrison's statement?

Mr. THOMAS. Yes, sir. No; it was changing the allotment. He had selected a good selection, and when the list was approved he was on a worthless piece. He intended to select a good piece. He was on that.

The CHAIRMAN. Do you know whether he was on the Downs or the Allen list?

Mr. THOMAS. I do not know; I could not say. When we had a trip to Washington, Antoine Couture made a complaint down there in the Indian Office that his former selection had been exchanged by some one—whether Patterson or not I do not know—and he had trouble with Patterson about that. Patterson did not like him. I was in the office and Patterson got hold of a poker and was going to hit him, and Antoine walked out and did not say anything.

The CHAIRMAN. Did Antoine assume to know, or have reason to state, that some one had paid Patterson anything?

Mr. THOMAS. I think so.

The CHAIRMAN. That is the way he stated it in your presence, was it?

Mr. THOMAS. I think so. I think he lost his selection by taking advantage of him.

The CHAIRMAN. Do you recall any other instances?

Mr. THOMAS. No, sir; I do not know of any but those two names. Of course I heard that he was doing the same business in the office right along.

The CHAIRMAN. You spoke of Couture making a complaint in Washington?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Were you down there?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. What was the complaint that he made, as you recall it?

Mr. THOMAS. He made a selection; I guess he filed for his daughter and found out after a little time that his selection had been exchanged, perhaps sold to somebody else.

The CHAIRMAN. Are you well enough acquainted there to know what officer he made it to?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Which one?

Mr. THOMAS. It was to Chester Howe; he was his attorney, and Chester Howe presented it to the Indian commissioner, W. E. Jones.

The CHAIRMAN. It was when Jones was commissioner?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Were you present when Howe presented it?

Mr. THOMAS. No, sir.

The CHAIRMAN. Howe simply stated that he had?

Mr. THOMAS. I think he went with him. I am not certain about that.

The CHAIRMAN. But one or the other stated that he did present it?

Mr. THOMAS. He told me himself. I heard him when he presented his grievance.

The CHAIRMAN. I mean about Chester Howe presenting it to the department; do you know anything of that further than that Howe or Couture told you?

Mr. THOMAS. No, sir. We went into Chester Howe's office and he presented his papers.

The CHAIRMAN. To Howe?

Mr. THOMAS. To Howe; and Howe, I believe, presented the papers in behalf of Mr. Couture in the Indian Office.

The CHAIRMAN. Now, do you recall any other instance?

Mr. THOMAS. No, sir.

(The witness was thereupon excused.)

The CHAIRMAN. The committee would suggest that most of you people understand the evidence that is being presented here, and if anyone present knows of a case of this kind, or has heard of a case where the name has been given, so that the committee may call such person, we would be very glad to have any such person do so. If you will do so, we will take the matter up and proceed further with it. I will further state that if there is anyone here who knows of such a case and can give the name and does not care to give the name now, if they will submit the name to any member of the committee we will call that man and have him sworn. Of course, it is necessary that we should have the name of somebody so that we will know whom to call.

STATEMENT OF VERONICA RAICHE.

VERONICA RAICHE, having been first duly sworn, testified as follows:

The CHAIRMAN. Do you live here at Odanah?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mrs. RAICHE. I have lived here seven years in January.

The CHAIRMAN. Are you a member of this band?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. Where did you come from?

Mrs. RAICHE. I came from L'Anse, Mich. My grandmother and my mother were born at La Pointe.

The CHAIRMAN. And you claim through your grandmother and mother?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. Have you an allotment?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. The committee is not advised as to what you desire to be called for, but you may proceed and state your case.

Mrs. RAICHE. I desire to have my four children allotted here.

The CHAIRMAN. How old is the youngest?

Mrs. RAICHE. Two years old.

The CHAIRMAN. Do you know whether their names are on the Downs list?

Mrs. RAICHE. They are not; they are on the first list.

The CHAIRMAN. That is the Downs list?

Mrs. RAICHE. No.

The CHAIRMAN. They are not on that?

Mrs. RAICHE. No, sir; they were taken off that list. They were on the list that Major Campbell O. K.'ed.

The CHAIRMAN. They were taken off when those one hundred and some names were taken off?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. The band has admitted you, has it?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. So there is no question about that?

Mrs. RAICHE. No, sir.

The CHAIRMAN. Then I do not know that the committee can do anything further at present, because their rights will depend finally on what Congress or the department may do with this whole matter. You may submit their names and their ages to the committee now. I will ask you if your husband is living?

Mrs. RAICHE. Yes, sir.

The CHAIRMAN. What does he do?

Mrs. RAICHE. He is a laborer.

The CHAIRMAN. Is he a member of the band?

Mrs. RAICHE. He is a white man. The names and ages of my children and the descriptions of their allotments are as follows: Mary Raiche, 10 years old, lots 7, 8, and 12, sec. 1, T. 46, R. 3; NE. ¼ SW. ¼ sec. 29, T. 46, R. 3. Margaret Raiche, 8 years, SE. ¼ NW. ¼ sec. 1, T. 47, R. 3; NW. ¼ SW. ¼ sec. 7, T. 47, R. 2. Robert Raiche, 4 years, SE. ¼ NE. ¼, SW. ¼ NW. ¼, sec. 1, T. 47, R. 2. Louise Raiche, 2 years, no selection.

(The witness was thereupon excused.)

STATEMENT OF ELLA J. LUCAS.

ELLA J. LUCAS, having been first duly sworn, testified as follows:

The CHAIRMAN. State your full name.

Mrs. LUCAS. Ella J. Lucas.

The CHAIRMAN. Are you married?

Mrs. LUCAS. Yes, sir.

The CHAIRMAN. Is your husband living?

Mrs. LUCAS. Yes, sir.

The CHAIRMAN. Is he a member of the band?

Mrs. LUCAS. No, sir; he is a white man.

The CHAIRMAN. Do you live here at Odanah?

Mrs. LUCAS. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mrs. LUCAS. Seven years in February.

The CHAIRMAN. Where did you come from?

Mrs. LUCAS. I came from L'Anse, Mich.—not direct from L'Anse.

The CHAIRMAN. Through what line do you claim?

Mrs. LUCAS. Through my mother and grandmother, my mother being born at La Pointe.

The CHAIRMAN. What was her name?

Mrs. LUCAS. Margaret Santarnow.

The CHAIRMAN. What was her married name?

Mrs. LUCAS. Bachant.

The CHAIRMAN. Were you ever admitted by the band here?

Mrs. LUCAS. Not exactly; they told me to appear at the council hall and hand in my name to the committees, and I did so, but they refused me a hearing.

The CHAIRMAN. Is there anyone here who knows who your mother was?

Mrs. LUCAS. Yes, sir; she has plenty of relatives here.

The CHAIRMAN. Have you any children?

Mrs. LUCAS. Yes, sir; three.

The CHAIRMAN. Will you give their names and ages?

Mrs. LUCAS. Vernon E. Lucas will be 15 this coming February; Martha, 2 years old, and Donald F., 7 months.

The CHAIRMAN. What degree of Indian blood are you?

Mrs. LUCAS. Quarter.

The CHAIRMAN. Now, could you call someone here who knew your mother at La Pointe, and knows that you are her daughter?

Mrs. LUCAS. Yes, sir; any of the La Pointe people.

The CHAIRMAN. Well, we do not know the La Pointes by name.

Mrs. LUCAS. Either Joe La Pointe or William.

The CHAIRMAN. Very well; we will call Joseph La Pointe.

STATEMENT OF JOSEPH LA POINTE.

JOSEPH LA POINTE, having been first duly sworn, testified as follows:

The CHAIRMAN. Do you know this witness?

Mr. LA POINTE. Yes, sir.

The CHAIRMAN. How long have you known her?

Mr. LA POINTE. Seven years.

The CHAIRMAN. Did you know her mother?

Mr. LA POINTE. Yes, sir.

The CHAIRMAN. Where did you know her mother?

Mr. LA POINTE. Right here on La Pointe Island.

The CHAIRMAN. Did you know her mother before she came here?

Mr. LA POINTE. Oh, yes, sir.

Mrs. LUCAS. They were children together at La Pointe Island.

The CHAIRMAN. Is her mother living now?

Mr. LA POINTE. Yes, sir.

The CHAIRMAN. Where does she live now?

Mr. LA POINTE. Right here in town.

The CHAIRMAN. How long has her mother lived here in Odanah?

Mr. LA POINTE. About the same time. They came here seven years ago.

The CHAIRMAN. They came here together?

Mr. LA POINTE. Yes, sir.

The CHAIRMAN. Was her mother an Indian woman?

Mr. LA POINTE. Yes, sir; quarter breed.

The CHAIRMAN. What band did she belong to?

Mr. LA POINTE. The Chippewa band.

The CHAIRMAN. What band of Chippewas?
Mr. LA POINTE. Well, they belonged at La Pointe Island.
The CHAIRMAN. And she never moved here until the daughter moved here, did she?
Mr. LA POINTE. No, sir.
The CHAIRMAN. Did her mother have any brothers or sisters?
Mr. LA POINTE. Yes, sir.
The CHAIRMAN. Did any of them ever live here?
Mr. LA POINTE. Yes, sir.
The CHAIRMAN. How long have they lived here?
Mr. LA POINTE. About seven years.
The CHAIRMAN. They all came here together?
Mr. LA POINTE. Theodore Santarnow was here before.
The CHAIRMAN. Is he your uncle?
Mrs. LUCAS. Yes, sir; my mother's brother.
(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF THEODORE SANTARNOW.

THEODORE SANTARNOW, having been recalled, testified as follows:
The CHAIRMAN. Do you know this lady, Mrs. Ella J. Lucas?
Mr. SANTARNOW. Yes, sir.
The CHAIRMAN. How long have you known her?
Mr. SANTARNOW. I have known her ever since she was born.
The CHAIRMAN. Where was she born?
Mr. SANTARNOW. She was born in L'Anse, Mich.
The CHAIRMAN. Is her mother your sister?
Mr. Santarnow. Yes, sir.
The CHAIRMAN. Where was her mother born?
Mr. SANTARNOW. At La Pointe Island; it is Madeline Island.
The CHAIRMAN. How long ago did she go to Michigan?
Mr. SANTARNOW. She must have been about 10 years old when they moved to L'Anse. My mother belonged here, and they moved. Bishop Baragar took them down there when they first started a mission down there to keep house for him.
The CHAIRMAN. Your mother's folks were La Pointe Chippewa Indians, were they?
Mr. SANTARNOW. Yes, sir.
The CHAIRMAN. You belong to this band, do you not?
Mr. SANTARNOW. Yes, sir.
The CHAIRMAN. Did you know why they threw your niece out?
Mr. SANTARNOW. No, sir.
The CHAIRMAN. Did you ever hear?
Mr. SANTARNOW. No, sir.
The CHAIRMAN. Do you know that she applied to be admitted to the band here?
Mr. SANTARNOW. Yes, sir.
The CHAIRMAN. And they would not admit her?
Mr. SANTARNOW. They would not admit her because they thought she had land down there, but she did not; she proved it. She has papers here from the agent down there. There could not be any lands taken over there any more; it is all gone.
(The witness was thereupon excused.)

STATEMENT OF JOHN CLOUD.

JOHN CLOUD, having been first duly sworn, and his interpreter, William Obern, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Give your name in full.

JOHN CLOUD. My name is John Cloud.

The CHAIRMAN. Where do you live?

JOHN CLOUD. At Odanah, Wis.

The CHAIRMAN. How long have you lived here?

JOHN CLOUD. I was born here.

The CHAIRMAN. Are you a member of the Bad River Band of Chippewa Indians?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. You have a child?

JOHN CLOUD. I have a child that I adopted.

The CHAIRMAN. Is the child of Indian blood?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. What degree?

JOHN CLOUD. I think it is all Indian.

The CHAIRMAN. Do you know who its mother was?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. What was its mother's name?

JOHN CLOUD. Emma Akley.

The CHAIRMAN. Is she a member of this band?

JOHN CLOUD. She has been here about ten years.

The CHAIRMAN. Was the child born here?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. How old is the child?

JOHN CLOUD. Four years of age.

The CHAIRMAN. Is the child's father living?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. Is he an Indian?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. Of this band?

JOHN CLOUD. The father is from Crandon, Wis.

The CHAIRMAN. Have you tried to get an allotment for the child?

JOHN CLOUD. Yes, sir.

The CHAIRMAN. Was the child ever enrolled?

JOHN CLOUD. No, sir.

The CHAIRMAN. Have you ever asked the council or committee to enroll the child?

JOHN CLOUD. I did speak to one of the chiefs lately about the child and he told me to first go and get the child properly adopted.

The CHAIRMAN. What is the child's name?

JOHN CLOUD. The child's name is Joe Akley.

(The witness was thereupon excused.)

STATEMENT OF ANTOINE DENNIS.

ANTOINE DENNIS, having been first duly sworn, testified as follows:

The CHAIRMAN. State your full name.

ANTOINE DENNIS. My name is Antoine Dennis.

The CHAIRMAN. Do you live at Odanah?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. How long have you lived here?

ANTOINE DENNIS. I have been living here about thirty years or a little over.

The CHAIRMAN. Are you a member of the Bad River band of Indians?

ANTOINE DENNIS. I guess I am.

The CHAIRMAN. What degree of blood are you?

ANTOINE DENNIS. Three-quarters.

The CHAIRMAN. Have you been admitted to their roll?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. Did you ever have an allotment?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. When did you get the allotment?

ANTOINE DENNIS. Well, that is quite a while ago; I do not remember.

The CHAIRMAN. Approximately.

ANTOINE DENNIS. Somewhere about twenty years ago, or a little less.

The CHAIRMAN. Have you any children?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. Have you got allotments for them?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. How many have you got?

ANTOINE DENNIS. I got four boys and three girls.

The CHAIRMAN. Have you allotments for all of them?

ANTOINE DENNIS. Well, yes, sir; except one.

The CHAIRMAN. Is that one on this Downs list?

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. You knew Patterson, the farmer who was here some time ago, do you not?

ANTOINE DENNIS. Yes, sir; I knew him very well.

The CHAIRMAN. Tell the committee whether you ever had any understanding with Patterson by which he was to have any benefit or profit or any advantage of any kind from you for getting you any selection for yourself or any of your children.

ANTOINE DENNIS. Yes, sir.

The CHAIRMAN. Was it with reference to your own land or one of the children's land?

ANTOINE DENNIS. The children's.

The CHAIRMAN. More than one?

ANTOINE DENNIS. No, sir; just one.

The CHAIRMAN. Which one?

ANTOINE DENNIS. That is the one on the Downs list.

The CHAIRMAN. Tell us what that transaction was with Patterson.

ANTOINE DENNIS. Well, I will tell you just exactly how it was. One day I went along here, and he said, "Have you got the allotment list of one of your children?" I said, "No, Patterson, I am kind of little late on account of the allotment list." He said, "I have got one here for you." I said to him, "All right, that is good." He said, "I have a good one. How much are you willing to pay for this allotment that I have?" I said, "I do not know; I will do what is right." He said, "What are you willing to give?" I said, "I do not know; I

do not know what it is." He said, "It is a pretty fair allotment. What do you think it is worth?" I said, "I do not know." He said, "Well, you ought to give $200 for one of those allotments." I said, "Yes, because I have not got anything now." I said, "I guess I would have a pretty good allotment." That is all there is to it. So I got the allotment from the minutes of this land, and after a while—I think it was the time that Downs was here—we had trouble about this allotment list. Before that we called a special man from Washington to come down here and fix the allotment list. I think we paid out $25 out of this concern to have a man here, to come down here and fix this allotment, because the allotment was so rotten. I said, "If you people want to find out everything, I will tell you; if you do not, I will stop right there."

The CHAIRMAN. Who did you say that to, this man who came from Washington or Patterson?

ANTOINE DENNIS. No, just what I am saying now is what we did the time Downs came down here to see the allotment list.

The CHAIRMAN. You did not have this talk with Downs, did you?

ANTOINE DENNIS. After he got here, I was talking to him. Of course I do not say what I said, but I will tell you what I did, because we telegraphed him to come here and send a man here on account of this list. After he got here of course they fixed the allotment list, and I just listened the same as those people behind here in this room. That is all I did. Of course I did not talk to him any more about this list after he got here. That is the way it stood. So after awhile with regard to the minutes, I had trouble with a man in La Pointe about that. He claims that it took those minutes a long time to go, but his wife died and then I took those minutes after his wife died, you see. I did not think that woman would come in on the allotment list after the woman died, and that is the reason I took those minutes, the same minutes. So some of those big men from La Pointe came from somewhere—a lawyer, I guess; lots of people here know all about what I am saying now—and they told me to divide the minutes; they would give me a 40 and one of my kids 40—this girl—and then let that woman who died get one 40.

The CHAIRMAN. Who said this to you?

ANTOINE DENNIS. It was a man who came from somewhere; he was well acquainted in Washington; those big men. He has a summer resort. He is known in Washington; I think he is a lawyer. So they fixed it up in Patterson's office, the farmer's office, and they gave me one 40 and the kid one 40. I do not know why they paid me the other 40. They put the girl on the school section. So that is all that was done.

The CHAIRMAN. Did you have any further talk with Patterson about what he had done for you and what you were going to do for him?

ANTOINE DENNIS. Then I went to work down at the summer resort; I worked there four months every summer for those people from St. Paul. I went to work there, and after I got here the last day of August—in September sometime, it was about the 10th or 15th, somewhere along there, after I got here I met him right at the corner of the council hall. He said, "Do you remember that order that

you gave me for $200?" I said, "Exactly; I remember just as well as if I had given it to you to-day." He said, "I did not think that order would work and I destroyed that order for $200 and burned it." I said, "You are a smart man and I have no education; I can not read one letter; I can not read and I can not write. Now a smart man like you, when I gave you that order, you ought to go to work and give me the order back and let me destroy it. I do not know what you did with the order. You might have used the order. If you had given me the order myself and I had burnt it, then I would know where the order went to." I said that to him and he walked away.

Senator BROWN. And you have never heard of the order since?

ANTOINE DENNIS. After a little while, about a year after that, they called me down in the office here at the farmer's office. He said, "There is the order that you gave Patterson for $200."

The CHAIRMAN. Who called you in?

ANTOINE DENNIS. I think a fellow by the name of Sero, Norbert Sero.

Mr. SANBORN. He is the assistant farmer here?

ANTOINE DENNIS. He said I had to go to work and sign the order for $200 on account of the selection for Patterson. Some man wants to get his pay, and I told him I would not pay any order. I said, "Let him get the land first and I will fix it in shape." I guess he is here and knows something about it himself.

Senator LA FOLLETTE. Who is here?

ANTOINE DENNIS. Sero. I said, "I told you to tell the Indian agent not to pay that order until I got the selection of that land that I gave it for."

The CHAIRMAN. Did he have the order there, or what appeared to be the order?

ANTOINE DENNIS. It must have been.

The CHAIRMAN. He had something that appeared to be the order?

ANTOINE DENNIS. Yes, sir; but he said he had burnt it before.

The CHAIRMAN. I mean this last man that you spoke of, Sero. He had something that seemed to be the order, did he?

ANTOINE DENNIS. Yes, sir; because he wanted me to sign it and I would not sign it.

The CHAIRMAN. How long ago is that?

ANTOINE DENNIS. That is about, I think, a year ago, or less than that; I do not know exactly, because I do not remember those things so well. If I could write in my memorandum book I would know exactly just what the time was. I just remember things in my head.

The CHAIRMAN. Do you know of any other case of that kind that you could give us the name of?

ANTOINE DENNIS. No, sir; I can not do it; only my own case. That is all I know. I do not bother anybody else about his case.

Senator BROWN. I do not know whether I understood you. Did Sero ask you to pay the order or to sign it?

ANTOINE DENNIS. Just to pay the order, and I told him I would not pay it. I told him just exactly what I am telling you now.

Senator BROWN. Is Sero here now?

ANTOINE DENNIS. I guess he is.

(The witness was thereupon excused.)

STATEMENT OF NORBERT SERO.

NORBERT SERO, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. SERO. Right here.

The CHAIRMAN. How long have you been here?

Mr. SERO. It will be ten years next December.

The CHAIRMAN. In what capacity are you here now?

Mr. SERO. As assistant government farmer.

The CHAIRMAN. How long have you been serving in that capacity?

Mr. SERO. Going on nine years.

The CHAIRMAN. Did you know Mr. Patterson when he was government farmer?

Mr. SERO. Yes, sir.

The CHAIRMAN. And you know Antoine Dennis, who has just testified?

Mr. SERO. Yes, sir.

The CHAIRMAN. Did you hear his testimony?

Mr. SERO. I did.

The CHAIRMAN. In which he related a conversation between you and him with regard to some order that he had given Patterson?

Mr. SERO. Yes, sir.

The CHAIRMAN. You may state what there is in that testimony, as you know it.

Mr. SERO. I do not know anything about it. I do not remember anything about any such order.

The CHAIRMAN. Did you ever have any such conversation with him?

Mr. SERO. I never did.

The CHAIRMAN. Did you ever know that he had given an order to Patterson?

Mr. SERO. I never knew anything about any such order.

The CHAIRMAN. Do you know of any order?

Mr. SERO. I do not recall any order; no, sir.

The CHAIRMAN. Do you want to be understood as never having had that conversation with Antoine Dennis?

Mr. SERO. I certainly do.

The CHAIRMAN. Do you know, aside from what has been related here, anything about his allotment; do you recall any of the circumstances with regard to that?

Mr. SERO. I do, some.

The CHAIRMAN. Do you recall all the circumstances, or how much of them?

Mr. SERO. It appears that a man named Codart over at La Pointe Island had taken a selection for his wife after she had been placed on the allotment roll and it was submitted to the department. His wife died and Mr. Dennis was given that selection, and Mr. Codart referred the matter to the department through some of his friends, I guess, at some summer resort, and the commissioner ordered, in a letter, that Mrs. Codart be retained on the list on the same selection, and those gentlemen came here and held a council one day.

The CHAIRMAN. Who with?

Mr. SERO. With the Indians and with the government farmer, Mr. Patterson. They finally compromised, and both agreed that they

would each take one 40 of that selection and accept another 40, so that they would each have an 80.

The CHAIRMAN. Is that letter among the files?

Mr. SEBO. I do not know that it is; it may be.

The CHAIRMAN. I wish you would look for it.

Senator LA FOLLETTE. Is it a letter from the commissioner?

The CHAIRMAN. Yes.

Mr. CAMPBELL. If there is a letter from the commissioner you can have it. I may have a copy here. I send everything, or a copy of every letter that I get from the Commissioner pertaining to their reservation, here. I sent them a copy of that letter.

The CHAIRMAN. You have been here in this room during the evening, have you not?

Mr. SEBO. I have; yes, sir.

The CHAIRMAN. You have heard some of these witnesses testify?

Mr. SEBO. I have.

The CHAIRMAN. Do you know of any instance, either at the time or afterwards, coming to your knowledge where any allottee had paid, or promised to pay, or entered into any agreement or arrangement or engagement with Patterson for his benefit in consideration of being given the description of lands for selection?

Mr. SEBO. I know nothing personally about it. I heard some rumors.

The CHAIRMAN. When?

Mr. SEBO. Oh, during the time the allotment lists were under consideration here.

The CHAIRMAN. At the time of the Downs matter?

Mr. SEBO. Yes.

The CHAIRMAN. Did you ever hear any names given?

Mr. SEBO. I think I heard something about the Dan Morrison affair at that time. I just heard it talked about. I do not know anything about it.

The CHAIRMAN. Did you ever see any papers in the office of Patterson relating to these matters?

Mr. SEBO. I never did; no, sir.

The CHAIRMAN. Did you ever communicate these rumors to anyone?

Mr. SEBO. I spoke to Mr. Patterson about it.

The CHAIRMAN. What did he say?

Mr. SEBO. He denied it.

The CHAIRMAN. Did you ever overhear any conversation between him and anyone that would confirm the rumors?

Mr. SEBO. No, sir; not in the least.

Senator LA FOLLETTE. Did you break up the family of Dan Morrison?

Mr. SEBO. Not that I know of; no, sir.

Senator LA FOLLETTE. Have you been convicted of adultery with his wife?

Mr. SEBO. No, sir.

Senator LA FOLLETTE. Did not the jury find you guilty?

Mr. SEBO. The jury found me guilty; yes, sir.

Mr. HOLCOMBE. Have there been any subsequent proceedings in that case?

Mr. SEBO. Yes, sir; there have been.

Mr. HOLCOMBE. What were they?

Mr. SERO. There was a motion for a new trial.

Mr. HOLCOMBE. Has there been any confession since then by the witnesses at the first trial?

Mr. SERO. Yes, sir; there was an affidavit.

Mr. HOLCOMBE. By whom?

Mr. SERO. By the principal witness.

Mr. HOLCOMBE. Who was the principal witness?

Mr. SERO. Mrs. Dan Morrison.

Mr. HOLCOMBE. What was that affidavit?

Mr. SERO. It was a general denial of her testimony in court.

Mr. HOLCOMBE. Were you instrumental in procuring that affidavit?

Mr. SERO. I sent out to have it gotten; yes, sir. I sent a man out there to get the affidavit.

Mr. HOLCOMBE. Did you seek that affidavit?

Mr. SERO. I did not.

Mr. HOLCOMBE. How did that affidavit come to be made?

Mr. SERO. She sent word to me that she wanted to change her testimony in that case, and I advised with my attorney and he advised me to go out and see her, and I went out there with another attorney, and after talking the matter over she said that she would make an affidavit if she was certain that she would not be prosecuted for perjury, and I said that she might go on and advise with the attorneys in Ashland and see whether she would or not. She went to Ashland and satisfied herself and then afterwards made the affidavit.

Senator BROWN. What did the court do with the motion for a new trial?

Mr. SERO. The motion is still pending.

(The witness was thereupon excused.)

The CHAIRMAN. I wish the interpreter would say to the Indians that if any of them know of any case in which they can give the name, where they have heard of any agreement or arrangement or promise with Patterson, or anyone connected with the Government, for descriptions of land on account of its value, or if there is any person here who knows of anything that they want to bring before the committee while we are here, we will be glad to have them do so.

(The interpreter having interpreted the above and there being no response, the committee at 11 o'clock and 30 minutes p. m. adjourned until to-morrow, September 24, 1909, at 8.30 o'clock a. m.)

ODANAH, WIS., *September 24, 1909.*

The committee met at 10 a. m.

STATEMENT OF THOMAS CONDEACON.

THOMAS CONDEACON, a Bad River Indian, having first been duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

Mr. HOLCOMBE. Are you also known as Thomas Blackbird?

Mr. CONDEACON. No, sir.

Mr. HOLCOMBE. What is your other name?

Mr. CONDEACON. Mi-no-gi-shig.

Mr. HOLCOMBE. Did you ever receive an allotment under the name of Thomas Blackbird?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. Where is that allotment?

Mr. CONDEACON. I don't know the section.

Mr. HOLCOMBE. How many acres?

Mr. CONDEACON. I think it was 93 acres. It was a fraction.

Mr. HOLCOMBE. Did you ever live in Michigan?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. Where abouts?

Mr. CONDEACON. Rockland.

Mr. HOLCOMBE. Did you ever receive an allotment there?

Mr. CONDEACON. No, sir.

Mr. HOLCOMBE. Were you ever known as Mi-no-gi-shig in Michigan?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. Do you know where township 53, range 38, is in Michigan?

Mr. CONDEACON. No, sir.

Mr. HOLCOMBE. When did you leave Michigan?

Mr. CONDEACON. When I was at the age of 18 years.

Mr. HOLCOMBE. Who was your father?

Mr. CONDEACON. Wa-sa-gi-shig.

Mr. HOLCOMBE. Did he ever get an allotment for you?

Mr. CONDEACON. That is what I have heard, but I have never seen it.

Mr. HOLCOMBE. Did you ever receive an allotment in the name of Thomas O'Condeacon?

Mr. CONDEACON. At the age of 21 years I received an allotment of land upon this Bad River Reservation under that name, Thomas O'Condeacon.

Mr. HOLCOMBE. How many allotments did you receive under that name?

Mr. CONDEACON. I only know of taking one myself. What those people done that allotted me that land I am sure I don't know, nor how they done it.

Mr. HOLCOMBE. Did you receive an allotment in the name of O'Condeacon and one in the name of Condeacon?

Mr. CONDEACON. The only one I took was the one wherein I am named O'Condeacon.

The CHAIRMAN. What is the question here?

Mr. HOLCOMBE. This man, it appears, received one allotment under the name of O'Condeacon, one under the name of Condeacon, one under the name of Thomas Blackbird, and a fourth, in Michigan, made in his father's name.

The CHAIRMAN. Is he commonly called Tom Blackbird here?

Mr. OBERN. Tom Condeacon.

The CHAIRMAN. Do you know any Thomas Blackbird around here?

Mr. OBERN. I do not.

The CHAIRMAN. Is he sometimes called Thomas Blackbird?

Mr. OBERN. No; not here.

Mr. CONDEACON. I am under oath to tell the truth and I will go on and tell you all about it.

The CHAIRMAN. Are you a full blood?

Mr. CONDEACON. Yes, sir.

The CHAIRMAN. Go on and tell us what you know.

Mr. CONDEACON. At the age of 21, as I told you, I received an allotment of land. I was single; and my wife, Do-ge-ga, whom I afterwards married, had made application for a piece of land, the same that is now patented to Thomas Blackbird. It was after I married her that the allotment list was made. A man by the name of Brooks, an allotting agent, was here and I was away at the time of the allotting of these lands. In allotting that land to her some way or another they gave her the name of Thomas Blackbird. When the patents arrived at the Indian office at Ashland I and my wife went there. We got our patents and it was then I seen her patent was to Thomas Blackbird and I called the attention of the Indian agent at that time to that and I told him I wanted to go on either my allotment or my wife's allotment and make some improvements, and I didn't like to go on my wife's allotment for the reason that the name wasn't right and I would like to have it corrected. He told me to go on either one of the allotments and make such improvements as I wished to, and I did so. I went on my wife's allotment. I was promised at the time that that name would be corrected, but it has never been done.

The CHAIRMAN. Who was the agent at that time?

Mr. CONDEACON. Durphy.

Mr. HOLCOMBE. How long ago was that?

Mr. CONDEACON. It is thirty years, more or less.

Mr. HOLCOMBE. Wasn't that allotment made upon what was known as the Poorhouse reserve?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. When was that opened to allotment?

Mr. CONDEACON. I don't know anything about that.

Mr. HOLCOMBE. Has your wife ever received any other allotment?

Mr. CONDEACON. No, sir; that was the only allotment she had. She tried to get that corrected all the time she lived. At the time that Special Agent Downs was up here making allotments I approached him and handed him my patent and asked him to take steps to get that corrected. He talked to Mr. Patterson, the government farmer at that time here on the Bad River Reservation, and instructed Roger Patterson to take the affidavits of my witnesses, Moses White and others, there at that time who knew of my wife having taken that allotment, knew the mistake was a mistake, and Patterson, he was told to take these affidavits, and he took them, but I don't know anything of it since.

Mr. HOLCOMBE. Did the council ever hold that your wife was entitled to an allotment?

Mr. CONDEACON. Our application was not presented to the allotting committee.

The CHAIRMAN. Was she a full blood?

Mr. CONDEACON. Yes, sir.

The CHAIRMAN. Of this band?

Mr. CONDEACON. Yes, sir; she was born and raised here.

Mr. HOLCOMBE. Now, in regard to your own allotment, do you know how that land lies, whether it runs east and west or north and south?

Mr. CONDEACON. I don't know. I have been there, but I could not say as to that. North and south, I think.

Mr. HOLCOMBE. How many acres are there in it?

Mr. CONDEACON. Eighty acres. Do you wish to hear anything about the one in Ontonogan?

Mr. HOLCOMBE. That is the one I am talking about.

Mr. CONDEACON. I am speaking of my own allotment here.

The CHAIRMAN. He has got one under the name of Thomas O'Condeacon here.

Mr. CONDEACON. That is my name here.

Mr. HOLCOMBE. That is the one I want to know about, whether that runs east and west or north and south?

Mr. OBERN. He also wishes to tell you in regard to the one in Ontonogan.

Mr. HOLCOMBE. I want to know about the one you have here on this reservation. Does that run north and south?

Mr. CONDEACON. I think it is north and south. Do you wish to hear something of the allotment I have in Ontonogan?

Mr. HOLCOMBE. Now, is that one which you have here in one or two sections?

Mr. CONDEACON. It is together, on one section. I could not say as to whether they are both on one section.

Mr. HOLCOMBE. Both what?

Mr. CONDEACON. Both forties.

Mr. HOLCOMBE. Have you an allotment on this reservation that is in two separate or distinct plots of land?

Mr. CONDEACON. No, sir.

Mr. HOLCOMBE. Now you can tell me about the allotment under the name of Thomas O'Condeacon and Thomas Condeacon.

Mr. OBERN. He has just gotten through telling you about the Thomas Condeacon.

Mr. HOLCOMBE. He appears here as Thomas O. Condeacon and Thomas O'Condeacon. There are two separate tracts of land.

Mr. CONDEACON. Thomas O. Condeacon.

Mr. HOLCOMBE. I have a list of what purports to be four separate and distinct allotments to one and the same person, three on this reservation.

Mr. CONDEACON. Thomas O. Condeacon is my land. I took that land when I was 21 years of age. That is my own land. I don't know anything about any other land. I never took it. I never got the benefit of either of those allotments. Of course, my wife, we have a little benefit in there. We cut a little timber in there, about 50,000. We got the authority from the Indian agent.

Mr. HOLCOMBE. Then you have only had the benefit of one other allotment besides that which your wife had?

Mr. CONDEACON. I had my own allotment.

Mr. HOLCOMBE. Can you give the minutes of that for the record?

Mr. CONDEACON. I have got the patent.

Mr. HOLCOMBE. How many patents have you in your house?

Mr. CONDEACON. I have got only one. I never carry any other patents at all. I never seen it.

Mr. HOLCOMBE. Did you ever receive any benefit from your allotment in Michigan?

Mr. CONDEACON. I never seen it.

Mr. HOLCOMBE. Did you ever get any patent for it?

Mr. CONDEACON. No; I never seen the patent. It might be down there.

Mr. HOLCOMBE. Have you a brother Henry?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. Did he ever receive a patent in Michigan?

Mr. CONDEACON. I don't know.

Mr. HOLCOMBE. Did he ever have an allotment here?

Mr. CONDEACON. Yes, sir.

Mr. HOLCOMBE. And he also had one in Michigan?

Mr. CONDEACON. He had one in Michigan. Maybe, you know, my father took a claim. He was a chief down there. He was in here when I was 18 years old. When I got to 21 I took up my land here at this reservation. That is all the land I had. When he took allotments over there my father, he spoke to them in there, he says, "I have got one son in the Bad River Reservation and I would like to get it." So the band says, "All right." If he says do that the only thing is to do it. They all agreed. So my father gave me one allotment down there. I don't know anything about it. I heard there is a patent over there. I never seen it. I never have been for it. I have had lots of chances to sell, but I didn't want to sell it. I didn't want to do anything. I never touched it. That is all the benefit I got is on this reservation, only this land.

Mr. HOLCOMBE. You have been told there is a patent over there for you?

Mr. CONDEACON. Oh, yes.

Mr. HOLCOMBE. Have you ever seen any paper in regard to that patent?

Mr. CONDEACON. No; nothing to do with it. I never touched it.

The CHAIRMAN. You understand that your father got that for you after you got this patent here?

Mr. CONDEACON. Yes, sir.

The CHAIRMAN. And you understood that he told them that you had one up here?

Mr. CONDEACON. Yes, sir.

The CHAIRMAN. Before he went down there?

Mr. CONDEACON. Yes, sir; when he gave the name then they fixed it down there.

The CHAIRMAN. Where were you born?

Mr. CONDEACON. Down the other side of Duluth. My folks lived in Ontonagon.

The CHAIRMAN. Where was your father, the chief; down by Duluth or at Ontonagon.

Mr. CONDEACON. Down at Ontonagon.

The CHAIRMAN. Has your brother Henry ever sold his allotment in Michigan?

Mr. CONDEACON. I ain't very sure, but he tried to.

The CHAIRMAN. Has he sold his allotment here, sold the timber?

Mr. CONDEACON. Yes, sir.

The CHAIRMAN. He has sold his timber here and he tried to sell his allotment in Michigan?

Mr. CONDEACON. Yes, sir; he tried to, but he didn't sell it.

The CHAIRMAN. That is all.

(The witness was thereupon excused.)

EXPULSION OF BEN MORRISON AND FRANK B. MURRAY.

The CHAIRMAN. We are now ready to take up the matter of the expulsion from the reservation of Benny Morrison and Frank B. Murray, and other Indians. I assume that you will have the initiative in this particular proceeding. As I understand, these people were ordered off the reservation and the order is now in force.

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. What is the nature of your appearance; to investigate the reason for their removal from the reservation, or for damages, or for what?

Mr. PIERRELEE. I appear for Benny Morrison and Frank B. Murray. We are here to investigate the reason for their removal.

The CHAIRMAN. Under those circumstances you take the affirmative and you may proceed.

Mr. PIERRELEE. Am I to assume that the committee has full knowledge of the facts?

The CHAIRMAN. No; nothing. We understand that certain men have been ordered off the reservation. We understand in a general way that it was in connection with the liquor traffic.

Mr. DILLON. I appear for John J. Doherty and George Morrison.

Mr. PIERRELEE. This thought has suggested itself to me. It is a very difficult matter to prove a negative proposition. The affirmative of this proposition is, "The removal of these men from the reservation."

Mr. HOLCOMBE. They have been removed and you are in the position of appellant, as I understand it.

Mr. PIERRELEE. I do not know that that would be the proper phase of it. If we were put in the position of proving a negative proposition, we would be in the position of building up a straw man and having to knock him down. It seems to me the orderly method of procedure would be to have to meet something.

The CHAIRMAN. Perhaps in view of the fact that this is in the nature of a general investigation, it would be perhaps appropriate if we called for the reasons for the removal of these men.

Mr. PIERRELEE. Yes. We have not copies of the charges.

The CHAIRMAN. There is force in your suggestion. As to the matter of the removal of these men, Major Campbell, who is there here who knows of the circumstances of their removal and the cause for their removal?

Mr. CAMPBELL. Mr. Johnson was to be here. I told him when I saw him the other day he ought to be here. A man by the name of William Johnson, who has charge of the suppression of the sale of whisky.

Senator LA FOLLETTE. He came here to make an investigation after this action had been taken?

Mr. CAMPBELL. That is Bascombe Johnson, from Washington.

Mr. HOLCOMBE. Did it begin with the information gained by Johnson?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. You may read Johnson's letter.

Mr. HOLCOMBE. I read a letter dated La Pointe Indian Agency, Wis., Ashland, January 28, 1909, from S. W. Campbell, superintend-

ent and special disbursing agent, to William E. Johnson, special officer United States Indian Service, Ashland, Wis.:

In compliance with the suggestion that you made the other day in reference to the subject of undesirable citizens that are on the Bad River Reservation, I have the honor to quote you four letters in full from John F. Miles, the government farmer of said reservation, in reference to this subject, and he names in each letter one person whom he considers that the reservation would be better off without, and he gives the reasons, which I think I can corroborate fully:

ODANAH, WIS., *January 27, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent,
Ashland, Wis.

SIR: George Morrison has run a soft-drink business most of the time for years, always runs as close to the danger line as possible, and has allowed and mixed in with gambling in his place of business, which he admitted to me.

He has been indicted several times for bringing whisky on the reservation, and not a fraction of the number that he has not been caught in the act. I helped him to sell his place of business last fall on his representation that he was going to leave the reservation and run a club house at Brule, but instead he went into a new place here. He is a constant menace to the peace and prosperity of the Indians of the reservation by agitation of disregard of laws, rules, and regulations governing same.

Respectfully,

JOHN F. MILES,
Government Farmer.

ODANAH, WIS., *January 27, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent,
Ashland, Wis.

SIR: George Parker, an undesirable for the reason that he has flatly refused to obey the instructions of the honorable commissioner and opened a billiard and pool room on the reservation after he had been repeatedly warned not to do it and sold drinks that contained enough alcohol to intoxicate. I helped him sell a half interest in an opera house here on his representation that he was going to the Pacific coast to remain. Came back in a few months and opened a business that constantly debauched our people and required a constant watch by the police. Has been indicted several times for introducing liquor on the reservation.

Respectfully,

JOHN F. MILES,
Government Farmer.

ODANAH, WIS., *January 27, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent,
Ashland, Wis.

SIR: Frank B. Murray keeps hotel and also restaurant, noted as a gambler. Special Agent Edgar A. Allen reported when here a year ago that he kept women help who invited him to come to their room and sleep with them. Liquor has been dispensed from the back room of the restaurant to draw custom; been indicted several times for introducing liquor on the reservation; dishonest by having got an allotment on the Lac Courte Oreille Reservation and subsequently one on the Bad River Reservation and securing the benefit of both; a very slick operator in crooked work.

Respectfully,

JOHN F. MILES,
Government Farmer.

ODANAH, WIS., *January 27, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent,
Ashland, Wis.

SIR: John J. Doherty lives by his wits, has spent all his property and his wife's, and is now trying to spend his children's through applications of trumped

up schemes. On August 18, 1907, he made application for his minor daughter, Martina F. Doherty, to withdraw $150 to purchase a horse and buggy for said daughter to use to go to school. On August 24, 1907, said application was approved and he proceeded to the agency where he represented that he had bought the horse and buggy. The agent gave him a check for said amount, and he had not bought the horse and did not buy it. He spent said money in drinking and gambling. He borrows from ignorant Indians without security, scorns manual labor, ever advocating disregard of government control, inciting anarchy on the reservation. A political demagogue, represents that class of which it is said, "A little learning is a dangerous thing."

Respectfully,

JOHN F. MILES,
Government Farmer.

If the reasons above given in reference to these four parties are sufficient, in your estimation, to warrant their expulsion from the reservation, you can take the proper steps to accomplish the object.

I would state that the whole four have allotments on said reservation, and for that reason I have been somewhat timid in reference to expelling them, but I am certain that if they and a few others, or even these four, were expelled from the reservation it would have a wholesome effect upon those who remained and better discipline and better government and better results would be obtained from said reservation, all of which is respectfully submitted for your information.

Respectfully,

S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

Mr. DILLON. I have been requested by his brother to represent George Morrison in this matter.

Mr. HOLCOMBE. The next is a letter from William E. Johnson, chief special officer, to the honorable Commissioner of Indian Affairs, Washington, D. C., dated at Madison, Wis., February 4, 1909. It is:

Reference is hereby made to my report of this date regarding conditions at La Pointe Indian Agency, Wis., particularly in the vicinity of Bad River Reservation.

Ten days ago I came to Madison for a conference with Assistant United States Attorney Morgan regarding various moves that I had in mind to relieve the Bad River Reservation Indians from the operations of various whisky peddlers and gamblers. Mr. Morgan urgently recommended that a number of these chronic offenders of years' standing be ejected from the reservation under authority of section 2149, Revised Statutes of the United States. Afterwards I conferred with Supt. S. W. Campbell, of La Pointe Indian Agency, regarding the same matter. He approved of the matter, suggested that I go to Odanah and confer with the government farmer, John F. Miles, regarding the proper subjects for such a procedure. I did so, and, together with Mr. Miles, went over the records of the principal offenders of long standing and selected four of the worst and most dangerous characters as fit subjects for this operation. These men were George Morrison, George Parker, Frank B. Murray, and John J. Doherty. Mr. Miles then prepared for Superintendent Campbell a special report on each one of these characters. These reports of Government Farmer Miles were embodied in a report to me by Superintendent Campbell dated January 28, 1909, the original of which I inclose herewith for your information. In going over the records kept in the farmer's office at Odanah regarding these chronic lawbreakers I find the following regarding George Morrison:

Morrison ran a gambling den at Odanah for 4 or 5 years, but recently sold out. On January 1, 1906, a lot of Indians got drunk in Morrison's joint and made affidavit that they got drunk on a beverage called "Dynamite," sold by Morrison.

On February 10, 1906, Morrison introduced a barrel of beer called "All Ale." This was captured in Morrison's joint. George and his brother Ben were indicted by the federal grand jury for this offense. The indictment was returned March 13, 1906.

On May 16, 1906, George Morrison introduced and sold John Twobirds and Joseph Whitebird 1 pint of whisky. Indictment was returned for this offense June 13, 1906, but the evidence showed that Twobird had been buying whisky at Morrison's joint on numerous occasions.

September 11, 1907, George Morrison and his bartender, William Denomie, sold to Boyd Gordon and Catherine Nickles enough hard cider to make them both drunk and creating a scandalous scene in the back room of the joint. The grand jury, however, did not return an indictment in this case.

October 30, 1907, George Morrison and his bartender, Sam F. Denomie, sold a lot of hard cider to Robert Kellogg, who was arrested with two bottles of the same in his pocket. Morrison was indicted by the grand jury for this offense.

On January 31, 1908, George Morrison and James Connors, his bartender, sold a lot of hard cider to Indians, who declared they got drunk on it. Evidence, however, could not be gotten in shape for presentation to the grand jury.

On November 24, 1908, George Morrison was captured in the act of introducing whisky at the Odanah depot on the reservation.

Yesterday we secured another indictment from the grand jury against George Morrison for introducing whisky on the Indian reservation. Morrison is a chronic gambler and a whisky peddler of years' standing. While I was operating at Ashland, Morrison was boasting in one of the saloons of his ability to sell whisky on the Indian reservation.

I respectfully call your attention to the inclosed report of John F. Miles, government farmer at Odanah, regarding the influence of George Morrison, which report is indorsed by Indian Superintendent Campbell.

In reference to George Parker. Parker is an associate and pal of George Morrison's in gambling and whisky-peddling operations. February 10, 1906, together with Ed Day, Parker introduced on the Bad River Reservation 4 barrels of beer. Two grand jury indictments were the result of this adventure.

On August 21, 1907, Parker introduced some whisky on the reservation, for which he was again indicted. For years Parker's principal occupation on the Indian reservation has been that of selling intoxicating liquors and gambling, and swindling Indians out of their money.

I respectfully refer to the accompanying report of Government Farmer Miles, indorsed by Superintendent Campbell for further information as to the character of George Parker.

Frank B. Murray runs a sort of hotel at Odanah, and a restaurant also, concerning both of which all sorts of scandalous comment is heard on the street. A year or so ago Murray and William Denomie sold intoxicating liquor to James Bango and Nick Decoteau, both of whom got drunk on it. The witnesses, however, were so drunk that their testimony could not be presented to the grand jury in a satisfactory manner.

On July 5, 1907, Murray introduced a quart of whisky on the reservation. For this he was indicted and fined $100. On November 26, 1908, several men were found drunk in the back end of Murray's restaurant, but evidence could not be obtained as to who was responsible for the affair.

February 23, 1908, a similar affair occurred in the same place. Murray is of the same character as the man above mentioned—a chronic gambler, whisky peddler, and one of the most active in advising the Indians to ignore and violate all regulations of the department promulgated for the benefit of the Indians.

I respectfully refer to the accompanying report of Government Farmer Miles, indorsed by Superintendent Campbell as to the character of this man Murray. One of the deputy marshals the other day was told of some kind of a story regarding Murray's Hotel, as is told by Special Agent Allen, quoted in Mr. Miles' report.

In reference to John B. Doherty. This man was indicted January 3, 1906, for introducing whisky on the Bad River Reservation, in company with Antoine Charette. Doherty, however, while he has not as long a record for introducing liquor and gambling as the other undesirables mentioned above, is probably the most dangerous and troublesome of the four. It is he who has been more potent than any in instigating suits against government officers and in trumping up all sorts of false charges against them. It is he who has for years been the chief ring leader in advancing schemes to defeat the efforts of the Government for the welfare of the Bad River Indians. He is a loafer, gambler, drunkard, and worthless, and a dangerous character.

I respectfully refer to the accompanying report regarding John J. Doherty, by Government Farmer Miles, indorsed by Superintendent Campbell.

These four men are the most dangerous characters to the welfare of the Indians on the Bad River Reservation. Others could well be added to this list, but I am inclined to think that their removal might have a quieting effect upon the others and settle in a large part the present difficulties. I, therefore,

join with Superintendent Campbell and Government Farmer Miles in request that authority be given under section 2149, Revised Statutes, for the removal of George Morrison, George Parker, Frank B. Murray, and John J. Doherty from the Bad River Reservation.

I will be in that vicinity the early part of next week assisting the trial of Brents for assault, and looking after the arrest of the numerous liquor dealers indicted by the grand jury. It would be helpful, therefore, if orders for the removal of these men be communicated to Superintendent Campbell by telegram in order that I may be present to render Mr. Campbell whatever assistance may be necessary. Each of these offenders have very little Indian blood, but are allotted Indians. They do not, however, live upon their allotment, but live in Odanah, which is located upon tribal land.

Respectfully,

WILLIAM E. JOHNSON,
Chief Special Officer.

Mr. HOLCOMBE. The next is a telegram from the Office of Indian Affairs, Washington, February 11, 1909, addressed to "Campbell, Superintendent, La Pointe Agency, Ashland, Wis.:"

It being my judgment that the continued presence of George Morrison, George Parker, Frank B. Murray, and John J. Doherty in the Indian country is detrimental to the peace and welfare of the Indians, I hereby direct, with the approval of the Secretary of the Interior, that you remove said persons from the Bad River Reservation and the Indian country, under and in accordance with the provisions of section 2149 of the Revised Statutes of the United States. Consult Special Officer Johnson, who will be directed to assist you.

VALENTINE,
Acting Commissioner.

Approved.

WILSON,
Assistant Secretary.

The CHAIRMAN. Is Mr. Miles here?

Mr. MILES. Yes.

Mr. PIERRELEE. The charges relative to Benny Morrison have not been presented.

The CHAIRMAN. They are separate.

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. That referred to these others?

Mr. CAMPBELL. Yes, sir.

Mr. HOLCOMBE. The telegram in regard to Benny Morrison is as follows:

ODANAH, WIS., *January 29, 1909.*

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

Benny Morrison, an allotted one-fourth blood Chippewa Indian, living here, was indicted for introducing and selling whisky May 16, 1906; indicted again for introducing a barrel of beer on February 10, 1906. Both of these indictments quashed by the United States attorney after the Couture decision on Morrison's promise of good behavior. Before and after this, for two or three years, he ran a joint, which I raided to-day, and seized and destroyed 40 gallons of wine. Then he owned another joint, operated by George Parker and George Morrison, at which billiards and gambling games were conducted and intoxicating liquor sold. This joint was ordered closed by the commissioner; order dated November 24, 1906 (see Education, 73684 and 74892). To-day Benny Morrison opened the same joint in person, without the billiards. In searching the place to-day I found three 10-gallon kegs of cider, gambling tables, and chairs in private rooms and 5 gross of poker chips. He is a chronic whisky peddler and joint keeper of years' standing and persists in his course in the face of repeated warnings, indictments, and arrests. To-day Morrison assaulted Special Officer Brents while the latter was in the performance of his duty. Morrison is now swearing out a warrant in state court for Brents, charging him

with carrying a revolver. I respectfully request authority of the Secretary under section 2149, Revised Statutes, to remove Benny Morrison from the reservation. Request that authority be given by telegraph.

WILLIAM E. JOHNSON,
Chief Special Officer.

Mr. HOLCOMBE. The next in order is a telegram, dated Washington, D. C., January 30, 1909, addressed to Campbell, Superintendent La Pointe Agency, Ashland, Wis. It is:

It being my judgment that the continued presence of Benny Morrison in the Indian country is detrimental to the peace and welfare of the Indians, I hereby direct, with the approval of the Secretary of the Interior, that you remove said person from the Bad River Reservation and the Indian country, under and in accordance with the provisions of section 2149 of the Revised Statutes of the United States. Consult Special Officer Johnson, who will be directed to assist you.

VALENTINE,
Acting Commissioner.

Approved.

JESSE E. WILSON,
Assistant Secretary.

The CHAIRMAN. Turn to the report of Mr. Miles.

Mr. PIERRELEE. Would it be possible or probable or advisable at this time that we might ask to take up the case of Benny Morrison, separate and distinct from the others, for the reason that the others are based upon reports other than a telegram and were treated by the department separately.

Mr. HOLCOMBE. It will all come out in the wash. I guess they are pretty well in the same boat.

Mr. PIERRELEE. The others are based upon separate reports while Benny Morrison is based simply on the telegram by Special Officer Johnson.

The CHAIRMAN. These men not being here, we are simply investigating the matter. Johnson is not here?

Mr. CAMPBELL. No, sir.

The CHAIRMAN. Do you expect him?

Mr. CAMPBELL. He said he would be here Thursday, and if he was needed I was to wire him.

The CHAIRMAN. Do you know where he is?

Mr. CAMPBELL. I do not know. I was looking over my memoranda to see if I had his address, but I can not find it. I think it is Duluth. He should be here.

Senator LA FOLLETTE. He should be here by all means.

The CHAIRMAN. I do not see, for this hearing, that there is any particular difference. We want to get the evidence as fully as we can and as quickly as we can. Mr. Miles may take the stand.

STATEMENT OF JOHN F. MILES.

JOHN F. MILES, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. What is your present occupation?

Mr. MILES. Government farmer on Bad River Reservation, Wis.

The CHAIRMAN. How long have you held that position?

Mr. MILES. Not quite two years.

The CHAIRMAN. Where did you live before you were appointed farmer here?

Mr. MILES. In the city of Ashland.

The CHAIRMAN. How long had you lived there?

Mr. MILES. About sixteen years, I think.

The CHAIRMAN. What was your business there?

Mr. MILES. I am a filer by trade.

The CHAIRMAN. A saw filer?

Mr. MILES. Yes, sir.

The CHAIRMAN. On the 27th day of January, 1909, you addressed some reports to Agent Campbell in regard to George Morrison, George Parker, Frank B. Murray, and John W. Doherty. Do you know that?

Mr. MILES. Yes, sir.

The CHAIRMAN. In regard to George Morrison you say, "Has run a soft-drink business most of the time for years, always runs as close to the danger line as possible, and has allowed and mixed in with gambling in his place of business, which he admitted to me. He has been indicted several times." Did he ever admit to you that he allowed gambling at his place?

Mr. MILES. To explain that: I was helping him sell out his place, and we were in one of his back rooms, and there was a table in there with a hole in the center. I said, "George, this looks like a poker table," and he said, "We used to play poker here before they stopped us." That was the admission.

The CHAIRMAN. The statement is, "George Morrison has run a soft-drink business most of the time for years and always runs as close to the danger line as possible, and has allowed and mixed in with gambling in his place of business, which he admitted to me." What do you know of the character of his place previous to this date that you made this report?

Mr. MILES. Nothing, only general reputation.

The CHAIRMAN. Where was his place located?

Mr. MILES. I don't know the name of the street; the second street back of this and two blocks up.

The CHAIRMAN. While you were farmer here, where did you live?

Mr. MILES. I lived here on the reservation.

The CHAIRMAN. I know; but in what direction from the office?

Mr. MILES. Directly east.

The CHAIRMAN. What direction was his place?

Mr. MILES. Northwest.

The CHAIRMAN. Were you in the habit of being around in the neighborhood of his place?

Mr. MILES. Yes, occasionally.

The CHAIRMAN. Had you observed anything as indicating the character of his place?

Mr. MILES. Yes, sir.

The CHAIRMAN. What had you observed?

Mr. MILES. I observed oftentimes there were men about there that were intoxicated.

The CHAIRMAN. When you saw men were intoxicated did you make any effort to inquire or ascertain the source of their intoxication?

Mr. MILES. No, sir; I did not.

The CHAIRMAN. Had you ever yourself seen any liquor there?

Mr. MILES. No, sir.

The CHAIRMAN. You had simply seen men around there that appeared to be intoxicated—was that inside or outside?

Mr. MILES. Both inside and outside.

The CHAIRMAN. You have seen men inside, have you, who appeared to be intoxicated?

Mr. MILES. Yes, sir.

The CHAIRMAN. How general was this?

Mr. MILES. Well, I could hardly state how general it was before. Well, there was always a crowd hanging around there.

The CHAIRMAN. Had he been indicted while you were farmer here?

Mr. MILES. I don't know that, unless I would look at the record.

The CHAIRMAN. Now, in regard to George Parker, "an undesirable, for the reason that he has flatly refused to obey the instruction of the honorable commissioner, and opened a billiard and pool room on the reservation, after he had been repeatedly warned not to do it, and sold drinks that contained enough alcohol to intoxicate. I helped him sell a half interest he had in an opera house here, on his representation that he was going to the Pacific coast to remain. Came back in a few months and opened a business that constantly debauched our people and required a constant watch by the police. Has been indicted several times for introducing liquor on the reservation." What can you say of your personal observation as to this matter?

Mr. MILES. That it was just about the same as the Morrison place.

The CHAIRMAN. In which direction was it from the office?

Mr. MILES. The second door, right next to the hotel.

The CHAIRMAN. State whether you have ever seen evidence of intoxication at his place, inside or out.

Mr. MILES. I have seen, both inside and out, evidences of men being intoxicated, and men drinking at the bar.

The CHAIRMAN. Do you know what they were drinking?

Mr. MILES. No, I do not. Something that was colored.

The CHAIRMAN. Now, after he came back from the Pacific coast, you say that he continued a business that constantly debauched our people and required constant watching by the police. What are the facts in regard to that?

Mr. MILES. The facts were that there was constantly drinking in there and more or less intoxication going on around there.

The CHAIRMAN. Any rows or quarrels?

Mr. MILES. I don't remember of any rows or quarrels.

The CHAIRMAN. What?

Mr. MILES. I don't remember of any rows, or quarrels, or fights, or anything of that kind.

The CHAIRMAN. When you saw men drinking there, did you make any investigation or inquiry as to the character of the stuff they were drinking?

Mr. MILES. I told the police to look after that. It was their business to look after the drinking business.

The CHAIRMAN. Who was your policeman at that time?

Mr. MILES. Norbert Sero, the chief of police, and John Blackbird and Edward Haskins.

The CHAIRMAN. Do you know of his being indicted for introducing liquor on the reservation?

Mr. MILES. I did not. That is, I don't recollect anything about it.

The CHAIRMAN. You report so in this report.

Mr. MILES. Yes; I know he has been, because I had read the indictments over. I had seen those things on the record.

The CHAIRMAN (reading):

Frank B. Murray keeps hotel and also restaurant; noted as a gambler. Special Agent E. A. Allen reported when here a year ago that he kept women help who invited him to come to their room and sleep with them. Liquor has been dispensed from the back room of the restaurant to draw custom; been indicted several times for introducing liquor on the reservation; dishonest by having got an allotment on the Lac Court Oreilles Reservation and subsequently one on the Bad River Reservation and securing the benefits of both; a very slick operator in crooked work.

Mr. HOLCOMBE. Mr. Allen subsequently denied that he was himself invited. That he heard it was so.

The CHAIRMAN. What do you know of your own observation in regard to Murray?

Mr. MILES. Why, that he kept the hotel, and his reputation was that when he was up at Ashland he was always at gambling; the first thing he done when he went to Ashland was to go to a poker room. I don't know of my own knowledge anything about it.

The CHAIRMAN. Do you know anything of his gambling here?

Mr. MILES. No, sir; I do not.

The CHAIRMAN. With regard to his hotel, did you observe anything with regard to that that would warrant the suggestion of gambling or drinking?

Mr. MILES. I had heard those things, and that is all. No; I never saw anything of my own knowledge.

The CHAIRMAN. You state here that liquor has been dispensed from the back room of the restaurant. What was the basis of your observation in regard to that?

Mr. MILES. From the reports of men that said they had bought liquor there.

The CHAIRMAN. Do you recall any of the men?

Mr. MILES. I could not call their names now, but I know there was one reported in the office—two, I think—that they had bought liquor at the back door of the restaurant there.

The CHAIRMAN. Have you any memorandum of their names?

Mr. MILES. No, I haven't, except I think we have some affidavits at the office of that kind.

The CHAIRMAN. That relates to the Murray case?

Mr. MILES. Yes, sir; that relates to the Murray case.

The CHAIRMAN. I wish you would get the affidavits. Is there anyone here who knows about this personally?

Mr. PIERRELEE. I would like to know whether those affidavits have been secured since then or were secured before.

The CHAIRMAN. What we want is the names so as to call the witnesses.

Mr. CAMPBELL. We can produce the affidavits.

(Papers were produced by Mr. Miles and handed to the chairman.)

The CHAIRMAN. Were these the affidavits of the men who told you that Murray had dispensed liquor?

Mr. MILES. Some of those affidavits.

The CHAIRMAN. Are these the affidavits of men who told you these things before you made the report? The affidavits are dated wrong afterwards.

Mr. MILES. These affidavits were made afterwards, but they told me the things before.

The CHAIRMAN. These men had told you the things?

Mr. MILES. Yes, sir.

The CHAIRMAN. One of these is signed by Stanley May-day. Had he told you?

Mr. MILES. Yes, sir.

The CHAIRMAN. Another is signed by Joseph Whitebird.

Mr. MILES. I don't think Joseph Whitebird ever said anything to me about it. He said that to the police.

The CHAIRMAN. Who was John F. Miles?

Mr. MILES. That is me.

The CHAIRMAN. Then May-day, you think, is one of the men who told you of these facts before you made this report to Major Campbell?

Mr. MILES. Yes, sir.

The CHAIRMAN. Now, in regard to Doherty, I don't understand that the liquor business enters into the Doherty complaint, does it?

Mr. MILES. I don't think it does.

Mr. DILLON. There is one indictment charged against Doherty there in the complaint.

The CHAIRMAN. What do you say of Doherty of your own observation?

Mr. MILES. About what I have said in the complaint. I never saw him do any work and he was always around getting money however he could.

The CHAIRMAN. Do you know of your own knoweldge that he borrows money of the Indians?

Mr. MILES. I don't know of my own knowledge, but I have it that he borrowed money from—I can't tell the name now—$400, without any security.

The CHAIRMAN. Do you know whether he has repaid it?

Mr. MILES. No; I do not.

The CHAIRMAN. Do you know whether he is in the habit of not paying his bills—do you hear complaints of that kind?

Mr. MILES. I have heard such complaints, but I don't know that I could specify any present one.

The CHAIRMAN. You were farmer here during the month of January, 1909?

Mr. MILES. Yes, sir.

The CHAIRMAN. And did you know anything about the complaint against Benny Morrison?

Mr. MILES. I did.

The CHAIRMAN. What do you know of his actions here involved in this complaint?

Mr. MILES. Well, I don't know anything of my own knowledge except what I heard.

The CHAIRMAN. You weren't with Johnson when he found the liquor?

Mr. MILES. No, sir; I was not. I was in the office.

The CHAIRMAN. Did you see the liquor afterwards?

Mr. MILES. I think I did.

The CHAIRMAN. Do you know what Johnson did with it?

Mr. MILES. No, I do not.

The CHAIRMAN. Did he bring it to your office?

Mr. MILES. I think he broke some of it open. It was reported that he broke some of it open over there.

The CHAIRMAN. Have you seen evidence of intoxication on the part of people about his place?

Mr. MILES. I never was aware that he owned that place—that he had a part interest in it.

The CHAIRMAN. Who did you suppose was running it?

Mr. MILES. Why, George Parker was running it, and George Morrison.

The CHAIRMAN. Then what occurred with respect to the complaint against Benny Morrison as to that allegation—is that the same allegation that is referred to in the Parker complaint?

Mr. MILES. I don't know how that was, but I understood from the officers that when they went in there Benny claimed to own that property.

The CHAIRMAN. There weren't two distinct places?

Mr. MILES. No.

The CHAIRMAN. Whatever there is in this in regard to Benny Morrison's place is the same place that is covered in the Parker complaint?

Mr. MILES. Yes, sir.

The CHAIRMAN. That is what I wanted to get at. I wanted to make that clear.

Mr. MILES. Yes, sir; that is it.

The CHAIRMAN. This affidavit of Stanley May-day is sworn to before Judge Jordon. Were you present when this affidavit was made?

Mr. MILES. I was.

The CHAIRMAN. Does May-day talk English?

Mr. MILES. Yes, sir.

The CHAIRMAN. Was the affidavit read to him?

Mr. MILES. I think it was. I did not pay very much attention.

The CHAIRMAN. Who drew the affidavit, you or Jordon?

Mr. MILES. The affidavit, I think, was drawn by Mr. Sero.

The CHAIRMAN. Mr. Sero drew the affidavit?

Mr. MILES. I think so, though I am not positive of that.

The CHAIRMAN. These are copies. Do you know where the originals are?

Mr. MILES. I think they were sent to the superintendent. I know they were.

Mr. PIERRELEE. When were they made?

The CHAIRMAN. The May-day affidavit was made June 15, 1909. The Blackbird affidavit was made the 14th of June, 1909. You made an affidavit here on the 15th of June before C. O. Jordan, in which you stated that Ben Morrison and Frank B. Murray have introduced liquors on the Bad River Indian Reservation. What do you know of that?

Mr. MILES. I took that from the records. I never saw them bring any liquor on the reservation myself. The police look after that entirely.

The CHAIRMAN. Here is a reference to information furnished you by one G. H. Shaw. Do you know where he is now?

Mr. MILES. At La Crosse the last I knew of him. He is superintendent of the State Railway Company there. When he was here he was United States deputy marshal.

The CHAIRMAN. Do you know where this Mrs. Grouper is now?

Mr. MILES. Not at present.

The CHAIRMAN. Did she have any relatives here?

Mr. MILES. I don't know.

The CHAIRMAN. You may proceed.

Mr. PIERRELEE. I will confine myself particularly now to the Murray case, to start with. [Addressing the witness.] Do I understand that your entire report in the Murray case is based upon what you have heard others say?

Mr. MILES. Yes.

Mr. PIERRELEE. And not at all upon personal knowledge?

Mr. MILES. Yes; I have some personal knowledge. I know he kept a hotel.

Mr. PIERRELEE. And a restaurant?

Mr. MILES. And a restaurant.

Mr. PIERRELEE. The next item in your letter is where you say he is noted as a gambler.

Mr. MILES. Yes.

Mr. PIERRELEE. You know nothing of your own personal knowledge as to that?

Mr. MILES. No, sir.

Mr. PIERRELEE. The next item you mention is where you state "Special Agent E. A. Allen reported, when here a year ago, that he kept women help who invited him to come to their rooms and sleep with them."

Mr. HOLCOMBE. That was a mistake.

Mr. PIERRELEE. Wait a minute. Did Special Agent E. A. Allen ever make any report of that kind to you?

Mr. MILES. I don't think he did.

Mr. PIERRELEE. Do you know whether he did or not?

Mr. MILES. Yes; I know he did not.

Mr. PIERRELEE. You know he did not?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. You next state that "liquor has been dispensed from the back room of the restaurant to draw custom." Do you know anything of that, of your own personal knowledge?

Mr. MILES. I do not.

Mr. PIERRELEE. You stated that relative to that some men told you that before you made your report?

Mr. MILES. Yes.

Mr. PIERRELEE. Who did?

Mr. MILES. May-day and one or two others.

Mr. PIERRELEE. Who are the others?

Mr. MILES. I could not call their names.

Mr. PIERRELEE. Where was May-day when he told you that?

Mr. MILES. He told it to me in the office.

Mr. PIERRELEE. Who else was present?

Mr. MILES. I think Mr. Sero was present.

Mr. PIERRELEE. Who else?

Mr. MILES. I think Mr. Blackbird was. I am not positive about that.

Mr. PIERRELEE. Anybody else?

Mr. MILES. I think not.

Mr. PIERRELEE. How did Mr. May-day happen to be in your office at that time?

Mr. MILES. We called him in.

Mr. PIERRELEE. Who called him in?

Mr. MILES. Mr. Sero called him in.

Mr. PIERRELEE. For what purpose?

Mr. MILES. To make the affidavit.

Mr. PIERRELEE. Did he make the affidavit?

Mr. MILES. He did.

Mr. PIERRELEE. Are you sure about that?

Mr. MILES. I am sure. I am sure he signed it.

Mr. PIERRELEE. Is that the time Mr. May-day reported it to you?

Mr. MILES. Not the time that he reported it first.

Mr. PIERRELEE. I am inquiring about the time when he reported it to you first.

Mr. MILES. That must have been along some time last winter.

Mr. PIERRELEE. Well, when was it?

Mr. MILES. Well, I couldn't tell.

Mr. PIERRELEE. When, relative to the time you sent this letter to Agent Campbell?

Mr. MILES. Oh, it was before anything of that kind was put up to Campbell.

Mr. PIERRELEE. How did he happen to be invited in there at that time to make an affidavit of that kind or character against Murray?

Mr. MILES. He wasn't invited in there to make an affidavit at that time.

Mr. PIERRELEE. What was he in there for?

Mr. MILES. He was in there as a great many of them are, stepping in there to talk sometimes.

Mr. PIERRELEE. How did this conversation come about?

Mr. MILES. We wanted to find out whether any liquor was being sold at that restaurant or not. That is a part of the things we are to find out—if liquor is bought on the reservation.

Mr. PIERRELEE. Fix the date as near as you can.

Mr. MILES. As near as I could give, some time in December or January, last winter.

Mr. PIERRELEE. Well, which was it?

Mr. MILES. Well, I can't say.

Mr. PIERRELEE. Was it before or after Christmas?

Mr. MILES. I can't say that, even.

Mr. PIERRELEE. What day of the week was it?

Mr. MILES. I don't know that.

Mr. PIERRELEE. Are you sure it was in December or January?

Mr. MILES. I am pretty sure; not positive, though.

Mr. PIERRELEE. What was May-day doing at that time, do you know?

Mr. MILES. I don't know.

Mr. PIERRELEE. When was it, in the daytime or in the evening?

Mr. MILES. In the daytime.

Mr. PIERRELEE. About what time of day?

Mr. MILES. I could not tell you that.

Mr. PIERRELEE. Was it on Sunday?

Mr. MILES. No; I don't think it was.
Mr. PIERRELEE. It was on a week day?
Mr. MILES. It was on a week day.
Mr. PIERRELEE. Do you know this May-day?
Mr. MILES. Yes, sir.
Mr. PIERRELEE. And how long have you known him?
Mr. MILES. I have known him by sight pretty near ever since I have been here.
Mr. PIERRELEE. Do you know what his business is?
Mr. MILES. I don't know, not now.
Mr. PIERRELEE. What was his business then?
Mr. MILES. He used to work at the restaurant.
Mr. PIERRELEE. At Murray's restaurant?
Mr. MILES. Yes. Not at that time. He had been before that.
Mr. PIERRELEE. What was he doing at that time?
Mr. MILES. I don't know.
Mr. PIERRELEE. Don't you know as a matter of fact he was employed by E. S. Hammond, who was out here several miles in the woods—don't you know that was the fact?
Mr. MILES. I don't know.
Mr. PIERRELEE. That he wasn't here in the village any time except on Sunday?
Mr. MILES. I don't know.
Mr. PIERRELEE. You don't know but what that is the fact?
Mr. MILES. I don't know.
Mr. PIERRELEE. He is here in the village of Odanah?
Mr. MILES. He was.
Mr. PIERRELEE. When?
Mr. MILES. Why, some time in those two months.
Mr. PIERRELEE. Is he now here?
Mr. MILES. I don't know. I haven't seen him for some time.
Mr. PIERRELEE. How many times had you seen him before he made this statement to you?
Mr. MILES. I don't know.
Mr. PIERRELEE. Haven't you been advised that he is still here?
Mr. MILES. I don't know.
Mr. PIERRELEE. Working for the Stearns Lumber Company, is he not, or don't you know?
Mr. MILES. I don't know.
Mr. PIERRELEE. What brought on your conversation with May-day?
Mr. MILES. Well, talking over about where liquor is sold or dispensed or used here on this reservation.
Mr. PIERRELEE. Did you ask him to make an affidavit of it?
Mr. MILES. Yes.
Mr. PIERRELEE. What did he say?
Mr. MILES. He said he would do it.
Mr. PIERRELEE. Why didn't you prepare the affidavit?
Mr. MILES. Yes; why, yes.
Mr. PIERRELEE. I say, why didn't you?
Mr. MILES. At that time?
Mr. PIERRELEE. Yes.
Mr. MILES. Because it was not necessary, apparently, at that time.
Mr. PIERRELEE. When did it become necessary?

Mr. MILES. When Mr. Johnson was there as a special attorney from the department at Washington to look these things up.

Mr. PIERRELEE. Did he look up that?

Mr. MILES. I think he did.

Mr. PIERRELEE. Do you know anything about it?

Mr. MILES. No; I don't know.

Mr. PIERRELEE. Well, why did it become necessary to have an affidavit, then?

Mr. MILES. To show to Mr. Johnson; to carry down to the department at Washington.

Mr. PIERRELEE. And was that done?

Mr. MILES. That was done, I think.

Mr. PIERRELEE. That affidavit was never made until June. It was never taken to Mr. Johnson after that.

Mr. MILES. I don't know.

Mr. PIERRELEE. He has not been here on official business since last January or February?

Mr. MILES. I think so.

Mr. PIERRELEE. Which Johnson are you talking about?

Mr. MILES. I am talking about the special attorney.

Mr. PIERRELEE. Not W. E. Johnson?

Mr. MILES. No; he was here looking up this case and in that way——

Mr. PIERRELEE (interrupting). Special Officer W. E. Johnson was here in January last looking up this case?

Mr. MILES. Yes.

Mr. PIERRELEE. That was the time you made the report?

Mr. MILES. Yes.

Mr. PIERRELEE. Why was it not necessary to have the affidavit then?

Mr. MILES. I don't know. All that was necessary was to make out the complaint. That was all Mr. Johnson wanted or anybody wanted at that time—was to make out the complaint against the people that we thought to be against the peace and good order of the people on the reservation.

Mr. PIERRELEE. Do you know whether this man May-day had been closeted at previous times with Mr. Sero for the purpose of getting an affidavit from him, in Mr. Hammond's office, at which Mr. Gates, Hammond's clerk, was present?

Mr. MILES. I don't know.

Mr. PIERRELEE. Do you know at that time Mr. May-day had a suit against Mr. Hammond for wages?

Mr. MILES. I don't know.

Mr. PIERRELEE. And that Mr. Gates and Mr. Sero tried to get May-day to use that as a coercive method of preventing Hammond from putting in a defense to the suit?

Mr. MILES. I don't know.

Mr. PIERRELEE. You know nothing about that?

Mr. MILES. Nothing about it whatever.

Mr. PIERRELEE. Don't you know that he was visited several times before he would make the affidavit?

Mr. MILES. I don't know.

Mr. PIERRELEE. Is that the only person that ever told you about that before you made this report that liquor was dispensed from the back room of the restaurant to draw custom?

Mr. MILES. No, that wasn't the only time.

Mr. PIERRELEE. Is that the only person that told you before you made the report?

Mr. MILES. No; I had heard that about several times.

Mr. PIERRELEE. From whom?

Mr. MILES. I could not tell you. I don't remember.

Mr. PIERRELEE. You didn't have any affidavit of these other parties?

Mr. MILES. No, sir.

Mr. PIERRELEE. You didn't prepare this affidavit yourself?

Mr. MILES. No, sir.

Mr. PIERRELEE. Mr. Sero prepared it?

Mr. MILES. I think he did. I am not positive about that.

Mr. PIERRELEE. And that is all the knowledge you have; that is, what this man May-day told you?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. You state that he has been indicted several times for introducing liquor on the reservation. What do you know about that?

Mr. MILES. I took that from the records.

Mr. PIERRELEE. You had no personal knowledge of it?

Mr. MILES. No, sir.

Mr. PIERRELEE. How many times did your records show he had been indicted for introducing liquor on the reservation?

Mr. MILES. Several times.

Mr. PIERRELEE. What do you mean by that?

Mr. MILES. Well, more than this.

Mr. PIERRELEE. Have you that record here?

Mr. MILES. I think it is here.

Mr. PIERRELEE. Do you know anything of the truthfulness or accuracy of that record?

Mr. MILES. I have seen that at the office oftentimes, and seen them bringing liquor in and also going out and looking for liquor.

Mr. PIERRELEE. You don't answer the question. I asked you whether you know anything about the truthfulness and accuracy of that record?

Mr. MILES. Nothing, except by the police reports as they reported to me and as the people are sent down to the courts at Madison—the United States courts.

Mr. PIERRELEE. You didn't make that record?

Mr. MILES. No, sir.

Mr. PIERRELEE. You never have been present or knew anything about any record being made that Mr. Murray was indicted several times?

Mr. MILES. No.

Mr. PIERRELEE. So you know nothing about the truthfulness or accuracy of the record?

Mr. MILES. No, sir; except I know that——

Mr. PIERRELEE. Who made that record?

Mr. MILES. This record is made usually by the chief of police, Mr. Sero. He keeps a record of all liquor business on the reservation.

Mr. PIERRELEE. Do you know what was the result of these various indictments you speak of?

Mr. MILES. Yes; that they were put off the reservation.

Mr. PIERRELEE. Was that the result of these various indictments for introducing liquor on the reservation?

Mr. MILES. Of the indictments?

Mr. PIERRELEE. Yes.

Mr. MILES. No, I don't. I think we have somewhere in the office the records of the court, though.

Mr. PIERRELEE. Now, you state that he was dishonest by having got an allotment on Lac Courte Oreille Reservation and subsequently one on the Bad River Reservation and securing the benefits of both.

Mr. MILES. Yes.

Mr. PIERRELEE. Is that your view of the matter?

Mr. MILES. That was my——

Mr. PIERRELEE (interrupting). Answer the question. Is that your view of the matter?

Mr. MILES. Yes.

Mr. PIERRELEE. Is that your view of the matter now?

Mr. MILES. Yes.

Mr. PIERRELEE. That he was dishonest because he had procured two allotments and had the benefits from both?

Mr. MILES. Yes.

Mr. PIERRELEE. Upon what do you base that opinion?

Mr. MILES. That any man who gets anything once and gets it over again gets it for nothing. Therefore he is dishonest.

Mr. PIERRELEE. Do you swear as a matter of fact that he had gotten two allotments?

Mr. MILES. Not as a matter of——

Mr. PIERRELEE. This statement of record of yours is not based upon a matter of fact?

Mr. MILES. Not entirely.

Mr. PIERRELEE. Upon what knowledge did you formulate this charge?

Mr. MILES. The whole charge?

Mr. PIERRELEE. No; this particular charge I am speaking of?

Mr. MILES. That I had heard it reported that he had an allotment on the Lac Court d'Oreilles Reservation before he came here.

Mr. PIERRELEE. Why didn't you so frame your letter that you had heard it reported instead of stating that he was dishonest and stating it as a matter of fact?

Mr. MILES. Well, a good many things. I could not tell why.

Mr. PIERRELEE. Tell us that, if you can, why you stated this as a matter of fact, and did not state it as a matter of information given to you, or state the parties from whom you received your information?

Mr. MILES. Why, I suppose it was the fact.

Mr. PIERRELEE. Why didn't you tell the department or communicate to the department and tell them you supposed it was the fact and give them the grounds of your supposition?

Mr. MILES. Perhaps I didn't word it in that way. Left out a word.

Mr. PIERRELEE. You knew the department was seeking to obtain grounds for the removal of Frank Murray, did you not?

Mr. MILES. Not the department; no, sir.

Mr. PIERRELEE. Who was?

Mr. MILES. Yes; it was the department, too.

Mr. PIERRELEE. The department was seeking grounds for the removal of Frank Murray?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. You knew the department would have to rely upon the reports, the truthfulness of the reports, of its subordinate officers?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. You knew the department would accept your statement as true and act upon it, did you not?

Mr. MILES. No, I did not know they would. I supposed they would.

Mr. PIERRELEE. You had had a letter addressed to you by Major Campbell asking you for specific grounds for the removal of these men?

Mr. MILES. Yes.

Mr. PIERRELEE. And these are the specific grounds you gave him?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. All stated as facts?

Mr. MILES. Yes.

Mr. PIERRELEE. You stated as facts your views of things you didn't have any knowledge of?

Mr. MILES. Yes.

Mr. PIERRELEE. That is true?

Mr. MILES. That is true.

Mr. PIERRELEE. Don't you know as a matter of fact Mr. Murray did not receive any benefit from two reservations?

Mr. MILES. No, I do not.

Mr. PIERRELEE. Has not that ever been called to your attention?

Mr. MILES. No, sir.

Mr. PIERRELEE. Has Major Campbell ever reported that to you?

Mr. MILES. No, sir; he has not.

Mr. PIERRELEE. Well, if you should be apprised of the fact that he did not receive any benefit from two allotments——

Mr. MILES. I would take that back.

Mr. PIERRELEE. And state it was a false accusation?

Mr. MILES. Yes; if it could be proven to me.

Mr. PIERRELEE. That is very easily done. You state that he is a very slick operator in crooked work. Will you inform the committee what you mean by that?

Mr. MILES. Is that in the Murray case?

Mr. PIERRELEE. Yes, sir. Here is your letter—that is, a copy of it. What did you mean by that [handing paper to witness]?

Mr. MILES (after examining). That is right.

Mr. PIERRELEE. I asked you what you meant by that?

Mr. MILES. Well, I don't know that I can describe just what I meant by that.

Mr. PIERRELEE. What did you think the department would take it to mean?

Mr. MILES. They would think that he was not honest and that there was something wrong about him; that the very idea of his getting two allotments and getting rid of one of them and getting

the benefit of one, and then getting another one; he has not got the benefit of that——

Mr. PIERRELEE. Suppose you disabuse your mind of the fact that he has got two allotments for the present and then tell us what you meant by that.

Mr. MILES. I understood that he had two allotments.

Mr. PIERRELEE. Is that the conclusion to be drawn from the former part of your letter?

Mr. MILES. That he was crooked?

Mr. PIERRELEE. That is the only thing you meant by that?

Mr. MILES. Yes.

Mr. PIERRELEE. That is the only thing you want this committee to understand you meant when you charged him with being a very slick operator in crooked work?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. You thought he was so slick he could deceive the department at Washington in getting these two allotments?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. Supposing you were informed that a longtime previously he had adjusted this allotment question, conceding that he had the first allotment, and conceding that he obtained a second allotment; that they canceled the first allotment and charged him up with the benefits that he received from it, something like twelve hundred dollars from the first allotment, and made him pay that back, and that he did pay it back voluntarily to the department—if those are the facts would you consider that was a very unjust and unfair accusation—if you knew that it was all done with the approval of Indian Agent Campbell, and all done with the approval and consent of the department?

Mr. MILES. I would consider it very unjust if I had made such an accusation and he had only received $1,200; that is, if that was all he gave back, but if he got three or four thousand dollars off of that and had only been charged $1,200, then he would still have been a schemer and crooked.

Mr. PIERRELEE. You don't know anything about that?

Mr. MILES. No.

Mr. PIERRELEE. The only knowledge that you had was that he had gotten two allotments.

Mr. MILES. Yes, sir.

Mr. PIERRELEE. And that he had benefit from both.

Mr. MILES. Yes, sir.

Mr. PIERRELEE. Going back to this report of Special Agent Allen which you spoke about, that he reported when here a year ago that Murray kept women help who invited him to go to their rooms and sleep with them, I desire to call your attention to a letter dated April 12, 1909, written upon the stationery of the Department of the Interior at Ashland, Wis., which is addressed to John F. Miles, government farmer, through Supt. S. W. Campbell, Odanah, Wis., and signed by Edgar A. Allen, special Indian agent. Have you the original of that letter [handing paper to witness]?

Mr. MILES (after examining). I think I have.

Mr. PIERRELEE. Will you kindly produce it for the benefit of this committee at a later time?

Mr. MILES. I think it is over in the office.

Mr. PIERRELEE. I will read it into the record if I may. This pertains to this charge that Mr. Miles made in his report to Superintendent Campbell, in which he said that E. A. Allen, the special agent, had reported that Mr. Muray kept these undesirable women help around his place. It is as follows:

Mr. JOHN F. MILES, *Government Farmer*,
(Through Supt. S. W. Campbell, Odanah, Wis.)

DEAR SIR: I have my attention called to a phrase in the report made by you to Superintendent Campbell, dated January 27, 1909, relative to Frank B. Murray, of Bad River Reservation, as follows:

"Special Agent E. A. Allen reported, when here a year ago, that he (Murray) kept women help who invited him to come to their room and sleep with them."

I am at a loss to know how you received such an impression from anything said by me. Such an incident as you relate never took place, and no such remark was ever made by me. Murray did have a woman in his employ whose conduct was so unconventional as to lead me to believe, as I yet believe, that she had no business on the reservation. I believe that I made such a remark to you. However, I never spoke to the woman there. My opinion of her being formed from her conduct with traveling men who were guests of the hotel, and as my sight of her was in the office of the hotel, she did not extend such an invitation to them even as you mention.

Very respectfully,

E. A. ALLEN,
Special Indian Agent.

When your attention was called to this letter, or when you received that letter, did you shift around and say that it was some one else that informed you of these facts?

Mr. MILES. I did.

Mr. PIERRELEE. Why did you do that?

Mr. MILES. I made a mistake. There were several men in the office and I thought it was Mr. Allen that made these remarks, and instead of that it was Mr. Shaw. I so stated in the affidavit.

Mr. PIERRELEE. Didn't you state that it was Mr. Appleby that made this report to you, a deputy United States marshal?

Mr. MILES. No, sir.

Mr. PIERRELEE. Didn't you tell that to Mr. Frank Murray and Mrs. Frank Murray?

Mr. MILES. I don't think I did.

Mr. PIERRELEE. Do you deny now that you didn't tell them you thought it was Mr. Appleby?

Mr. MILES. I told them it was one of the marshals in the office.

Mr. PIERRELEE. Didn't you tell them it was your impression it was Mr. Appleby?

Mr. MILES. I——

Mr. PIERRELEE. You don't deny but what you did?

Mr. MILES. No, I don't; but I don't remember it.

Mr. PIERRELEE. Do you know Mr. Murray then got busy to find out from Mr. Appleby what the facts were?

Mr. MILES. I don't know.

Mr. PIERRELEE. Didn't Mr. Appleby tell you that he had never made any such report to you?

Mr. MILES. No, sir.

The CHAIRMAN. Who is Appleby?

Mr. PIERRELEE. He is a United States deputy marshal of the western district. [Addressing the witness.] As a matter of fact your mind wasn't clear as to who made that report to you?

Mr. MILES. No.

Mr. PIERRELEE. How did you find out who made it to you?

Mr. MILES. I found out by writing down to—by taking one and two together, and I knew these men were in the office and I wrote to Mr. Shaw about it.

Mr. PIERRELEE. Tell us what you mean by one and two.

Mr. MILES. Mr. Allen and Mr. Shaw and Mr. Appleby—one of these men made that report there. If it was not one it must have been the other.

Mr. PIERRELEE. Did you write to Mr. Appleby to find out?

Mr. MILES. No, sir; I did not.

Mr. PIERRELEE. If you didn't know which one it was, Mr. Appelby or Mr. Shaw, how did you find out?

Mr. MILES. Found out by writing to Mr. Shaw.

Mr. PIERRELEE. Didn't Mr. Sero tell you?

Mr. MILES. No.

Mr. PIERRELEE. Didn't Mr. Sero write a letter to Mr. Shaw?

Mr. MILES. No.

Mr. PIERRELEE. Did you write it?

Mr. MILES. I wrote the letter myself.

Mr. PIERRELEE. Wrote it on the typewriter?

Mr. MILES. Yes.

Mr. PIERRELEE. Do you use the typewriter?

Mr. MILES. Yes; occasionally.

Mr. PIERRELEE. What kind of a letter did you write to Mr. Shaw?

Mr. MILES. Well, I told him about what he had reported there in the office.

Mr. PIERRELEE. What did you tell him?

Mr. MILES. I thought it was what he had reported in the office.

Mr. PIERRELEE. Have you a copy of that letter?

Mr. MILES. I think I have a copy at the office.

Mr. PIERRELEE. Will you produce that for the benefit of the committee?

Mr. MILES. I will have to go over to the office.

Mr. PIERRELEE. Will you produce a copy of the letter to Mr. G. V. Shaw that you wrote?

Mr. MILES. Yes; if I can go over to the office.

Mr. PIERRELEE. At a later time?

Mr. MILES. Yes.

Mr. PIERRELEE. When did you first advise Mr. Murray that Mr. Shaw was the party that made this report to you?

Mr. MILES. After I got his letter, I think.

Mr. PIERRELEE. After you got whose letter?

Mr. MILES. Mr. Shaw's letter.

Mr. PIERRELEE. And Mr. Murray was rather anxious to get that matter straightened out, was he not; to find out who made this report?

Mr. MILES. Yes.

Mr. PIERRELEE. As a matter of fact, you had several talks with Mr. and Mrs Murray about it?

Mr. MILES. Yes.

Mr. PIERRELEE. And then did you furnish Mrs. Murray with a copy of the letter that Mr. Shaw had written to you?

Mr. MILES. I don't remember whether I furnished it to Mrs. Murray or to Mr. Murray.

Mr. PIERRELEE. Either one or the other you furnished a copy of that letter; is that true?

Mr. MILES. Yes. That is all that was pertinent to the question.

Mr. PIERRELEE. Now, I am not asking you whether you furnished that portion. I am asking you whether you furnished them with a copy of the letter.

Mr. MILES. Not of the entire letter.

Mr. PIERRELEE. Was it a true and accurate copy?

Mr. MILES. As far as it went, it was.

Mr. PIERRELEE. Why did you furnish them with a copy which was not a true and accurate copy of the letter?

Mr. MILES. It was as far as it went.

Mr. PIERRELEE. Why didn't you furnish them with a full copy of the letter?

Mr. MILES. Because I didn't want to.

Mr. PIERRELEE. Give us the reason.

Mr. MILES. I didn't think it was necessary.

Mr. PIERRELEE. Was it for the purpose of deceiving Mr. and Mrs. Murray?

Mr. MILES. No; it was not.

Mr. PIERRELEE. Give us the reason.

Mr. MILES. Because it was not necessary; because it did not pertain to that question.

Mr. PIERRELEE. Did not pertain to that question?

Mr. MILES. No, sir; had no bearing on that question.

Mr. PIERRELEE. Have you a copy of the part of the letter you furnished to Mr. and Mrs. Murray?

Mr. MILES. I can furnish you with one right here [handing paper to counsel].

Mr. PIERRELEE. You state this is a copy of the letter that you furnished to Mr. Murray.

Mr. MILES. Yes; I think that is the copy I furnished to them.

Mr. PIERRELEE. Will you furnish a true copy of the letter you received?

Mr. DILLON. The chairman has got it there.

The CHAIRMAN. That is a duplicate of the one I have. It is the same thing as this.

Mr. PIERRELEE. The last portion of the letter was omitted.

The CHAIRMAN. There are three lines. The lines that are in the copy which we have that are not in the copy which you have contain these words:

> She did not say that she received men in her room at the hotel, and I can not see how you could put the construction on the incident that you have regarding the use of the rooms.

Mr. MILES. I did not consider that part of it had anything to do with the matter.

Mr. PIERRELEE. The part you considered had nothing to do with the contents of the letter for the information of Mr. Murray was that portion of the letter in which Mr. Shaw was of the opinion and in which he said that she did not say that she received men in her room at the hotel, and I can not see how you could put the construction on

the incident that you have regarding the use of the rooms. Isn't that in the most part important and the drift of the whole letter in which Mr. Shaw denies making the statement which you attribute now he made to you?

Mr. MILES. No; that is not the most important.

Mr. PIERRELEE. Why did you endeavor to separate the important from the unimportant, in your judgment, when giving the copy to Mr. Murray? Why weren't you fair with him and give him the whole thing?

Mr. MILES. For the reason that I referred to before; I said that this was all I thought was necessary.

Mr. PIERRELEE. Why did you endeavor to settle that for Mr. Murray? Why didn't you let him exercise his judgment in that matter?

Mr. MILES. He did. He wrote to Mr. Shaw and got the letter.

Mr. PIERRELEE. How do you know?

Mr. MILES. Because he told me so. Mrs. Murray told me.

Mr. PIERRELEE. It was up to that time he did not know what Mr. Shaw had written you excepting what you had given him, which was a false report or a false letter——

Mr. MILES. I think he went there before he got that letter from him.

Mr. PIERRELEE. Why do you think that?

Mr. MILES. Well——

Mr. PIERRELEE. Did you think that he was afraid you would not give him a true and correct copy of it?

Mr. MILES. I think after I told him Mr. Shaw was the man instead of Mr. Allen that made that report, that he went down to La Crosse. Now, I am not positive about that either; but I think that is the case.

Mr. PIERRELEE. Didn't you think it was your duty as Indian farmer when you were occupying a fiduciary relation with these people and cooperating with them—that it was your duty to treat them fairly and give them a correct copy of the correspondence?

Mr. MILES. As far as was necessary.

Mr. PIERRELEE. Don't you think they should determine which portion was necessary?

Mr. MILES. I thought I was to determine that, and I did determine it.

Mr. PIERRELEE. You think you determined it correctly now?

Mr. MILES. I think so.

Mr. PIERRELEE. That is your opinion you wish to give this committee?

Mr. MILES. Yes, sir.

Mr. PIERRELEE. In view of the fact that Mr. Allen denies making the statement to you, and in view of the fact that Mr. Shaw denies it, and in view of the fact that Mr. Appelby denies it, to whom do you attribute the statement?

Mr. MILES. I think Mr. Shaw made that statement.

Mr. PIERRELEE. You think he did?

Mr. MILES. Mr. Shaw made that statement right there in the office, in the presence of two or three different men.

The CHAIRMAN. The committee will now take a recess.

(Thereupon, at 12.30 o'clock p. m., the committee took a recess until 1 o'clock p. m.)

AFTER RECESS.

The committee reassembled at 1 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor, Indian Service; Samuel W. Campbell, esq., United States Indian agent; V. T. Pierrelee, district attorney of Ashland County, and M. E. Dillon, esq., appearing as attorneys for F. Murray and Benjamin Morrison.

CONFLICT OF TITLE TO LANDS IN SECTION 16, LA POINTE RESERVATION.

The CHAIRMAN. The committee understands that Mr. T. W. Spence desires to address the committee upon the matter of the conflict of title between grantees of the State of Wisconsin and certain Indians as to title to lands in section 16, La Pointe Indian Reservation. Mr. Spence, the committee will hear you.

ARGUMENT OF T. W. SPENCE.

Mr. SPENCE. Mr. Chairman and gentlemen of the committee, prior to March 28, 1843, all of northern Wisconsin lying between Lake Superior and the Mississippi and bounded on the south by the latitude of Plover-Portage and running from Plover-Portage northeasterly to Green Bay was unceded territory of the Chippewa Indians of the Mississippi and Lake Superior.

By treaty bearing date March 28, 1843, the above-named tribes ceded to the United States all of this territory, a particular description of which is found in article 1 of the treaty.

The consideration for such cession is given in article 4 of the treaty and aggregated, in cash and goods, $1,000,000.

Earlier treaties with these same Indians, as well as the later treaty of 1854, hereinafter referred to, disclose the ownership by these same Indians of large tracts of land in Minnesota. The records of the Land Department between 1843 and 1854 show that during the interval between said dates these Chippewa Indians were importuning the department for a modification of the treaty of 1843, so that some of them, at least, might not be removed to Minnesota, but might be assigned specific reservations out of the lands ceded in 1843 for the separate use of different bands in the neighborhood of their former usual camping places.

This purpose of removal of these Indians to Minnesota is indicated in articles 2 and 3 of the treaty of 1843.

Article 2 of such treaty stipulates for the right in the Indians of hunting on the ceded territory, with their usual privileges of occupancy, until required to remove by the President of the United States, and it appears that the La Pointe band of Indians, interested in the reservations in question here, was never ordered to remove, but was given, by the treaty of 1854, the reservations involved here.

By the act of Congress of May 29, 1848, Wisconsin was admitted into the Union, and by the terms of the enabling act it was provided:

> That sections numbered sixteen in every township of the public lands in said State, and where such section has been sold or otherwise disposed of, other lands equivalent thereto and as contiguous as may be, shall be granted to said State for the use of schools.

Under the act of Congress for the admission of Wisconsin, as aforesaid, to the Union, the right to sections 16 within its boundaries became absolute. The legal title awaited the survey, but the "jus ad rem" arose simultaneously with the birth of the State. (Beecher *v.* Wetherby, 95 Wis., 524.)

In Beecher *v.* Wetherby, *supra*, speaking with reference to the school-land clause for the admission in the Union, the court says:

> It was, therefore, an unalterable condition of the admission, obligatory upon the United States, that section 16 in every township of the public lands in the State, which had not been sold or otherwise disposed of, should be granted to the State for the use of schools. It matters not whether the words of the compact be considered as merely promissory on the part of the United States, and constituting only a pledge of a grant in future, or as operating to transfer the title to the State upon her acceptance of the propositions as soon as the sections could be afterwards identified by the public surveys. In either case the lands which might be embraced within those sections were appropriated to the State. They were withdrawn from any other disposition and set apart from the public domain, so that no subsequent law authorizing a sale of it could be construed to embrace them, although they were not specially excepted.

And again, in United States *v.* Thomas (151 U. S., 577, 583):

> Mr. Justice Lamar, while Secretary of the Interior, had frequent occasion to consider the nature and effect of the grant of school lands where the title was at all encumbered or doubtful; and on this subject he said (6 L., 418) that the true theory was this: "That where the fee is in the United States at the date of survey, and the land is so encumbered that full and complete title and right of possession can not then rest in the State, the State may, if it so desires, elect to take equivalent lands in fulfillment of the compact, or it may wait until the right and title of possession unite in the Government, and then satisfy its grant by taking the lands specially granted." And this view he considered "as fully sustained by the decisions of the courts and the opinions of the Attorneys-General," and cited in support of it Cooper *v.* Roberts (18 How., 173); 3 Opins., 56; 8 Opins., 255; 9 Opins., 346; 16 Opins., 430; Ham *v.* Missouri (18 How., 126).

So also in Cooper *v.* Roberts (18 How., 173, 179) the question presented was whether certain mineral lands were excepted from the grant of school lands to the State. The words of the school-land grant were, as here, "shall be granted," and it was said:

> We agree that until the survey of the township and the designation of the specific section, the right of the State rests in compact—binding, it is true, the public faith, and depending for execution upon the political authorities. Courts of justice have no authority to mark out and define the land which shall be subject to the grant. But when the political authorities have performed this duty, the compact has an object, upon which it can attach, and if there is no legal impediment the title of the State becomes a legal title. The jus ad rem by the performance of that executive act becomes a jus in re, judicial in its nature, and under the cognizance and protection of the judicial authorities, as well as the others. (Gaines *v.* Nicholson, 9 How., 356.)

On January 29, 1855, a new treaty bearing date September 30, 1854, was made by the United States with certain bands of these Indians, among others, the La Pointe band, by which the present reservation of the La Pointe band, as described in subdivision 2 of article 2 of said treaty, was set apart and withheld from sale for their use. The land thus set apart was described in said article 2, subdivision 2, of the treaty by its exterior boundaries.

Prior to the date of this treaty all of the exterior lines of the townships included in this reservation, and involved in the present controversy, had been surveyed by the United States, but the sectional lines were not run or surveyed until the years 1856 and 1858, and some supplemental surveys as late as 1873.

By article 1 of this treaty the Indians ceded to the United States certain additional lands described therein west of the Mississippi River.

Article 3 provided for survey of the boundaries of the reserved tracts where necessary for the assignment and patenting to heads of families and single persons over 21 years of age of 80 acres of land each, and for patenting of the same, with restrictions of the power of alienation, etc., and further provided that the President might "make such changes in the boundaries of such reserved tracts or otherwise as shall be necessary to prevent interference with any vested rights."

It will be seen from the foregoing recital that at the date of the treaty of 1854 the State of Wisconsin had acquired an absolute right to every section 16 within the entire territory covered by the cession of 1848, subject, of course, to the rights of any other parties to whom such lands had previously been "otherwise disposed of."

The Supreme Court of the United States has held in United States *v.* Thomas (151 U. S., 583), that the occupancy of the Indians of sections 16 within their reservation could not be disturbed by the State until after a proclamation of the President ordering them to be removed under the treaty of 1854; that is to say, that their original right of occupancy under the treaty of 1843 was preserved by the temporary arrangement, and that the fee acquired by the State to these lands under the school-land act was encumbered with this right of occupancy.

We have, therefore, the anomalous situation of a fee in the State, with a practically unlimited right of occupancy in the Indians, unless the President shall order their removal, which the executive department of the Government has hitherto been unwilling to do, doubtless owing to the moral obligation, at least, under the treaty of 1854, to secure the use of these lands to the Indians.

The title to these lands in the State remained unquestioned until the year 1899, as far as any action of the Interior Department of the United States or of the Indians was concerned, and in some cases the lands were in the actual possession of grantees of the State and the timber cut and removed therefrom.

In the year 1899, in view of a pending controversy between the State of Minnesota and certain Red River bands of Indians, which culminated in the decision in Minnesota *v.* Hitchcock (185 U. S., 373), the Interior Department first asserted, on behalf of the Indians, a dubious claim to these lands, but remained inactive in asserting such claim until within the last year or two, when, for the purpose of having the question of the dispute of title settled in the courts, they made 10 allotments and issued 10 patents on 10 subdivisions within these school sections.

It was only a few years prior to this that the Indians undertook to make any selections or asked to have any allotments on such sections, and no such allotments were made, as before stated, until recently.

Actions are now pending in the United States circuit court for the western district of Wisconsin to settle the title as between the respective claimants.

From a review of all of the decisions on the subject, there is danger that the United States court will reaffirm the doctrine of the Thomas case and leave the title to the fee in the State still embarrassed with

the occupancy of the Indians, and for practical purposes, or at least for purposes of alienation and for cutting of timber, in neither party.

If the courts in which these cases are pending shall determine that the state title shall prevail to the point of terminating the right of occupancy of the Indians, then the Indian reservations will be reduced by the amount of the school sections. If, on the other hand, the courts shall decide that this right of occupancy is not only paramount but may eventuate in terminating the fee in the State, then the State of Wisconsin will be deprived of title to these sections which were covered by the grant to it in 1848.

Under these conditions, it would seem to be a high moral duty on the part of Congress to conclude this controversy by being just to both parties and recognizing its obligation to provide indemnity for the party which is to lose its lands.

The duty to indemnify the State is recognized in the provision of the enabling act by which the United States agreed to give the State other lands for any which it lost by reason of prior right in an adverse party.

It is impracticable at the present time to make such compensation or indemnity in specie, because the United States has no lands now available for such purpose, and, therefore, if the State is to be indemnified, it should be indemnified in money on a just basis.

On the other hand, if the State has the prior right, article 3 of the treaty of 1854 provides for indemnity to the Indians in other land, for any which they shall not have a right to hold by reason of prior right or title, and the same situation exists as far as the Indians are concerned, as to furnishing indemnity in land.

In each case the United States promised indemnity in land. In neither case can they give such indemnity. The promise of indemnity to each covers exactly the same property. Can there be any doubt that the Government should deal with this matter exactly as individuals should deal with it—and that is, to make good to one of the parties?

The representatives of the Indians and the representatives of the grantees of the State are both anxious to have this controversy ended. They are both willing to make any reasonable arrangement by which the conflicting rights shall be adjusted. It is best for the Indians and in accordance with the policy of the Government that the land itself should be secured to them, as furnishing the parties entitled to allotments permanent homes.

The timber upon these lands is valuable, and it is in the interests of the Indians, as recognized by the continued policy of the Government, that this timber be converted into money for the benefit of the Indians, to assist them in making improvements upon their farms, and to help out in their living while such farms are being improved.

The value of this timber at the present time has been practically fixed by the contracts made with the Stearns Lumber Company for the cutting of the timber upon other allotments, namely, at $8 per thousand. This price was approved by former Secretary Hitchcock after liberal public advertisement, as well as the reception of private bids, and we have no doubt, upon appraisement at the present time, that this value and the values of other timbers on the lands will be found to be in accord with the existing contracts before referred to as to other allotments.

The grantees of the State are willing to surrender and release to the Indians all their rights to the land, excluding the timber, on condition that the United States shall pay to the Indians the price of the timber which is being paid to the Indians by the Stearns Lumber Company on adjoining allotments, as aforesaid, or, if for any reason this shall seem to be more than full justice from the United States, to make such additional concession from this proposal as to the committee shall seem just under the circumstances.

The present condition of affairs is intolerable. It was well illustrated during the past year, when fires ran through considerable sections of this timber and neither party was in the position to preserve it. An arrangement was made with the Interior Department by which the burned timber could be cut to prevent its absolute loss, and the value of it later be appraised in favor of whichever party should be found to be entitled to its value.

The final decision on the matter of title, if these innocent parties shall be compelled to litigate as between themselves, must rest with the Supreme Court of the United States, and it may be several years before such decision can be reached. If such decision shall take away the rights of the state's grantees, then there will be litigation over the responsibility of the State to its patentees and of the United States to the State.

All of these difficulties can be relieved by action of Congress and a very moderate appropriation.

The attention of the writer of this brief has been called by a member of the committee to the apparent injustice of throwing open to selections by later claimants of valuable tracts in the school sections, which, by the action of the department, have been for many years withheld from selection, so that earlier allottees have been compelled to take lands with practically no timber upon them, while these later applicants would get tracts worth many thousands of dollars and entirely out of proportion to the average value of allotments to earlier allottees.

What action may occur to the committee with reference to this situation, the writer can only surmise. It is possible that such fortunate allottees should bear a part of the burden of compromising the controversy by contributing the value of the timber on their lands above the average value of the allotments on the entire reservation or, possibly, in cases where the land itself is of excellent quality, yield up a greater portion of the timber and timber value in consideration of absolute title to the land itself.

In the event that for any reason Congress should be unwilling to do justice by the necessary appropriation in this case, we then urge upon the committee that some simple and effective measure be passed by Congress which will enable these people to adjust their differences among themselves.

The Secretary of the Interior has declined hitherto to pronounce positively upon the conflict of title, but his inclination is to support the title of the Indians, and it is doubtful whether he will act hereafter on the approval of any adjustment between the parties unless directed to do so by Congress under an act providing for an appraisement of the lands and authorizing the Indian representatives and the grantees of the State to compromise their differences on some basis; to illustrate, upon a basis by which the department shall be directed

to approve any agreement by which the Indians shall receive at least an equal share with the grantees of the State in the value of the timber.

If this committee will indicate some measure of relief which it will be disposed to recommend to Congress, the writer of this brief will be pleased to take the matter up with the representatives of the Indians and endeavor to secure unanimous concurrence in and approval of the same.

The CHAIRMAN. What is the date of the treaty?

Mr. SPENCE. The first was in 1843 and the last in 1854.

Mr. HOLCOMBE. If the State of Wisconsin has passed whatever title it had, and it should develop that that was the legal title, how can the State of Wisconsin now come in and claim indemnity? Must it not be by the individual?

Mr. SPENCE. I have already endeavored to explain that——

The CHAIRMAN. Do you mean the treaty was in 1843 or 1842?

Mr. SPENCE. It was March 28, 1843. That was the date of the treaty.

The CHAIRMAN. Did the enabling act contain the usual indemnity provision?

Mr. SPENCE. Yes, sir; the usual indemnity provision. The State of Wisconsin, as owner, has no longer an interest in this particular reservation, and a number of forties in Flambeau are similarly situated, but the State of Wisconsin is under some obligation, just like the individual. It has given these people title and has taken their money, and not only taken the money, but this has been a marketable commodity for years and years and passed through a great many years until it came into the hands of the present owners. Of course I speak for the grantee. I am not here as an officer for the State of Wisconsin. Of course the State of Wisconsin for a number of years, in this controversy, has been endeavoring as far as it could to assist in defending the title of these grantees, and in fact brought the suit in the United States Supreme Court referred to in that brief.

The CHAIRMAN. Mr. Spence, this is new to me, but do I understand that the Indians first ceded all this territory and subsequently the Government re-ceded this reservation?

Mr. SPENCE. Yes, sir.

Mr. HOLCOMBE. It was part of the consideration for the cession.

Mr. SANBORN. It was ceded again in subsequent treaties. The 1854 treaty ceded land, and there was a treaty in 1837 that ceded the western part of the State.

Mr. SPENCE. This treaty, as I understand it, is a complete cession, covering this land, and the great body of land; that is the treaty of 1843.

The CHAIRMAN. It is 1842 in this book. There is no treaty of 1843 in this book. The treaty with the Chippewas is October 4, 1842. Of course, the records will show.

Mr. SPENCE. I think I have correctly stated it.

The CHAIRMAN. Even the treaty of 1854 seems to be a cession to the United States.

Mr. SPENCE. In the treaty of 1854 there was an additional cession; I do not know just what it covered, but in this treaty of 1854 the consideration to the Indians was the giving back by the United States to them of land, creating reservations out of what they had

ceded in 1843. The Indians were, perhaps entirely rightfully, between 1843 and 1854, successful in getting the Government to make a very liberal treaty with them; that is, in 1854.

Senator BROWN. What is the remedy that you suggest for the grantees?

Mr. SPENCE. The remedy of the grantees is Congress. Take the first proposition and you will see the remedy. The United States has conveyed to the same parties the same property, we will say. In the litigation that is pending between them——

Senator PAGE. To the same parties?

Mr. SPENCE. To two different parties. In the litigation that is pending one of them will be held to have not any title. The United States then is, of course, immediately liable. They have made the grant. I have read you to show that there is a grant. Now, the consequence is that the United States must make good. We ask the United States now at this stage to avoid this long litigation and the prolongation of an uncomfortable situation and give indemnity now to one of these parties, they arranging among themselves that one of them shall have the land and the other shall take the indemnity. I have no doubt that it can be readily arranged. As far as the parties that I represent are concerned, they are willing to make any reasonable sacrifice to have the matter solved.

Now, there came up very sharply this present summer the matter to which I called Senator La Follette's special attention. There were a lot of fires on the land last winter; there was timber burned on part of this school section. Nobody knew who it belonged to, and it has never been settled. It had to be cut. What are we going to do about it? We made a modus vivendi by which the timber should be cut and the standard purchase price prevailing paid into the court to wait the decision of these lawsuits.

Senator BROWN. Have you made any estimate to ascertain about what the amount of indemnity should be?

Mr. SPENCE. Yes, sir. The amount of timber on this section is estimated by our people at 30,000,000 feet. I understand that that is a careful estimate and is correct. The price that this timber is worth—as fixed by a contract with the Government, and fixed as a result of liberal advertising and after very careful work by Secretary Hitchcock—is $8, which I think, when you gentlemen go about here and see the character of timber or lumber, will be considered as proper.

Senator PAGE. Eight dollars a thousand?

Mr. SPENCE. Yes, sir; 30,000,000 feet at $8 makes $240,000. Now, that is the amount that we feel would be the proper indemnity on the part of the United States to the State of Wisconsin, which the State of Wisconsin should properly pay these parties if its title failed, and which the United States should make good to the State of Wisconsin if its title failed—if they beat us. We waive the right to the land, which is worth somewhere from $5 to $10 an acre.

The CHAIRMAN. What is the status of this legal proceeding now?

Mr. SPENCE. Complaint and answer.

The CHAIRMAN. When is it likely to come to trial?

Mr. SPENCE. One reason why it has not been prosecuted is that we have felt that it is a matter that Congress ought to take care of; that it is so perfectly plain under the circumstances that these par-

ties should not be compelled to litigate so difficult and close a question to the Supreme Court of the United States. They will only, when we have got through with it so far as Congress is concerned, settle it when this indemnity is paid, and you have to pay indemnity of some kind.

The CHAIRMAN. Upon what theory could the State claim indemnity if, as a matter of fact, this land did not pass by the enabling act?

Mr. SPENCE. That it was part of the public domain at that time. There is no question about that. It has been settled.

Senator LA FOLLETTE. It is either theirs or the Indians'.

The CHAIRMAN. Exactly; but if it did not pass under the enabling act, where is there any claim for indemnity?

Mr. SPENCE. There is a very peculiar situation under the circumstances.

The CHAIRMAN. I confess that I can not see how you are entitled to a dollar if you are not entitled to the land.

Mr. SPENCE. This is the position of the Supreme Court. I will tell you a bit about that, to show how unsettled it is and how it may not be the final decision of the matter. Their decision is that there was still held back a right of occupancy in the Indians in this reservation until they should be moved to Minnesota, and they seemed to indicate that that was very much like their old right of occupancy, although that had been bought off, and that they may be entitled to patents on that, and that would take it out of the public domain. It was part of the public domain by the cession, but they say that it may be subject to this equitable right of the Indians, which will eliminate it from the public domain and take it away from us. But it was part of the public domain when the grant was made to us, beyond any question, and never was subsequently disposed of, and therefore if it fails the United States is bound to give us an equivalent for it.

The CHAIRMAN. How can it fail if by law it was a part of the public domain so that it passed under the enabling act?

Mr. SPENCE. Of course if it passed under the enabling act the Indians would be out of it.

The CHAIRMAN. Now, as a matter of law, if, based on the conditions of that, it did not pass, it was not the property of the State and there is nothing to indemnify the State for.

Senator BROWN. On the face of the act the Government intended to give it to the State and did.

The CHAIRMAN. If it was something that would pass under the law.

Mr. SPENCE. I do not think that is important. It is one of the questions in this case whether it passed by this survey, which was complete except as to the subdivision of intersections. That has not been passed upon by the Supreme Court. It was surveyed land.

Mr. HOLCOMBE. It was passed upon in the Heidenfeldt and Dana case?

Mr. SPENCE. No; you will find that there was no outer surveys in the Heidenfeldt case.

Senator LA FOLLETTE. The boundaries of the township had not been fixed in that case.

Mr. SPENCE. No; the boundaries have not been fixed. It was surveyed land, distinguished from the balance of the land.

The CHAIRMAN. I may be very dense in this proposition, but, as I understand it, your rights were fixed by the enabling act?

Mr. SPENCE. Yes, sir.

The CHAIRMAN. Neither side claims that anything that either party did subsequent to that time has changed those rights, do they?

Mr. SPENCE. The other side do. They claim that under that temporary reservation the right of occupancy——

The CHAIRMAN. Exactly; but that temporary reservation was a part of the enabling act.

Mr. SPENCE. Yes, sir.

The CHAIRMAN. Now, no act that either party could take after that, that was not either made or provided for, which might be subsequently executed by the enabling act, could affect either party's rights in this transaction.

Mr. SPENCE. I have argued that, but the court seems to hold (as in the Thomas case, which I will refer to in a moment) that because the Indian was not actually moved off the land he stayed there with the right of occupancy.

The CHAIRMAN. Does it seem to hold that it was the right of occupancy which qualified this grant or somebody's delay or fault in not moving the Indians?

Mr. SPENCE. Yes, sir; they say this, that as to this very land the fee passed to the State out of the United States; that the fee for that land passed to the State because at that time it was part of the public domain, and that it was subject to this temporary right of occupancy, but we had a fee in that land; the United States gave us the fee of that land. They do not give the Indians anything but a wandering right over the entire territory.

The CHAIRMAN. And what they did subsequently they did, and could do, because of something in the enabling act.

Mr. SPENCE. Possibly.

The CHAIRMAN. Now, I am not contending that that right of occupancy would even be the basis, but if it were the basis it was a part of the contract, and it dates right back to the enabling act. I am simply stating that because that being my view I thought I should frankly tell you at this time.

Mr. SPENCE. Now, referring to that decision which I read to you in 95 Wisconsin, it says that this grant should be construed as not to embrace sections 16, although the boundaries of the township include them. That is one construction the United States court has put upon it. The matter is not settled by the United States Supreme Court as to where the title is, but this much is certain, that the State of Wisconsin was entitled to everything that was a part of the public domain, and, under the decisions, this was at that time a part of the public domain, although it might have been qualified to some extent by this right of occupancy. While the controversy has not arisen with respect to it, the title to all sections 16 in all this great Chippewa territory is involved in your proposition, if your proposition were, as I understand it, correct——

The CHAIRMAN. You do not understand me that way for a moment. What seems to me very plain is that when the courts have settled this thing, whatever they say is the law must of necessity rest, in the last analysis, upon the contract, as a consequence of that contract, as construed by them; and being no act of legislation outside of the

contract—it being a part of the contract by construction—you get just what you contracted for; whatever the court gave you is what you contracted for, and there should be no indemnity. I am not claiming for one moment that this occupancy should in any manner defeat your right, but if it defeats your right, being a part of the contract which you received, you can not claim indemnity. That is the point I make.

Mr. SPENCE. My answer to that is that if you should happen to be right in a strictly legal sense it is certain that at the time that that grant was made to the State of Wisconsin they were led to believe—and you must look at them as individuals—that they were getting from the United States, and the United States was representing that it was conveying to them, every section 16.

The CHAIRMAN. There would be force in that undoubtedly in your dealing with it.

Mr. SPENCE. I am getting now to the appeal to Congress, if you please, for indemnity. The United States represented to the State of Wisconsin that it was getting sections 16 all through this Chippewa domain, which it had bought out from them. Now, then, if the court—even taking that original contract—should say that they had left a right of occupancy in the Chippewa Indians of such character that the United States was under some obligation to them to make good, would that relieve them after all from their duty to the State of Wisconsin?

The CHAIRMAN. Could any right be drafted upon—could the mere right of occupancy, if reserved by reason of being in existence at the time, ripen into a fee to anyone? Do the courts seem to hold that it would?

Mr. SPENCE. Yes, sir. I will tell you how it happened. Of course it seems ridiculous, and always has seemed so to me, that they got any such notion as that into their heads. A number of years before the Senator [Mr. La Follette] was at the bar at Madison, Wis., a murder was committed on the Court d'Oreilles Reservation. When that case was on for trial before the United States judge a question was raised as to whether the murder was committed on the Indian reservation or not, it being committed on section 16. If the murder was committed on United States land, the Indian would have to hang; if it was committed on state land, he would go to state prison for life. Of course it was a very material question. The state court held that it was state land, and that the man should not be hung. Thereupon the Government took an appeal to the Supreme Court, and the poor Indian did not appear at all; he was not represented. On ex parte presentation of the case the court held that that section 16 under this act was Indian land.

The CHAIRMAN. Well, Indian country, would it not be?

Mr. SPENCE. No, sir; they got closer than that to it, and the peculiar thing about it, which shows the lack of weight of an ex parte decision, was that it turned out in the end that there was no section 16 in the Court d'Oreilles Reservation at all. That reservation was laid out later, and the Government in making the Court d'Oreilles Reservation recognized the rights of the State and did not put in any section 16, but every one knows that they held that this was part of the Indian land and section 16 was not involved at all. There was no discussion; it simply went by default, and yet that is the case that has

made all the trouble. If it was not for that case, I never would have had any doubt, as you, on first blush, have no doubt as to where the title should be.

What shall we do about it? It is a very embarrassing situation. It is not right that these people should have bought from the State, and the United States certainly, in making these grants, should have had in view the rights of the State and made it plain whether those were included or not, as they were in the Court d'Oreilles. It has gone on for years and years and these people have got this stuff. Some of these land purchases have been for very substantial sums.

It is not a large indemnity that is asked from the United States, and it seems to me that it should be made. Of course if you can not do that and will not recognize the moral obligation to make good, then we have got to try to get together ourselves or fight it through to the last end, and one or the other party, the Indians lose or we lose our money on our land.

I do not intend to discuss the merits of our side of the case, except, in a general way, to tell you why we thought we have the better title.

Mr. SANBORN. I want to add just a word or two to what Mr. Spence has said.

Mr. SPENCE. Will you allow me to make one additional suggestion that is overlooked. I will not be very long. I have said to you that the Secretary of the Interior has been in doubt all these years about it, and would not do anything about it. He has held up all these allotments, and here is a list, in a communication of December 17, 1908, of the allotments that have been submitted for selections made on that land, which he is holding up for final solution of the difficulty. Eight or ten were allotted so that we might go into the courts and settle this title.

The CHAIRMAN. Would it not be well to let that communication appear in the record?

Mr. SANBORN. Yes, sir.

The communication is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 17, 1908.

The foregoing schedule, embracing 12 sheets of allotments in severalty to Indians on the Bad River Reservation, Wis., numbered from 1 A to 467 A, inclusive, made by Special United States Indian Agent Edgar A. Allen and United States Indian Agent J. W. Campbell, in accordance with the provisions of the treaty of September 30, 1854 (10 Stat. L., 1109), and the acts of February 11, 1901 (31 Stat. L., 766), and March 2, 1907 (34 Stat. L., 1217), is respectfully submitted to the Secretary of the Interior, with the recommendation that it be laid before the President for his approval and authority for the issuance of patents, as provided by the treaty of September 30, 1854, supra, except the allotments to the Indians shown on this schedule under the following numbers:

4 A	71 A	122 A	179 A	287 A	388 A
8 A	73 A	125 A	211 A	288 A	405 A
20 A	74 A	134 A	218 A	313 A	407 A
26 A	76 A	141 A	219 A	336 A	409 A
30 A	80 A	143 A	221 A	341 A	413 A
41 A	81 A	144 A	227 A	342 A	428 A
54 A	109 A	153 A	263 A	358 A	433 A
62 A	110 A	165 A	267 A	365 A	
66 A	118 A	173 A	272 A	363 A	
70 A	119 A	175 A	286 A	367 A	

It is recommended further that the original copy of the schedule be returned to the Indian Office and that the duplicate be forwarded to the Commissioner of the General Land Office, with instructions to issue patents to the allottees shown thereon except those enumerated in the foregoing as suspended, and except also the allotment No. 406 A, to whom a patent has been already issued under date of December 16, 1907, for the lands shown thereon. The patents issued to these allottees should be in accordance with the provisions of the third article of the treaty of September 30, 1854, supra, and should contain a restriction against alienation similar to that inserted in patents heretofore issued to the allottees under said treaty, to wit:

That said allottee shall not sell, lease, or in any manner alienate said tract without the consent of the President of the United States.

R. G. VALENTINE,
Acting Commissioner.

The CHAIRMAN. In this connection, Major Campbell, do you know whether any of these lands have been formally allotted except the tracts that were allotted for the purpose of a test suit?

Mr. CAMPBELL. They have been selected.

The CHAIRMAN. But have they been allotted?

Mr. CAMPBELL. I do not think they have been allotted.

Mr. SPENCE. This communication shows that definitely.

The CHAIRMAN. That none of them have?

Mr. SPENCE. Yes, sir.

Mr. CAMPBELL. Ten were allotted and got patents.

Mr. SPENCE. That, you will find, was the result of correspondence and communications between myself and others and the department.

Mr. SANBORN. There is a letter that accompanied that list from the Commissioner of Indian Affairs to the Secretary of the Interior which goes into the subject as to why he accepted those. I think it mentions that they are swamp lands in 16. That is my recollection; that where you find that original list you will find that there is a letter of the same date which explains that.

STATEMENT OF HON. A. W. SANBORN.

Mr. SANBORN. Mr. Chairman and gentlemen of the committee, I would like to suggest, in addition to what Mr. Spence has said, simply this: Under the Hitchcock case, which was an action brought by the State of Wisconsin against Hitchcock, they practically settled the question that the right of occupancy to this very land is in the Indians, and they have gone further and intimated that that would be followed by an allotment, so that the allottee will hold the allotment.

Mr. SPENCE. There is an intimation of that.

Mr. SANBORN. Now, suppose they do win the legal title. Here is the timber. The right of occupancy, you will see, will remain with the Indians. What will they do with the timber? The legal title is in one party, but that party who has the legal title can not enter it until it is burned down or something done with it. Whether the Indian will take that is one of the questions that will be fought out, but that occupancy will remain with the Indians, legal title and all.

Now as to sixteen. The same question exists as to the swamp land that the state forester brought up the other day. I think he said that there was 47,000 acres on this reservation. It is all in the same condition, only this happened, fortunately, to be the case that the swamp lands have never been patented by the State of Wisconsin to

anybody. The school lands have been patented. I think I am right in that statement, that Wisconsin has never issued any patents for this swamp land. Our swamp lands are in section 36, and all lands that are swamp, in fact. That is the situation. That would be an undesirable situation of affairs here if these gentlemen do win.

The CHAIRMAN. Barring the timber, it would be just the condition contemplated by law.

Mr. SANBORN. By the enactment?

The CHAIRMAN. By the enactment and the existence of the reservation of occupancy at the time of the enactment.

Mr. SANBORN. But I do not think it was the condition, or could be said to be the condition, contemplated by the parties or by the granting power at that time. It may be construed that that is the result of it now, but I do not think anybody had in mind anything of that kind. They either, at that time, intended to give this land absolutely to the Indians or give this other absolutely to the State—the swamp lands in 16, in that way—one way or the other. I do not think at that time that they contemplated to divide this land with an occupancy that would follow for years.

The CHAIRMAN. There probably was not much thought about it.

Mr. SANBORN. Just one other suggestion, and I am through. If for any reason you feel that no indemnity should be made, as a matter of expense, these Indians can not afford to fight this matter clear through the courts here. There should be something done whereby an action can be brought against the United States to quiet the title. If Congress can pass an act so that the State of Wisconsin or somebody can take an action in the courts, the matter can be settled for all time for all of them. It will be a relief to us in some respects.

Senator BROWN. All that would be necessary would be to settle which one lost and which one won. It would not settle the equities.

Mr. SANBORN. No, sir; it would not settle the equities; but it would settle the title, and I say that if these gentlemen win, we will have a divided condition anyway; if the Indians win, they will have the occupancy and title both, but if the action could be brought directly in the Supreme Court we could settle it directly. That is the trouble with these Wisconsin cases, that they dodge the issue and simply hold that the occupancy was there and the State could not interfere with that as long as the Indians were there.

Mr. SPENCE. Now, if for any reason you should conclude that the United States was not morally or legally bound to do anything that would cost them any money to help out this situation, then the question is whether some arrangement might not be made by which we could adjust our differences without stretching this thing on indefinitely in the courts, so that Mr. Sanborn and I, through the assistance of the Secretary of the Interior, can arrive at some basis for settling this controversy—so that we can take care of this property and know to whom it belongs. That is the other alternative. We think the United States can make good, when it certainly has apparently given to the two parties the same land, if they can not give us the chance to settle this among ourselves. They are wards of the nation, and it is pretty hard to make any settlement with these Indians in the ordinary way. I thank you, Mr. Chairman, and gentlemen.

ADDITIONAL STATEMENT OF JOHN F. MILES, GOVERNMENT FARMER.

JOHN F. MILES, having been recalled, testified as follows:

The CHAIRMAN. Mr. Pierelle, you desired some explanation from Mr. Miles with regard to a copy of a letter that he had furnished.

Mr. PIERELLE. Yes, sir. Mr. Miles, you are in the habit of keeping an office copy, or office file copies, of all letters that you send out, are you not?

Mr. MILES. Of all business letters, the records of the office.

Mr. PIERELLE. And of all letters pertaining to transactions involving the removal of people from the reservation, would you keep copies of those?

Mr. MILES. I think so; yes, sir.

Mr. PIERELLE. And how do you keep copies of your letters. By letter-press book?

Mr. MILES. No, sir; I usually use a carbon copy from the typewriter.

Mr. PIERELLE. What do you do with the carbon copy?

Mr. MILES. It is filed in the office.

Mr. PIERELLE. It is filed in the office under certain initials or letters, is it not?

Mr. MILES. It is briefed and filed.

Mr. PIERELLE. Will you state to the committee whether or not you made a copy of the letter that you wrote to Mr. Shaw?

Mr. MILES. I am not certain about that.

Mr. PIERELLE. Was that not a business letter pertaining to the removal of one of your wards?

Mr. MILES. Not particularly so.

Mr. PIERELLE. Was it not generally so?

Mr. MILES. I would say it was more of a personal letter that I wrote, for my own information.

Mr. PIERELLE. It was not for the information of Mr. Murray, then, or the information of the department, upon which you were going to get some information to support the charges that you had made against Mr. Murray?

Mr. MILES. Yes, sir.

Mr. PIERELLE. Then it was a business letter in connection with that matter?

Mr. MILES. Well, in a certain sense it would be; yes, sir.

Mr. PIERELLE. In what sense was it not a business letter in connection with that matter?

Mr. MILES. Because it was simply to find out what Mr. Shaw had said—whether Mr. Shaw had said the things that are attributed to Mr. Allen.

Mr. PIERELLE. Was that not a business letter, then?

Mr. MILES. It would be a business letter to me, but not a department letter.

Mr. PIERELLE. Why not of the department? You were simply acting as an official of the department for that purpose, were you not?

Mr. MILES. Yes, sir; not in that instance, though.

Mr. PIERELLE. Do you consider that the correspondence that goes between yourself and other parties relative to the removal of people

from this reservation is not correspondence belonging to the department and to which the department is entitled?

Mr. MILES. This was not a letter in relation to that at all.

Mr. PIERELLE. It was a letter in relation to what a certain party had said in which you had reported that some other person had furnished you evidence upon which this band was to be removed.

Mr. MILES. Yes, sir.

Mr. PIERELLE. But you considered that not the business of the department, or to which the parties are entitled?

Mr. MILES. I did not at that time, I do not think; it is possible now——

Mr. PIERELLE. Do you now?

Mr. MILES. My memory is getting poor, and it is possible that I made that letter, but I searched my files at noon to-day and could not find the letter. I supposed that I had a copy of that letter.

Mr. PIERELLE. You suppose that you had a copy?

Mr. MILES. Yes, sir.

Mr. PIERELLE. So you now consider it a part of the department's files and not your personal files?

Mr. MILES. There are many personal letters in there, too.

Mr. PIERELLE. I say, do you consider it a part of the department's files or your personal matters?

Mr. MILES. I consider it my personal matters.

Mr. PIERELLE. Have you looked into your personal files?

Mr. MILES. I have no personal files. I seldom keep a copy of any personal letters.

Mr. PIERELLE. What interest have you in the fact of Frank Murray's removal?

Mr. MILES. The interest I have is the interest of the people on the reservation.

Mr. PIERELLE. And for the interest of the people on the reservation, did you not keep a copy of that letter?

Mr. MILES. I do not know whether I kept it or not.

Mr. PIERELLE. Are you able to produce that letter?

Mr. MILES. I am not at present.

Mr. PIERELLE. Will you be in the future?

Mr. MILES. I do not know.

Mr. PIERELLE. Now, before you were asked for that letter, did you receive a letter from Frank Murray, dated April 13, 1909, in which he addressed you as government farmer, and in which he quoted to you the letter of January 27, addressed to Major Campbell, which was the basis of his removal, and in which he further said:

In this letter you state that "Special Agent E. A. Allen reported one here a year ago that he kept women help, who invited him to come to their rooms and sleep with them." On April 12, 1909, Special Indian Agent Edgar A. Allen wrote you a letter, stating as follows: "Such incidents as you relate never took place, and no such remark was ever made by me." If you are in error as to the person who reported this to you, will you kindly advise me who the person was and give to me their address who made any such report to you, and if you are in error as to the report being made to you, will you kindly advise me at once, as you understand this is a matter of vital importance to me. It is a matter that attacks my character and reputation, and affects not only me, but Mrs. Murray, who, with myself, conducted the hotel spoken of in said letter. Kindly let me hear from you at your earliest possible convenience.

Very truly, yours,

F. B. MURRAY.

Mr. MILES. I think I did receive just such a letter.

Mr. PIERELLE. I show you a signature. Is that your signature? [Exhibiting a paper.]

Mr. MILES. That is my signature; yes, sir.

Mr. PIERELLE. I will ask you if you replied to Mr. Murray in this way, upon the department paper:

FRANK B. MURRAY, *Ashland, Wis.*

SIR: Yours of the 23d registered, just received. In reply, I would say that I made an error in naming Special Agent E. A. Allen as the party who reported the circumstances in this office relative to the hotel, but I made no mistake in the fact. Just at present I could not give you the address of the party who made the statement, but will try and ascertain at the earliest possible date the name and address of the party. I have two witnesses here in the office who will testify that the party did say what I stated in the complaint. I have no dates to give you in regard to your own affairs, and will say that if you want to start a slander or libel suit in this case you will undoubtedly find that there will be a hundred times more dug up and proved than has been filed in the complaint. I do not pretend to say that either you or your wife knew anything of this business, but a hotel man like yourself should know that there are a great many things going on about a hotel which the proprietor knows nothing about. These leaks get outside and many of them can be proven. Therefore you will, at your pleasure, take such action as you desire. Should you feel disposed to carry this into court, you will find many things proven that you never dreamed of which will be much worse for your reputation than any complaint I filed against you.

Hoping that you may see this in its true light, I subscribe myself,

Very respectfully,

JOHN F. MILES,
Government Farmer.

Mr. MILES. Yes, sir; I wrote that letter.

Mr. PIERELLE. At that time, April 24, you did not know who it was that made this report or reputed report to you relative to the conduct of women in Murray's hotel?

Mr. MILES. I can not say whether I did or not.

Mr. PIERELLE. You so stated in the letter, did you not?

Mr. MILES. I so stated, apparently, in the letter.

Mr. PIERELLE. The matter was as fresh in your mind at that time as it is now?

Mr. MILES. Undoubtedly, and a good deal more so.

Mr. PIERELLE. Was this a sort of threat that you used to coerce Mr. Murray in not presenting his matters in a court of law?

Mr. MILES. Not at all.

Mr. PIERELLE. What did you mean, then, when you said "Should you feel disposed to carry this into the court you will find many things proven that you never dreamed of, which will be much worse for your reputation than any complaint filed against you?"

Mr. MILES. I intended that just for a piece of advice.

Mr. PIERELLE. It was not a sort of threat or coercion?

Mr. MILES. Not at all.

Mr. PIERELLE. Does it sound to you now as a threat or coercion?

Mr. MILES. It does not.

Mr. PIERELLE. Do you pretend to say now, as you stated in this letter, that you are not conscious that Mr. Murray had any knowledge of any of these transactions?

Mr. MILES. I am not sure that Mr. Murray knew anything about those things. Those things occur at a hotel. You know that as well as I do.

Mr. PIERELLE. Yes, sir; I do. I am of the same opinion. Still, you made this report to your superior officer without being advised as to the knowledge that Mr. Murray had of these facts or these conditions and requested his removal upon them.

Mr. MILES. Yes, sir.

Mr. PIERELLE. How did you come to make this report to the Indian agent that appears here in the record against Mr. Murray?

Mr. MILES. I do not exactly catch that question.

Mr. PIERELLE. How did you come to make the report that appears here in the record to the Indian agent or to the department, in which you make charges against Mr. Murray?

Mr. MILES. How did I come to make the report, or make the charges?

Mr. PIERELLE. Yes.

Mr. MILES. Mr. Johnson came to me with eight names that he thought should be taken off the reservation, or put off the reservation for the good of the Indians, and four of them I selected out of the eight. I do not remember the others. I remember but five of them, the four that I did make charges against in a general way, and one other was Benny Morrison, against whom I did not make any charges at that time.

Mr. PIERELLE. You did not make any charge at that time?

Mr. MILES. No, sir; nor at any other time.

Mr. PIERELLE. Was it through the instigation, then, of Special Agent Johnson?

Mr. MILES. He handed me the list, and thought it would be better for the Indians of the reservation if these people should be removed from the reservation.

Mr. PIERELLE. Mr. Johnson told you those facts?

Mr. MILES. Mr. Johnson did not tell me any facts at all; he handed me a paper with those eight names.

Mr. PIERELLE. What eight names were they?

Mr. MILES. I told you five of them just now, four that I removed. George Morrison, John J. Dougherty, George Parker, Frank B. Morrison, and Benny Morrison were five of the names that were on that paper.

Mr. PIERELLE. When did you receive that paper from Special Agent Johnson?

Mr. MILES. One evening along in the winter time; I do not remember just what date.

Mr. PIERELLE. Some time before you made this report?

Mr. MILES. Yes, sir.

Mr. PIERELLE. A week, or two weeks, or a month?

Mr. MILES. No, sir; I guess about twenty-four hours, somewhere along there.

Mr. PIERELLE. Do you recall the other names?

Mr. MILES. No, sir; I can not. They did not make any impression on my mind. They made an impression at that time, but I did not know anything from the record. I had read over the records and seen these things, and the other three or the other four, I can not remember of anything that I had seen on the records that was enough to put them off the reservation for.

Mr. PIERELLE. Did you understand that your report then was based on the record of these men as it was on your books?

Mr. MILES. Yes, sir.

Mr. PIERELLE. Was there any record in your books relative to Mr. Murray's conducting a hotel of that character?

Mr. MILES. No, sir; that was general information.

Mr. PIERELLE. Was there any record in your books that Mr. Murray was a gambler?

Mr. MILES. No, sir.

Mr. PIERELLE. Was there any record in your books that Special Agent Allen reported improper conduct with women in there?

Mr. MILES. No, sir.

Mr. PIERELLE. Was there any record in your books that Mr. Murray was dishonest because he had received two allotments?

Mr. MILES. Well, the record was——

Mr. PIERELLE. You can answer that yes or no.

Mr. MILES. Yes, sir.

Mr. PIERELLE. Will you produce that record before this committee, showing that Mr. Murray was dishonest because he had received two allotments?

Mr. MILES. If he had received two allotments the inference was that he was dishonest.

Mr. PIERELLE. I did not ask you what the inference was; I asked you if you could produce any such records before this committee.

Mr. MILES. No, sir; I can produce a record of one of his allotments, and the other allotment was on another reservation, which I have no record of.

Mr. PIERELLE. But there was no record that you had that showed that he was dishonest?

Mr. MILES. Yes; that would seem so.

Mr. PIERELLE. But you didn't have the other record that you speak of?

Mr. MILES. No, sir.

Mr. PIERELLE. So you had no record that convinced you that he was dishonest, did you?

Mr. MILES. No, sir; no record in the books.

Mr. PIERELLE. Did you have any record before you on which you made your report showing that he was a very "slick operator?"

Mr. MILES. That was from the same idea as the other.

Mr. PIERELLE. But it was not based on the record before you?

Mr. MILES. No, sir.

Mr. PIERELLE. Now, as a matter of fact, was it not communications that you had received from Indian Agent Campbell relative to these matters instead of from Special Agent Johnson which invited you to make these charges?

Mr. MILES. No, sir.

Mr. PIERELLE. Are you sure about that?

Mr. MILES. I am sure about that.

Mr. PIERELLE. Had you ever had any talk with the Indian agent, Mr. Campbell, relative to this removal matter before you made that report to him?

Mr. MILES. I think not.

Mr. PIERELLE. Had you had any conversation with him relative to that matter?

Mr. MILES. Yes, sir; I think I had. That was one of the parties, anyway.

Mr. PIERELLE. Well, did he direct you to make a report upon that matter?

Mr. MILES. I do not think he did. He might have.

Mr. PIERELLE. You stated that you did not receive any directions from him, but from Special Agent Johnson?

Mr. MILES. I said I received a paper having eight names on it from Special Agent Johnson, showing that he thought those ought to be removed from the reservation for the good of the people of the reservation.

Mr. PIERELLE. That was the opinion of Special Agent Johnson?

Mr. MILES. That was.

Mr. PIERELLE. What did he tell you to do with that list?

Mr. MILES. He asked me if I could make out charges against those people and put them off the reservation.

Mr. PIERELLE. What did you say to him?

Mr. MILES. I told him I thought I could against part of them.

Mr. PIERELLE. What did he say about those?

Mr. MILES. I do not know what he did say. I do not know that he said anything.

Mr. PIERELLE. And that was about twenty-four hours, you think, before you made those charges against Murray?

Mr. MILES. I think I sat right down and put it right down after he handed it to me. My memory is not as good as it used to be, and I can not remember those things exactly.

Mr. PIERELLE. I call your attention to what purports to be a copy of a letter signed by S. W. Campbell, superintendent and special disbursing agent, dated January 18, 1909, and ask you if that refreshes your recollection? [Handing witness a letter.]

Mr. MILES. That letter I received, yes, sir; but I think that I had already made the—I can not get the word right now.

Mr. PIERELLE. Report?

Mr. MILES. Not the report. I had already made the complaint before I received that letter.

Mr. PIERELLE. Before you received that letter?

Mr. MILES. I think so.

Mr. PIERELLE. Your report is dated January 27, 1909?

Mr. MILES. Yes, sir.

Mr. PIERELLE. I think that letter is dated about January 18, is it not?

Mr. MILES. It might have been afterwards. Still I might have made the complaint and held them there as not having authority to send them up here.

Mr. PIERELLE. But your complaint, you say, was based upon the suggestion or upon an invitation of Special Agent Johnson handed you some twenty-four hours before that?

Mr. MILES. I might have made that out and left it lying on the table until I received instructions from my superior to send them out.

Mr. PIERELLE. Did you not date them as you made them out?

Mr. MILES. I do not know.

Mr. PIERELLE. Is that your explanation of it?

Mr. MILES. That is my explanation of it.

Mr. PIERELLE. What object did you have in making this report out without some invitation by either the Indian agent or by Mr. Johnson?

Mr. MILES. Not ordered to, but asked to before I made them out.

Mr. PIERELLE. Who asked you?

Mr. MILES. I do not know that anyone asked me, but Mr. Johnson, as I have repeated several times, put those names on the table and said he thought those people ought to be removed from the reservation for cause.

Mr. PIERELLE. Have you ever had any talk with Mrs. Murray about these matters?

Mr. MILES. Yes, sir; I have had several talks with her.

Mr. PIERELLE. Are they quite fresh in your mind at the present time?

Mr. MILES. Not exactly as they were.

Mr. PIERELLE. Did you call at Mrs. Murray's residence on or about February 12 while she was sick with bronchitis, and under the doctor's care—Doctor Meyers?

Mr. MILES. Yes, sir.

Mr. PIERELLE. Did you have some conversation relative to her husband's removal from the reservation?

Mr. MILES. I do not remember whether I did at that time or not.

Mr. PIERELLE. Did you tell her at that time that Officer Johnson questioned you about Murray's hotel, and that you told Mr. Johnson that you could truthfully say that you had been in and out of the Murray hotel nearly every day, sometimes two or three times a day, in the hotel office, to inquire for some one or to telephone, and to bring milk to the kitchen, and sometimes call on people upstairs; also talking with Mrs. Murray in the sitting room, and always found their house clean and well conducted by Mr. and Mrs. Murray; in fact, you had heard people say that they got along the best of any?

Mr. MILES. Yes, sir; I think that is correct.

Mr. PIERELLE. Did you further say that you sympathized with Mrs. Murray, and that you told her not to worry, and gave her the impression that her husband would return?

Mr. MILES. No, sir. You have got that wrong. I sympathized with her because she was afraid Mr. Murray was going to the state prison or somewhere else, and I told her that I would see that Mr. Murray got that summons or that complaint to remove him off the reservation. He went off the reservation before he was to be put off, and was up in Ashland, and, in fact, I served the papers on him in Ashland, on Second street, and I told Mrs. Murray that she need not be afraid at all, that they could not put Mr. Murray in jail until there were some papers made out.

Mr. PIERELLE. You did not leave with her the impression that her husband would eventually return?

Mr. MILES. No, sir; I do not think I did.

Mr. PIERELLE. Did you at a later time tell Mrs. Murray that you heard Nobert Sero make the remark that if it took a thousand dollars out of his own pocket he would have the satisfaction of throwing Murray in jail if he resisted his power on the reservation—in the presence of your daughter, Maude Miles?

Mr. MILES. I do not remember such a remark.

Mr. PIERELLE. You do not deny making that remark, do you?

Mr. MILES No, sir; I do not deny it.

Mr. PIERRELLE. Have you not repeatedly told Mrs. Murray that you should not quit the restaurant; that you believed Murray would get back all right again?

Mr. MILES. I told her she had better stay in the restaurant and run it and make all the money she could out of it.

Mr. PIERRELLE. Did you tell her that you thought Mr. Murray would get back again?

Mr. MILES. No, sir; I did not tell her that.

Mr. PIERRELEE. On Friday, April 23, about 7.30, did you have a conversation with Mrs. Murray in which she read Edgar A. Allen's letter of denial to you, and in the lower right-hand corner of which letter was a pencil mark, "H. H. Shaw, street-car line, La Crosse," and in which you said that Mr. Shaw was the man who reported that Mrs. Grouper was the woman, and in which you asked her—Mrs. Murray—whether this woman was not rooming at the restaurant? Do you recall anything like that?

Mr. MILES. I think I asked her if Mrs. Grouper had a room at the hotel while she was working at the hotel.

Mr. PIERRELEE. And that Mrs. Murray answered you that "During the time Mrs. Grouper was in our employ at the hotel she roomed at the hotel and her room adjoined Mr. Murray's and my sleeping room."

Mr. MILES. I think so.

Mr. PIERRELEE. Did she tell you at that time that the slander was a great injustice on her and Mr. Murray, and that they were simply Indians, doing the best they could in their conduct to run a respectable hotel, and that they considered themselves respectable people and had respectable help as far as they could, and they would find the person who had slandered them?

Mr. MILES. I remember her telling me this woman roomed in the next room to theirs in the hotel. The rest I don't remember about particularly.

Mr. PIERRELEE. You don't remember the rest?

Mr. MILES. No.

Mr. PIERRELEE. You don't deny it?

Mr. MILES. No; I don't deny it.

Mr. PIERRELEE. And did you follow Mrs. Murray to the door of your office and say to Mrs. Murray, "Are you going to put me behind the bars?" And did she answer, "Remember, Mr. Miles, you have done me a great injustice."

Mr. MILES. No; I don't remember that.

Mr. PIERRELEE. Do you deny that?

Mr. MILES. No; I won't deny that. My memory is poor, I tell you.

Mr. PIERRELEE. Did you, on Saturday morning, April 21, in the presence of the daughter of Mrs. Murray, Julia Swinson, and in the presence of Fred Deer, a clerk in the Murray restaurant, tell Mrs. Murray that you might say that you were forced to sign charges against Mr. Murray; that you acted under instructions?

Mr. MILES. I don't think so. I don't know what date. At some time, I presume, I told her I was acting under instructions, but I never told her I was forced to do it, I don't think.

Mr. PIERELLE. And did you further tell her when Major Campbell appointed you or when you received your appointment to office here,

that he told you that you had been a soldier and that you had to obey orders, and that you are now under his instructions and must obey orders?

Mr. MILES. I presume I did. That is the truth.

Mr. PIERRELLE. And did you further tell her that he had informed you that if you did not obey orders you would be removed from office, and that you were liable to lose your position?

Mr. MILES. No; I don't think I ever said that.

Mr. PIERRELLE. You have no recollection of saying it?

Mr. MILES. No; I have no recollection of saying it to anyone.

Mr. PIERRELLE. Do you positively deny it?

Mr. MILES. No, sir.

Mr. PIERRELLE. Did you say something like this, "I have nothing against you and Mr. Murray, you have always used me all right, we have got along all right. I have not known or seen anything against you and your house, only information, and I would advise Murray to face against the breeze and keep a closed jaw?"

Mr. MILES. I remember something of such a conversation. Whether that was the exact words, I don't know.

Mr. PIERRELLE. On April 29 did you tell Mrs. Murray that you expected to go to Ashland on Saturday and see Mr. Murray and wanted to know if Mr. Murray would meet you with a gun, and in which she said that Mr. Murray never carried a gun or had any use for one and had no use for a man who did carry a gun, and did you then not read a letter from Mr. G. H. Shaw, of La Crosse, Wis.?

Mr. MILES. I don't remember any such conversation as that.

Mr. PIERRELLE. Do you deny it?

Mr. MILES. No; I don't deny it.

Mr. PIERRELLE. Was this the time you handed her a copy of the letter?

Mr. MILES. I don't know.

Mr. PIERRELLE. Did you, on the afternoon of the 30th, say to Mrs. Murray that Mr. Shaw could have written a great deal more than he did?

Mr. MILES. I don't remember that.

Mr. PIERRELLE. Do you deny it?

Mr. MILES. No.

Mr. PIERRELLE. Did you further state to her that you were sorry for signing the report, but it was that or lose your position, and that you were under Major Campbell's orders and instructions, that you were under the superintendent, and that they were over you, and that they were over you like a big dog over a little dog, and if you did not obey orders you would be shaken?

Mr. MILES. No; I don't think I said anything of the kind.

Mr. PIERRELLE. I think that is all of the cross-examination relative to Mr. Murray. And as to Benny Morrison, you made no report against Benny Morrison, did you?

Mr. MILES. No, sir.

Mr. PIERRELLE. Have you any official knowledge as farmer relative to the report made upon which he was removed?

Mr. MILES. I don't think there is any official record—yes; I think there is official record, too. Yes; I had something to do with Benny's removal, for the reason that the major sent down a letter to me giving Benny the privilege of getting off the reservation quietly, and gave

him so many hours to get off, and to know what his reply was; and his reply was that he would not go without he was put off by force, which I wrote or telephoned, I think, to the major, that that was his reply.

Mr. PIERRELEE. You had no official knowledge and took no action or participated in no action preliminary to or before he was removed?

Mr. MILES. No.

Mr. PIERRELEE. So he wasn't removed upon any report of yours?

Mr. MILES. No, sir.

Mr. PIERRELEE. Was his one of the names that was submitted to you by Special Agent Johnson?

Mr. MILES. I think it was.

Mr. PIERRELEE. And you refused to make a report upon which he was to be removed?

Mr. MILES. I didn't exactly do that, but I didn't do it.

Mr. PIERRELEE. You didn't consider that you should?

Mr. MILES. No; I hadn't data from the records that I thought was sufficient.

Mr. PIERRELEE. Relative to having liquor in this place, you know, do you not, that the chief of police has authority here upon the reservation to raid these places at any time in order to find liquor?

Mr. MILES. Any place on the reservation, yes; or even on the railroad cars.

Mr. PIERRELEE. Did he ever, to your knowledge, make any raids upon Mr. Murray's place in this Stanley May-day case or the case upon which you based your information, of your own knowledge?

Mr. MILES. No; I don't think so.

Mr. PIERRELEE. Do you know anything about poker games—that Mr. Murray was a poker player?

Mr. MILES. Do I know anything about it?

Mr. PIERRELEE. Yes.

Mr. MILES. No, sir; only on general information.

Mr. PIERRELEE. From whom did you get that information?

Mr. MILES. Well, now, I don't know as I could tell how. I have heard a great many; yes, a great many different persons say Murray, whenever he went up to Ashland, went into a poker room.

Mr. PIERRELEE. Could you give us any single individual?

Mr. MILES. I don't think I could give you an individual; general talk.

Mr. PIERRELEE. That is the general reputation, without being able to give any specific incident?

Mr. MILES. Yes. If I had thought it to be worth while I might have taken down several names.

Mr. PIERRELEE. Did the chief of police ever raid any place here and find them playing poker—that is, these cases before us now?

Mr. MILES. I don't know.

Mr. PIERRELEE. Since you have held official position here as farmer?

Mr. MILES. I don't know of his raiding anything except when Special Agent Johnson was here and they raided several places at that time—when Johnson and Brents was here.

Mr. PIERRELEE. Was Murray's place raided?

Mr. MILES. I think so.

Mr. PIERRELLEE. Did they find anything there upon which to base an indictment?

Mr. MILES. I don't know anything about it.

Mr. PIERRELLEE. Don't your records show?

Mr. MILES. I am not sure about that.

Mr. PIERRELLEE. Your records do show that they found nothing upon which to base an indictment, don't they?

Mr. MILES. I would have to look at the records to see. My memory is not good enough to remember these three or four hundred records of indictments.

Mr. PIERRELLEE. You looked for information in your records to base your charges for the removal of Mr. Murray?

Mr. MILES. Yes, sir.

Mr. PIERRELLEE. Did you find any such?

Mr. MILES. I think I did.

Mr. PIERRELLEE. I mean of raids made by Mr. Brents.

Mr. MILES. I don't think I did.

Mr. PIERRELEE. Then you are satisfied there are none such in the records?

Mr. MILES. No; I am not satisfied.

Mr. PIERRELEE. You are not?

Mr. MILES. I haven't made a strict investigation—simply read it over as I read over a newspaper.

Mr. PIERRELLE. Is it from that kind of investigation that you made this report to the department?

Mr. MILES. Yes.

Mr. PIERRELEE. Benny Morrison you have known for a long while?

Mr. MILES. Since I have been on the reservation.

Mr. PIERRELEE. So far as you know, while he has been on the reservation he has been a peaceable, law-abiding citizen?

Mr. MILES. I guess, with that one exception.

Mr. PIERRELEE. What exception?

Mr. MILES. When he had trouble with Brents.

Mr. PIERRELEE. Was that the exception in which he was not a peaceable, law-abiding citizen?

Mr. MILES. I don't know. I understand it was. I didn't see it or anything of the kind. I understood that he made an assault on Brents.

Mr. PIERRELEE. Where did you get that understanding?

Mr. MILES. I got it from Brents and the rest of the policemen.

Mr. PIERRELEE. Were you present at the trial of the matter in the municipal court of Ashland County?

Mr. MILES. I think I was.

Mr. PIERRELEE. And was Mr. Brents convicted there of committing an assault and battery on Mr. Benny Morrison?

Mr. MILES. I don't know.

Mr. PIERRELEE. Have you ever been informed of that fact that he was convicted then?

Mr. MILES. No; I was not.

Mr. PIERRELEE. Weren't you there at the conclusion of the trial?

Mr. MILES. That was another case entirely; wasn't it?

Mr. PIERRELEE. No; that was the case where Benny Morrison had Mr. Brents arrested for assault and battery.

Mr. MILES. I guess I wasn't there.

Mr. PIERRELEE. Were you a witness in that case?

Mr. MILES. I think I was there in the case.

Mr. PIERRELEE. Didn't you testify upon the witness stand that Mr. Brents and Mr. Sero weren't intoxicated?

Mr. MILES. That was the morning they came home from up there.

Mr. PIERRELEE. Didn't you testify to that in the municipal court of Ashland County?

Mr. MILES. Yes; I did.

Mr. PIERRELEE. Then you were there?

Mr. MILES. Was on one case. I don't think it was on that case. Either the adultery case or the assault and battery case, one.

Mr. PIERRELEE. For your information I will tell you you were present and a witness in behalf of Mr. Brents in the assault and battery case in which Mr. Brents was tried for assault and battery made upon Benny Morrison at the time of entering Benny Morrison's place of business, and you testified there that they weren't drunk, and you helped them unhitch the horses.

Mr. MILES. Yes.

Mr. PIERRELEE. Your recollection being refreshed, don't you remember Mr. Brents was convicted of assault and battery and Mr. Benny Morrison was not?

Mr. MILES. No, sir; I don't remember. I had it in my head all the time that that was another case and had nothing to do with this.

Mr. PIERRELEE. Benny Morrison was engaged in the clothing business here?

Mr. MILES. Yes.

Mr. PIERRELEE. The gents' furnishing business.

Mr. MILES. Yes.

Mr. PIERRELEE. And he was about to open a confectionery store the day that they made this purported raid?

Mr. MILES. I think he was either about to or had opened it, I don't know which; I don't know for sure.

Mr. PIERRELEE. You know that the special officers, Johnson and Brents and Sero, whatever reports they made, they found nothing there in dereliction or violation of federal laws.

Mr. MILES. They didn't make any reports to me.

Mr. PIERRELEE. You heard the special agents, officers, testify in the municipal court?

Mr. MILES. Excuse me; I didn't hear anything that was going on. I am so hard of hearing that I can not hear anything going on except at this table. When I sat back there at the end I didn't hear anything that was going on here.

Mr. PIERRELEE. So far as you know, Benny Morrison was a prosperous young man, industrious, sober, business man in the village of Odanah?

Mr. MILES. Yes, sir; so far as I know, I guess that comes pretty near it.

Mr. PIERRELEE. You, in your business as Indian farmer, have the opportunity to learn the standing of your business men in this community?

Mr. MILES. Partly.

Mr. PIERRELEE. You had done business with Benny Morrison in his store?

Mr. MILES. Yes; I bought a pair of pants of him.

Mr. PIERRELEE. Do you know that he was a strictly temperate man himself?

Mr. MILES. No; I don't know anything about it.

Mr. PIERRELEE. That is all.

Mr. HOLCOMBE. You are the custodian of the records you have spoken of?

Mr. MILES. In my office.

Mr. HOLCOMBE. They are under your control?

Mr. MILES. Yes, sir.

Mr. HOLCOMBE. And you have charge of them?

Mr. MILES. Yes, sir.

Mr. HOLCOMBE. And they are there now?

Mr. MILES. I suppose so.

Mr. DILLON. That finishes with Mr. Murray and Mr. Benny Morrison. I appear here for Mr. Doherty.

The CHAIRMAN. Proceed.

Mr. DILLON. If it pleases the committee, all of this evidence in relation to the making of these reports that Mr. Pierrelee has introduced here, I do not intend to go over that again, because that is applicable to all the cases. I just desire to cross-examine partly in regard to his report on Doherty. [Addressing the witness.] In your report, Mr. Miles, to the Indian agent in regard to John J. Doherty you recommended his removal.

Mr. MILES. Yes, sir.

Mr. DILLON. How did you come to recommend the removal of Doherty? I mean, what prompted you at the time you recommended the removal of Doherty?

Mr. MILES. Just as I said in the other case.

Mr. DILLON. And you say it was the same thing as you testified to before?

Mr. MILES. Yes, sir.

Mr. DILLON. The action of the special agents?

Mr. MILES. Yes, sir.

Mr. DILLON. In the charges which you have made against Mr. Doherty you say that he lives by his wits. That is one of the charges. What do you mean by that?

Mr. MILES. I suppose that is a common expression, but nearly all of us live by our wits, but more especially where a man does not do any work, any manner of labor, or anything of that kind.

Mr. DILLON. Would you say a lawyer lives by his wits?

Mr. MILES. Yes, sir; I would say so, if he had any.

Mr. DILLON. That would bar all of us from the reservation. You charge him here with some information you must have received from the Indian office at Ashland in regard to obtaining some money from the Indian Department.

Mr. MILES. For his daughter?

Mr. DILLON. Yes.

Mr. MILES. I think I received that information from Mr. Sero. It was a matter that was up before I came to the office here.

Mr. DILLON. You understood in that case that Mr. Doherty simply misrepresented things to the agent so as to obtain some money?

Mr. MILES. Yes.

Mr. DILLON. Would you consider that sufficient to have him removed from the reservation?

Mr. MILES. Oh, well, he got some of his child's money for his own use.

Mr. DILLON. Through false representation?

Mr. MILES. That is the way I understood it from representations to me.

Mr. DILLON. In other words, he fooled you and fooled the Indian agent.

Mr. MILES. He didn't fool me at all, because I wasn't here.

Mr. DILLON. He fooled the other farmer?

Mr. MILES. Yes, sir.

Mr. DILLON. You thought that was sufficient to charge him with an offense and remove him?

Mr. MILES. Yes; that is one of the charges—living by his wits.

Mr. DILLON. He was smarter than the farmer and the agent, and got the money?

Mr. MILES. Yes, sir.

Mr. DILLON. You don't know anything about that except what you have been told?

Mr. MILES. No.

Mr. DILLON. You say, "He borrows money from ignorant Indians and does not give any security or repay it."

Mr. MILES. That had reference to——

Mr. DILLON. Day—Edward Day?

Mr. MILES. Yes; I think it was Edward Day. I am sure about that.

Mr. DILLON. Is he present in the room?

Mr. MILES. I don't know that, but I understand that to be so, that he borrowed $400 from one of the other Indians and had not given him any security whatever. Edward Day did not say it to me. I simply got it by hearsay from others.

Mr. DILLON. And you didn't know, in that case, did you, Mr. Miles, that Mr. Doherty had given a mortgage for the money he borrowed from Day, and that the money has been repaid?

Mr. MILES. No, sir; I do not.

Mr. DILLON. Are there any instances where Doherty has swindled any of the Indians here, that you know of—any specific instances?

Mr. MILES. I don't know that you could call it "swindling" exactly. He was getting a commission on things, and I think that at one time——

Mr. DILLON. Let us put this plainly, so the committee will understand. You mean he was buying some farms off the Indians?

Mr. MILES. Yes.

Mr. DILLON. Going out through the country over the land or getting an agent to do it?

Mr. MILES. Yes; and working the insurance business, and when anybody would die, telephoning up to Hoppenjung and getting them to come down and attend to it and getting a rake-off on the funeral.

Mr. DILLON. That is, undertaking?

Mr. MILES. Yes.

Mr. DILLON. Somebody had to notify them.

Mr. MILES. Yes; but they didn't have to take a rake-off on the funeral.

Mr. DILLON. Do you know that he got a rake-off?

(No response.)

Mr. DILLON. Let it stand at that. And that is the young gentleman you said he got the money from [indicating]?

Mr. MILES. I don't know. I said I didn't know who it was. I had understood he borrowed $400 from an Indian.

Mr. DILLON. Didn't you ever receive information as to who that was?

Mr. MILES. I didn't know who the Indian was.

Mr. DILLON. He is not an ignorant Indian, is he?

Mr. MILES. No; Mr. Day is not an ignorant Indian by any means. Educated, I believe, and half white.

Mr. DILLON. Now, you charge here that Doherty is a drunkard and gambler and all this kind of business. Do you know of any specific instance of his gambling?

Mr. MILES. No, sir; I don't. I merely made that on general information.

Mr. DILLON. How many Indians would there be on this reservation if they were all removed that have a reputation for drinking?

Mr. MILES. Drinking?

Mr. DILLON. Yes.

Mr. MILES. Three or four.

Senator LA FOLLETTE. You mean three or four would be removed or three or four would be left?

Mr. MILES. Three or four would be left if all those who drink would be removed.

Mr. DILLON. There has been, during the last four or five years, considerable litigation around relative to Indian funds on this reservation, hasn't there?

Mr. MILES. Yes, sir.

Mr. DILLON. And this man Doherty and these Morrisons and this man Murray have had considerable to do with that litigation, haven't they?

Mr. MILES. Stirring up litigation.

Mr. DILLON. Have they had considerable to do with it?

Mr. MILES. I think so; yes.

Mr. DILLON. And that litigation started by action being brought against the Indian agent compelling him to turn over to the Indians the money received for their allotment?

Mr. MILES. All the money that they had on deposit.

Mr. DILLON. Claiming that it belonged to them as United States citizens?

Mr. MILES. Yes; the entire funds.

Mr. DILLON. And all that has been the cause of considerable friction between the men who were active in it here at Odanah and at Ashland?

Mr. MILES. I think it has. Between them and the department; I don't know about Ashland.

Mr. DILLON. And that the department has charged them up with being undesirable citizens because they made an effort to obtain for these allotted Indians the money for their land?

Mr. MILES. Constantly agitating the idea that the Indians must be dissatisfied, and things of that kind.

Mr. DILLON. In other words, constantly agitating that the Indians were entitled to the money for the allotted lands?

Mr. MILES. Yes.

Mr. DILLON. Isn't there now in the department, to your knowledge, considerable feeling against these men on that account?

Mr. MILES. I think there is.

Mr. DILLON. Don't you think that that, coupled with these charges you have preferred here, has been the cause of their removal?

Mr. MILES. I think very likely it has. Their agitation to do away with the commissioner's orders. The commissioner had ordered these trust funds to be kept in the banks while they have been agitating all the time to have that whole trust fund removed and turned over to them, so they could take it out just as they pleased.

Mr. DILLON. In other words, that they were full citizens of the United States and entitled to handle their own property.

Mr. MILES. Yes; that is it.

Mr. DILLON. You don't know of Doherty being instrumental in lawbreaking here, outside of his agitation among Indians, in regard to their rights?

Mr. MILES. No; I don't believe I do.

Mr. DILLON. There was one indictment returned against him?

Mr. MILES. I think there is some record of that.

Mr. DILLON. You don't know whether it has ever been tried, do you?

Mr. MILES. I don't know.

Mr. DILLON. Would you think, Mr. Miles, that charges made here by you, without the existing feeling between this man and the department, would be cause for the removal of this man Doherty?

Mr. MILES. Well, for the peace and welfare of the Indians——

Mr. DILLON. Laying aside the agitation in regard to their money, outside of that, would you, as an officer, consider that there was sufficient ground for his removal if it had not been for the agitation?

Mr. MILES. No; I don't think they would.

Mr. DILLON. Don't you think they had the right and these other men had the right to tell these Indians they believed, as a matter of law, they were entitled to receive their money, until the court passed upon the question?

Mr. MILES. I don't know but that they had a legal right to do so. It does not seem it would be a moral right to keep these Indians in a turmoil all the time and worked up about the Government keeping the money and not allowing them to have the money to use as they pleased.

Mr. DILLON. In other words, you don't believe that the Indian is intelligent enough to handle his own money?

Mr. MILES. There are individual Indians intelligent enough to handle it.

Mr. DILLON. Don't you think Mr. Doherty is an intelligent Indian——

Mr. MILES. And he has been getting it right along.

Mr. DILLON. Don't you think Mr. Doherty is intelligent?

Mr. MILES. He had a lot of property, I believe, in the first fund and drew it all out and put it into property that has depreciated. That is, the property is not worth what he put into it.

Mr. DILLON. I mean he is an intelligent Indian; don't you consider him so?

Mr. MILES. Yes.

Mr. DILLON. And the same with Mr. Morrison and the rest of these men?

Mr. MILES. Yes; intelligent and educated.

Mr. DILLON. Isn't it a rule of the department that no Indian has the right to question a ruling, legal or moral, laid down by the department?

Mr. MILES. To question a ruling?

Mr. DILLON. Yes; to discuss them in any way.

Mr. MILES. I don't think it is.

Mr. DILLON. Why would you say these men disturbed the reservation and agitated with these Indians about handling their money? They went about it in a peaceable way and employed lawyers.

Mr. MILES. Yes.

Mr. DILLON. Then why did you object to it?

Mr. MILES. If they would only go in and trouble the lawyers about it, I think it would be all right; but when they go around to all the Indians all over the reservation and tell them that the Government is swindling them, that the agent is swindling them, and so on, I think it is stirring up trouble on the reservation all the time, and it keeps a constant boiling and trouble here all the time.

Mr. DILLON. Whether they believe it to be true or not?

Mr. MILES. Yes, sir. And they usually believe it to be true, because it comes to them from their own people.

Mr. DILLON. What Indians did that?

Mr. MILES. Well, I think all four of these.

Mr. DILLON. Do you think that is wrong and constitutes a ground for removal?

Mr. MILES. I do.

Mr. DILLON. And suppose you had a crooked agent here, how would you get at him unless you let the Indians complain about him?

Mr. MILES. Or a crooked farmer, either.

Mr. DILLON. Yes.

Mr. MILES. Well, they would have to complain of him; that is right.

Mr. DILLON. That is all?

The CHAIRMAN. That is all, unless there are some further questions.

Mr. PIERRELEE. Did you receive any instructions from Major Campbell relative to the plotting of the town sites of Odanah?

Mr. MILES. No, sir; I don't think I did.

Mr. PIERRELEE. Did you have any talk with him relative to that matter at all?

Mr. MILES. I don't think I did.

Mr. PIERRELEE. Did you participate in any way in that matter?

Mr. MILES. In the plotting?

Mr. PIERRELEE. Of the town site.

Mr. MILES. No, sir.

Mr. PIERRELEE. Do you remember anything of the Indian council relative to the same?

Mr. MILES. Yes.

Mr. PIERRELEE. Mr. Murray and Mr. Benny Morrison and Mr. Doherty were all prominent in that council, were they not?

Mr. MILES. Yes.

Mr. PIERRELEE. Was this not one of the complaints—and one of the principal complaints—that you had against them as being agitators?

Mr. MILES. That was one of them; yes. Let me correct that. When you spoke about plotting the town sites, I thought you meant when it was plotted by the surveyor three or four years ago. Now, I didn't know it was when the department wrote out here to have this laid out in plots, and the department said that in each lot that was put out here there must be a clause in it that there must be no liquor on that lot.

Mr. PIERRELEE. And if there was liquor on the lot they would forfeit title to the lot?

Mr. MILES. Yes; and it was agitated by all of these people that they must not take it, for if they did—if they had half a pint of whisky for medical use—the lot would be taken away from them, and therefore the council voted against making the allotment.

Mr. PIERRELEE. And it was considered by you that these men, particularly those that are charged here, were agitators, because they opposed the proposition of Major Campbell in that respect?

Mr. MILES. Opposed the proposition of the department, even after the commissioner had written here saying that that clause did not have any relation to anything as to keeping a little liquor for sickness on the reservation, but it did have relation to getting liquor and keeping it for running saloons or anything of that kind. Still it was voted down for that reason.

Mr. PIERRELEE. That is all.

STATEMENT OF WILLIAM E. JOHNSON.

WILLIAM E. JOHNSON, chief special officer, United States Indian Service, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you reside?

Mr. JOHNSON. My legal residence is in California.

The CHAIRMAN. What is your occupation?

Mr. JOHNSON. Chief special officer, United States Indian Service.

The CHAIRMAN. You may examine the paper which is handed you, and looking to the signature say if you recognize that as a letter written by you? [Handing paper to witness.]

Mr. JOHNSON (after examining). Yes, sir.

The CHAIRMAN. Addressed to the Commissioner of Indian Affairs?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. On the 12th day of February, 1909?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. Prior to writing this letter you had received directions to go to Ashland, had you not?

Mr. JOHNSON. I hadn't received any specific directions to go to Ashland, but I had received requests from the department several times, some of them urgent requests, to look after the situation in Wisconsin.

The CHAIRMAN. With reference to the Bad River Reservation?

Mr. JOHNSON. In reference to all the reservations in connection with the Indian Service.

The CHAIRMAN. And by reason of and following those requests you visited Ashland and the Bad River Reservation?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. A short time previous to writing this letter?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. And this letter refers to matters that you discovered and transactions in which you participated here?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. Now, this letter is dated February 12. Do you know about what time you were here?

Mr. JOHNSON. I think it was late in January.

The CHAIRMAN. While you were here, did you raid any places with a view of seeing whether you could discover liquor?

Mr. JOHNSON. After I had been here a short time I raided several places.

The CHAIRMAN. Do you recall any now which you raided?

Mr. JOHNSON. Yes, sir; I raided a place over here at Denomie's—William Denomie's place.

The CHAIRMAN. What did you find in Denomie's place?

Mr. JOHNSON. I found some imitation port wine labeled "grape juice."

The CHAIRMAN. And what did you do with it?

Mr. JOHNSON. I destroyed it.

The CHAIRMAN. Did you go to the place of George Parker?

Mr. JOHNSON. I went to two or three places, but I don't know which place you refer to by that.

The CHAIRMAN. That is sometimes, I guess, called the "Morrison place."

Mr. JOHNSON. Next to the hotel—adjoining the hotel. I did go through that place.

Mr. CAMPBELL. The place Parker had previously opened as a billiard hall and which was closed up by the commissioner. It was bought out by Benny Morrison.

The CHAIRMAN. What did you find there?

Mr. JOHNSON. I found a bed and about 1,000 poker chips and some playing cards in the store, in the back part of the room. In the front part of the room at the bar was some cider, which appeared to be hard. I did not have it analyzed.

The CHAIRMAN. Who seemed to be running that place at that time?

Mr. JOHNSON. Benny Morrison; he had the keys to the place.

The CHAIRMAN. Was it being run at that time?

Mr. JOHNSON. It was just being opened that day.

The CHAIRMAN. Did you get the keys of him?

Mr. JOHNSON. Yes, sir. The circumstances were these: A few days before I had visited Will Denomie's place and took some samples of their cider and samples of what they were selling under the name of grape juice. I sent those samples to Professor Keolker at Madison, at the State University, and he telegraphed me a report, and on the strength of his report as to the grape juice I seized and destroyed the grape juice, and the same day I dropped into one or two other soft-drink places and found nothing. As I came back to the hotel, to the Indian office at the hotel, some one said, "Benny Morrison is opening that old place next to the hotel again as a gambling house." I went over to the place. It was locked. Some one—there were several around there—some one said, "Benny has the key," and I believe I asked Mr. Sero to go and ask Benny for the key. Sero went across to the store, and Benny came back with

the key. In the meantime I told the boys to see what was in front, and I went around behind, as I usually do, to see that nothing would get away, if there was anything crooked there. In a few minutes the boys came and let me in the back door; probably ten minutes. Then I came in and searched the back rooms and found them arranged as they are usually arranged for a gambling lay-out, and I found about 1,000 poker chips and quite a number of decks of cards. The bar was in the front room. The statement was made that they were just fixing to open up that night.

Senator LA FOLLETTE. Whose statement was that, Mr. Johnson?

Mr. JOHNSON. I can't recall whose statement it was.

Senator LA FOLLETTE. Statement made on the street—you say you heard it.

Mr. JOHNSON. Yes; I just heard it on the street.

Senator LA FOLLETTE. Street talk?

Mr. JOHNSON. Yes; street talk.

The CHAIRMAN. Did you have any words with Morrison at that time, or he with you?

Mr. JOHNSON. No, sir; I had no words.

The CHAIRMAN. You mean no rough words?

Mr. JOHNSON. No; I have never had any rough words.

The CHAIRMAN. Did you hear Morrison indulge in anything?

Mr. JOHNSON. I was at the back end of the building, and there was something of the kind, but I knew nothing of it until I came into the building. I was then informed.

The CHAIRMAN. While you were on the outside could you hear there were rough words being used on the inside?

Mr. JOHNSON. No; I came in the back way.

The CHAIRMAN. I know. I asked you if you could hear anything inside?

Mr. JOHNSON. I didn't hear anything myself at all.

The CHAIRMAN. Did you see any trouble between Brents and Morrison?

Mr. JOHNSON. No; I understand there was some trouble, but I didn't see any of it.

The CHAIRMAN. How much of these statements contained in this letter are based upon your personal observation?

Mr. JOHNSON. I don't recall all the statements that are in that letter. The matters of record I got from other witnesses, which I believed to be credible. Subsequently, I may say, an indictment was returned against Denomie for the grape juice I found at his place.

The CHAIRMAN. Now, you say here that you went to Ashland and conferred with the superintendent, and that you went to Odanah and conferred with Miles, and he went over the records with you. This is a letter of February 4. You may examine and see whether it is your letter [handing paper to witness].

Mr. JOHNSON (after examining). Yes.

The CHAIRMAN. In this letter you recite, in going over the records kept at the farmer's office at Odanah regarding these chronic lawbreakers, referring to Parker, Murray, Doherty, and George Morrison, I find the following record: "George Morrison"—then follows the recital. Are these recitals merely what you found on the records, or did you——

Mr. JOHNSON (interrupting). It may be useful for me to go back a little.

The CHAIRMAN. I wish you would.

Mr. JOHNSON. I came here some days or perhaps a couple of weeks prior to that letter, as I recall it. Before I came one of my special officers, Mr. Brents—Brents was here perhaps two weeks before I came. After I came I spent a few days around here making inquiries as to the local situation and as to the different characters who were making trouble. The situation seemed to be very complicated to me, for a good many reasons, and I went to Madison for a conference with the United States attorney, Mr. Wheeler, but he wasn't in, and I conferred with the assistant United States attorney, Mr. Morgan, who has had more to do with these cases than Mr. Wheeler—that is, these transactions. I think I first made the suggestion or I first asked him what he thought about the policy of selecting a number of ringleaders that were making the most trouble and having them put off the reservation under section 2147. He heartily indorsed the idea and said that there were about a dozen who ought to be thrown off for the peace and welfare of the Indians, and he told me a whole lot of things about his experiences in trying cases in which these people were involved, both in trials before juries and before the grand juries. I asked him to suggest who would be good subjects to be put off, who could be put off to the best advantage of the Indians, and he said that he didn't want to give any specific names; he thought I had better go to Ashland and confer with Major Campbell. He suggested the whole Morrison bunch. That was the language that he used, as I recollect it. So it was agreed that I should go to Ashland and confer with Major Campbell and see what he thought about it, and if he indorsed the plan we would carry it out.

Neither Major Campbell nor Mr. Miles nor anybody else had spoken to me about this matter of throwing these people off the reservation, and I had conferred with nobody about this up to this time except Mr. Morgan himself. I came to Ashland and conferred with Major Campbell. I asked him what he thought about it. He said he thought it would be a good thing and it would settle a good many of the difficulties down here, but he hated to do it. I said, "If it is a good thing, why should not we do it?" And he finally concurred in the movement. Then I asked him to name the men who could be thrown off to the best advantage to the Indians. He said he would prefer that Government Farmer Miles should select the men that were making the most trouble, because he was on the ground and had a more intimate personal knowledge of the situation than anybody else. So I went to Odanah, and the first thing that I did was to call for a little book that Mr. Sero keeps in which he records when a man is arrested, when a complaint is made, or when a bottle of liquor is found. He records that in his book and he forwards the complaints, based upon that record, to the United States attorney. I called for that book and I went through it for two or three years back and I selected—I made a memorandum of those whose names appeared the most—and I selected, I think, about seven names. In the meantime, I hadn't talked with Miles about this at all, and I hadn't told Mr. Sero what I wanted with this information. I simply called for his book and took the information. With this list of names and the memorandum of charges against each, I took that to Mr. Miles and told him exactly

what I had in mind and I asked him if he thought it would solve the problem, and he said he thought it would help immensely, but he expressed an aversion to doing it. I said, "If we are to do this, are these the proper subjects for this treatment?" We went over the list of names and he cut them down, I believe, to four, remarking if those four were thrown off the reservation under section 2149 and kept off for a period of time until things could quiet down that he thought it would go far toward settling the question. That was the way these names were selected. Specific charges as to criminal acts, however, were all subsequently verified by the books of the United States attorney, all complete, having made a record of the indictments and things of that sort against these people, and that record, I presume, you have there.

The CHAIRMAN. Look at it and see [handing the paper to the witness]. Did the record cover more than the four?

Mr. JOHNSON. That record covered only the four.

The CHAIRMAN. You made a report based on the criminal record of these men?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. Go on with your narrative.

Mr. JOHNSON. Then, at my suggestion, Mr. Miles made a report on these four men to Mr. Campbell. He made it, I think, the same day and mailed it to Mr. Campbell. Mr. Campbell then mailed me a formal report, in which he embodied the reports of Mr. Miles. That is the history of the report as to those four men. Benny Morrison was not included in that report. Benny Morrison's name was one of the names stricken off by Mr. Miles, and Charles Morrison was another, and William Denomie was another. William or Simon Denomie, one of the two, or perhaps both, they were stricken off at the suggestion of Mr. Miles on the theory that if those four were taken away for the time being he thought that would settle the question, and the others would behave themselves.

Mr. CHAIRMAN. Do I understand that the statement set forth in this report are only matters which you obtained from the record?

Mr. JOHNSON. Mainly; yes, sir.

The CHAIRMAN. Commencing now with Morrison: "Ran a gambling den at Odanah for four or five years and recently sold out." What was your source of information as to that?

Mr. JOHNSON. I think that information came chiefly from Mr. Miles; Mr. Sero, and I think Mr. Campbell, substantiated that.

The CHAIRMAN. Now, in regard to George Morrison, you say: "On January 1, 1906, a lot of Indians got drunk in George Morrison's joint and made affidavits that they got drunk on a beverage called 'dynamite,' sold by Morrison." Where did you get that?

Mr. JOHNSON. I got that from Mr. Sero's record.

The CHAIRMAN. Now, you say, "On February 10, 1906, Morrison introduced a barrel of beer called 'all ale.'"

Mr. JOHNSON. All of those items along there were taken from Mr. Sero's record.

The CHAIRMAN. I would like to have you go on and state to us any facts you discovered while you were here relative to these four men and their conduct on this reservation.

Mr. JOHNSON. Aside from the matter of the finding of a gambling place there?

The CHAIRMAN. You have stated that. Now, anything else.

Mr. JOHNSON. There is nothing else that I have of my own knowledge.

The CHAIRMAN. Didn't you see any evidence of intoxication all the time you were here?

Mr. JOHNSON. I didn't spend but a few hours here. I was here several times, but I was never here long enough to stay overnight. I came in and ran out again. Mr. Brents, one of our special officers, spent more time here than I did.

The CHAIRMAN. Where is he?

Mr. JOHNSON. Right now?

The CHAIRMAN. Yes.

Mr. JOHNSON. He is down below Sioux City, right now. We have a grand jury down there that has just adjourned.

The CHAIRMAN. Did you ever see anything in the hotel that was out of the way?

Mr. JOHNSON. I don't think I was ever in the hotel in my life until to-day.

The CHAIRMAN. Did you ever see anything in any of the places of these four men, except the gambling devices you saw in Morrison's?

Mr. JOHNSON. That is all.

The CHAIRMAN. Were you ever in the places of these four men?

Mr. JOHNSON. Never before, except that day. The basis of my report was the information that came to me from Assistant United States Attorney Morgan, afterwards confirmed by Mr. Wheeler. He gave me some of the information and some was given to me by Chief Deputy Marshal Appleby and by Mr. Booth, another deputy marshal, who frequently comes up this way. Information by those men and by Mr. Sero and Mr. Miles and Major Campbell. That is what I relied upon and the docket book down at Madison. That is what I relied upon in making these recommendations.

The CHAIRMAN. You make a recital like this, for instance: "On November 26, 1908, several men were found drunk in the back end of Morrison's restaurant, but evidence could not be obtained as to who was responsible for the affair." What is your basis of information?

Mr. JOHNSON. Mr. Sero's record.

The CHAIRMAN. Simply the record?

Mr. JOHNSON. Yes; and his statement. I saw some affidavits from some of those, but in a large number of these items, or a considerable number of these items, indictments were returned by the grand jury at Madison.

The CHAIRMAN. That is a mere matter of record—the finding of an indictment. A clerk could look that up.

Mr. JOHNSON. That is true. The indictments were based upon these items.

The CHAIRMAN. You were in none of these places, except the Morrison place, that you raided and the place where you found that imitation port wine?

Mr. JOHNSON. I went into a couple of other places that were selling soft drinks to see what they were doing. I don't know their names. They were near Denomie's place, just across the street. Those

places didn't have any connection with these other matters that I know of.

The CHAIRMAN. Did you or did you not see anything out of the way there?

Mr. JOHNSON. No, sir. I have made no reference in my statement to the record and removal of Benny Morrison. Benny's name was on the original list and was stricken off at the suggestion of Mr. Miles. There afterwards came up that affair of the gambling house. I felt then that that, in addition to other items against him, made it necessary to include him; so I reported it, asking for such an order by telegraph that day.

The CHAIRMAN. And you got the order?

Mr. JOHNSON. Yes, sir. I may suggest this, that it was never my intention to keep these men off the reservation forever. It was my thought, after conference with Mr. Morgan, that if they were thrown off and kept off for the time being that other matters could be settled and the law could be enforced, and eventually, if they got into the right frame of mind, we would recommend that they be allowed to come back. As a matter of fact, one of these four men, Mr. George Parker, who has made no subsequent trouble, finally, when Bascombe Johnson, the attorney from the office, came over to look over the whole matter, he expressed the desire to Mr. Bascombe Johnson to come back and behave himself; so Mr. Bascombe Johnson drew up a little statement or agreement, which he signed, and in which he pledged himself to behave himself in the future. On the basis of that statement Mr. Campbell recommended to the office that George Parker be allowed to return; and before it was presented to the office it came to me, and I concurred in the recommendation; and I understand that Mr. Parker was allowed to return. I know Mr. Campbell and I both recommended it, because we believed that the time had come when Parker had showed a disposition where he could return and make no further trouble, and I concurred in the recommendation that he come back. I had the same thing in mind with reference to these other men myself. Mr. Bascombe Johnson informed me that he presented the same paper to these other four and they refused to sign it.

The CHAIRMAN. That is all. The committee will take a recess for ten minutes.

Mr. PIERRELEE. Have you any personal feeling in this matter as against Benny Morrison?

Mr. JOHNSON. Not the slightest.

Mr. PIERRELEE. Have you opposed or in any way objected to Mr. Benny Morrison defending himself in this matter?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. Have you ever urged the department at Washington or Major Campbell, by correspondence or otherwise, to refuse to give Benny Morrison the money that he has coming from the department because of the fact that he might use it in defending himself? Answer "yes" or "no."

Mr. JOHNSON. There was about $647——

Mr. PIERRELEE. Will you answer "yes" or "no," if you can?

Mr. HOLCOMBE. I think he might make a statement.

The CHAIRMAN. Yes; go on and make your statement.

Mr. JOHNSON. At this time I wired the office suggesting that they withhold for the present the turning over of Benny Morrison's funds—$500 or $600.

Mr. PIERRELEE. Why did you do that?

Mr. JOHNSON. I assumed that some of you lawyers would get it away from him.

Mr. PIERRELEE. You were acting as his guardian after expelling him?

Mr. JOHNSON. In a way; yes.

Mr. PIERRELEE. Did you think some of the lawyers might get it away from him in defending himself?

Mr. JOHNSON. There had been no attack made on him——

Mr. PIERRELEE. Won't you answer the question?

Mr. JOHNSON. I tell you now that there has not been a minute or an hour since Benny Morrison and all of these men were removed from the reservation when I would not have gladly signed a request for their reinstatement, provided that they would give some assurance that they intended to obey the law and behave themselves.

Mr. PIERRELEE. Suppose they hadn't violated any law, then would you ask them to sign?

Mr. JOHNSON. Such a condition does not exist.

Mr. PIERRELEE. Suppose they had.

Mr. JOHNSON. What is the use of discussing that question?

Mr. PIERRELEE. I don't consider that a moot question.

Mr. JOHNSON. It is not wholly a matter of technical violation of the law that led up to their removal; it is their general course in making trouble on the reservation and agitating against the people who are trying to enforce the law.

Mr. PIERRELEE. You knew nothing about that, did you?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You did?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Personal knowledge?

Mr. JOHNSON. No.

Mr. PIERRELEE. Then, coming back to the question, did you write the letter to the department requesting them to withhold Benny Morrison's money for the reason that he might use that money in defending himself in this matter?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. You are sure about that?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Or a letter of similar import?

Mr. JOHNSON. I did write a letter to the effect that if the money was turned over to him at this time it would not do him any good, because you lawyers would get it all away from him.

Mr. PIERRELEE. You know that Agent Campbell had recommended that it be allowed?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. And you thought that you were wiser in that matter?

Mr. JOHNSON. I thought it would be very well to defer turning over the money for a short time until this matter was settled.

Mr. PIERRELEE. This letter that the chairman has read to you, in which the charges are set forth, under date of February 4, 1909, that is not the information upon which you removed Benny Morrison, is it?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. As a matter of fact, the information was sent by telegraph?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Referring to that telegram dated January 29, 1909?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. That was the day that you were at Odanah and went into Benny Morrison's place?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. And you addressed a telegram to the Commissioner of Indian Affairs as follows:

ODANAH, WIS., *January 29, 1909.*

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

Benny Morrison, an allotted quarter-blood Chippewa Indian living here, was indicted for introducing and selling whisky May 16, 1906. Indicted again for introducing a barrel of beer on February 10, 1906.

Did you have any personal knowledge of that?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. And have you ever examined any records and find that he was ever indicted for introducing a barrel of beer on February 10, 1906?

Mr. JOHNSON. I asked Mr. Morgan to make a transcript of the record—that is, the United States Attorney Morgan—and he did so. It included two or three indictments against Mr. Benny Morrison. I think that perhaps he is under a suspended sentence now. He pleaded guilty, and the sentence was suspended on promise of good behavior.

Mr. PIERRELEE. Did you find any record showing he was so indicted for introducing a barrel of beer?

Mr. JOHNSON. That was from Mr. Sero's record. There was some little discrepancy in the date.

Mr. PIERRELEE. Did you find any confirmation of that?

Mr. JOHNSON. I would not swear to that without the original statement of Mr. Morgan before me. There were some little discrepancies. I don't recollect now.

Mr. PIERRELEE. Don't you know, as a matter of fact, that Benny Morrison was never indicted but once?

Mr. JOHNSON. No; I don't know anything of the sort.

Mr. PIERRELEE. And if that was so then, of course, this report to the department would be wrong?

Mr. JOHNSON. The United States attorney's books differ with you as to that.

Mr. PIERRELEE. The United States clerk's books don't differ with me as to that.

Mr. JOHNSON. I have the statement which was prepared for me by Mr. Morgan, the assistant United States attorney.

Mr. PIERRELEE. You have that before you?

Mr. JOHNSON. No; I have not.

Mr. PIERRELEE. I have the statement of the United States clerk before me. You further stated in that telegram: "Both of these indictments quashed by United States attorney after Couture decision on Morrison's promise of good behavior." Did you have that record before you at the time you sent that telegram?

Mr. JOHNSON. I had this record as contained in Mr. Sero's book. That telegram is based upon information in Mr. Sero's book.

Mr. PIERRELEE. You further state, "Before and after this, for two or three years, he ran a joint which I raided to-day and seized and destroyed 40 gallons of wine." Is that a fact or is it false?

Mr. JOHNSON. He ran the joint for two or three years. Denomie was running it at the time I made this raid.

Mr. PIERRELEE. Answer this question: "Before and after this, for two or three years, he ran a joint which I raided to-day and seized and destroyed 40 gallons of wine." Is that true or false?

Mr. JOHNSON. He ran that joint for two or three years.

Mr. PIERRELEE. Can you answer that question by yes or no?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. Why not?

Mr. JOHNSON. Because it would not be telling the exact truth.

Mr. PIERRELEE. Does the telegram tell the exact truth?

Mr. JOHNSON. Not exactly. There was a discrepancy in the language there. The facts were these: For two or three years he did run that joint which I raided to-day.

Mr. PIERRELEE. When you speak of "joint," you mean he ran a place of business.

Mr. JOHNSON. I mean a disreputable place.

Mr. PIERRELEE. You knew nothing about that?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You did?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Were you here two or three years before?

Mr. JOHNSON. No, sir.

Mr. PIERRELEE. How could you tell it was a disreputable place?

Mr. JOHNSON. By reputation.

Mr. PIERRELEE. You gained that knowledge by being here a couple of hours?

Mr. JOHNSON. Yes. I did not gain all of the knowledge here.

Mr. PIERRELEE. Where did you get your information?

Mr. JOHNSON. I got that information from Mr. Miles and Mr. Sero and Major Campbell.

Mr. PIERRELEE. Mr. Miles has already testified that he never knew of Benny Morrison running any disorderly place. Did you get that information from him?

Mr. JOHNSON. I got the information that he ran that joint down there.

Mr. PIERRELEE. Did you get the information that he ran a disorderly place from Mr. Miles, in view of the testimony I am telling you Mr. Miles gave here this morning?

Mr. JOHNSON. I don't know that Mr. Miles used that language. You refer to it as a joint. You asked me what I thought a joint was. I gave you the definition of a joint.

Mr. PIERRELEE. Now, I ask you where you got the information that this was a disorderly place?

Mr. JOHNSON. I got it from Mr. Campbell, Mr. Miles, and Mr. Sero and the Indian policemen that that was a joint, and that Benny Morrison ran it. My own definition of a joint was that it was a disorderly place.

Mr. PIERRELEE. Didn't Mr. Miles tell you before you sent this telegram he didn't think Benny Morrison was one of the men to be taken off the reservation?

Mr. JOHNSON. No, sir; he did not. You are not putting it right. Mr. Miles cut off three or four names, among them Benny Morrison. He stated that they were bad folks, but not as bad as the others; that if the others were put off, he thought the others would behave themselves.

Mr. PIERRELEE. You state now under oath that Mr. Miles said that Benny Morrison was one of the bad folks?

Mr. JOHNSON. One of the folks who were making trouble.

Mr. PIERRELEE. In the way of running a disorderly place?

Mr. JOHNSON. He didn't use the words "disorderly place." He used the word "joint," as I recollect it.

Mr. PIERRELEE. Did you stay there and destroy 40 gallons of wine, as you report in your telegram?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. In Benny Morrison's place?

Mr. JOHNSON. No; in the place he used to run. There is a little discrepancy in the telegram, which I explained afterwards in the report to the office. He did not run it at the time I seized the wine.

Mr. PIERRELEE. In other words, you charged Benny Morrison in this telegram with something with which you now charge William Denomie. Is that right?

Mr. JOHNSON. Partly right, partly not.

Mr. PIERRELEE. Well, destroying 40 gallons of wine?

Mr. JOHNSON. That part of it. Morrison had no connection with that; he had sold out the place.

Mr. PIERRELEE. And had no connection with it?

Mr. JOHNSON. Not at that time.

Mr. PIERRELEE. Although you charge it against him?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. How long before did he sell it?

Mr. JOHNSON. A short time, I understand.

Mr. PIERRELEE. Two or three years before that?

Mr. JOHNSON. I don't know.

Mr. PIERRELEE. Did you then, in the telegram, further state: "Then owned another joint operated by George Parker and George Morrison, at which billiards and gambling games were conducted and intoxicating liquor sold?"

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Is that the fact?

Mr. JOHNSON. I understand it is.

Mr. PIERRELEE. Where did you get your information?

Mr. JOHNSON. From Mr. Sero and Mr. Miles and from the United States attorney's office. I got a part of that information there, I think.

Mr. PIERRELEE. Did you consider that the department would take the view that this was Mr. Sero's report or that it was evidence that was on either dockets or books or some memoranda which the department would get from you as chief special officer?

Mr. JOHNSON. The telegram shows for itself.

Mr. PIERRELEE. What did you consider the department would consider it?

Mr. JOHNSON. A report from me.

Mr. PIERRELEE. The telegram further reads: "This joint was ordered closed by the commissioner, order dated November 24, 1906. See Education, 73684 and 74892." Now, you are apprised of the fact that Benny Morrison did not run that place?

Mr. JOHNSON. At that time, I understand, he did not. I understand he owned an interest in it.

Mr. PIERRELEE. You mean he owned an interest in the building?

Mr. JOHNSON. In the building or equipment or both, I don't know which.

Mr. PIERRELEE. Regardless of that fact you made this report?

Mr. JOHNSON. Regardless of what fact?

Mr. PIERRELEE. Regardless of the fact you had no knowledge of his interest in the business.

Mr. JOHNSON. I had no personal knowledge.

Mr. PIERRELEE. You had no other knowledge?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. What knowledge?

Mr. JOHNSON. The officials told me that.

Mr. PIERRELEE. Who told you that Benny Morrison owned any interest in the business?

Mr. JOHNSON. Sero told me that he owned an interest in the joint. Whether Sero referred to the building or equipment, or both, I don't know.

Mr. PIERRELEE. What did you understand when you made this report?

Mr. JOHNSON. That he owned an interest in the joint.

Mr. PIERRELEE. What did you understand by the joint; was that the building or the equipment?

Mr. JOHNSON. The building and the equipment together make up the joint. Technically, what interest he had in the building or joint I didn't know.

Mr. PIERRELEE. What did you intend the department should understand?

Mr. JOHNSON. That he had an interest in a building that wasn't a good place.

Mr. DILLON. In the business or in the equipment or building?

Mr. JOHNSON. I don't know. A man who owns a disreputable place is generally responsible with the man who owns the equipment of the place—that is, morally responsible.

Mr. PIERRELEE. Further, you state, "To-day Benny Morrison opened the same joint in person without the billiards." Is that the fact? Did he open the same joint or same place until you commanded him to open it?

Mr. JOHNSON. I did not command him to open it.

Mr. PIERRELEE. Well, through your special man, Brents?

Mr. JOHNSON. I sent for the keys, and he had the keys and came there and opened it.

Mr. PIERRELEE. Then it was at your command?

Mr. JOHNSON. At my request.

Mr. PIERRELEE. At your request, if you will have it that way?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Further, you say, "In searching the place to-day I found three 10-gallon kegs of cider, gambling tables and chairs in private rooms, and five gross of poker chips." Is that right?

Mr. JOHNSON. Yes; I think so.

Mr. PIERRELEE. Now, speaking about these poker chips. In what condition did you find them?

Mr. JOHNSON. They hadn't been opened yet.

Mr. PIERRELEE. They were in what may be called the original package?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. It didn't look as if they had been used there for gambling if they were in the original package?

Mr. JOHNSON. No; but my information was that they were getting ready to open up that night.

Mr. PIERRELEE. Where did you get your information?

Mr. JOHNSON. On the streets.

Mr. PIERRELEE. From whom?

Mr. JOHNSON. I can't tell you.

Mr. PIERRELEE. You were only here a couple of hours or so. Can you tell us where you got this information upon which you based the report to the department?

Mr. JOHNSON. Quite a number of people on the streets. Some one made the remark, "Benny Morrison is opening that gambling place again." Then somebody else corroborated it; I can't tell who it was.

Mr. PIERRELEE. You can't tell something about it?

Mr. JOHNSON. Yes; I can tell something about it.

Mr. PIERRELEE. Will you tell us?

Mr. JOHNSON. All right. I said, "I will go over and see what is going on there." I started over, and it was locked. Then I asked Mr. Sero if he knew where Benny was, and he went across to the store and got the keys, and then I went around the back way and Morrison came and opened the place.

Mr. PIERRELEE. And so the only person you can give us who gave you any information is Mr. Sero?

Mr. JOHNSON. He found the keys.

Mr. PIERRELEE. You found some poker chips in the original package?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. What else did you find?

Mr. JOHNSON. Some tables.

Mr. PIERRELEE. You found an old table, did you not, that was left there?

Mr. JOHNSON. I don't know how it got there, it was there.

Mr. PIERRELEE. You don't know whether Benny Morrison had anything to do with that, do you?

Mr. JOHNSON. He had the keys to the building.

Mr. PIERRELEE. Because he had the keys to the building and this was found in the rear room you stated it was there for gambling purposes.

Mr. JOHNSON. That was the appearance.

Mr. PIERRELEE. Why didn't you report that to the department that way?

Mr. JOHNSON. What?

Mr. PIERRELEE. That it was the appearance.

Mr. JOHNSON. I think I reported it just as it was.

Mr. PIERRELEE. Did you find any cards?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Why didn't you report that?

Mr. JOHNSON. I forgot and left that out.

Mr. PIERRELEE. How many cards did you find?

Mr. JOHNSON. Two or three packages, as I recollect it.

Mr. PIERRELEE. Are you sure about that?

Mr. JOHNSON. I am sure I found some cards. I am not sure about the packs.

Mr. PIERRELEE. Do you recall testifying in the municipal court in the trial of the State of Wisconsin against Brents?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Were you asked to testify as to what was found?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Did you give any testimony at that time relative to any cards?

Mr. JOHNSON. I don't think I did.

Mr. PIERRELEE. Your recollection, I presume, was at that time as fresh as it is now regarding what you found?

Mr. JOHNSON. I expect so.

Mr. PIERRELEE. I expect so, too. Did you consider that a violation of any federal law?

Mr. JOHNSON. I know of no federal law against gambling on an Indian reservation.

Mr. PIERRELEE. Do you consider that Benny Morrison was at that time violating any federal law relative to intoxicating liquors?

Mr. JOHNSON. The cider appeared to be strong, but I didn't have it analyzed, so I can not testify as to that. I did not recommend his removal on the cider proposition. I did recommend his removal on the gambling-house proposition and his criminal record.

Mr. PIERRELEE. Although there were no ordinance or law of any kind—federal law—that he had violated?

Mr. JOHNSON. I may say this: That the department has advised me from time to time that where gambling is carried on on an Indian reservation to take steps under this act to throw them off; not because it is an offense against the law to gamble or run a gambling house on a reservation, but because a gambler on a reservation is an undesirable citizen, and he ought to be eliminated from the situation.

Mr. PIERRELEE. Who was the gambler?

Mr. JOHNSON. Where?

Mr. PIERRELEE. In this case that you eliminated on account of being an undesirable citizen.

Mr. JOHNSON. It looks very much as though it was Benny Morrison.

Mr. PIERRELEE. I asked you who it was.

Mr. JOHNSON. Benny Morrison was.

Mr. PIERRELEE. You charged him with being a gambler?

Mr. JOHNSON. I don't think I did.

Mr. PIERRELEE. Do you now?

Mr. JOHNSON. I say now he has the reputation of being a gambler.

Mr. PIERRELEE. Where did you gain that knowledge?

Mr. JOHNSON. From the officials here; from the United States marshals, and from the United States attorney's office.

Mr. PIERRELEE. Who of these ever told you that Benny Morrison was a gambler?

Mr. JOHNSON. Mr. Appleby, deputy marshal; Mr. Booth; Mr. Morgan. Those are among the people who told me.

Mr. PIERRELEE. These people all reside at Madison, some several hundred miles away from here?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You got his general reputation as a gambler from people in that way, who did not know the man in person?

Mr. JOHNSON. They did know him in person. This deputy marshal told me that for years at nearly every term of court they had criminal business with these people. The United States attorney's office told me the same thing. In that way they came in contact with and prosecuted them before the federal grand jury, and in arresting them.

Mr. PIERRELEE. Did they ever tell you that they had investigated Benny Morrison for gambling?

Mr. JOHNSON. Not that I recall.

Mr. PIERRELEE. Then you didn't get your information from them?

Mr. JOHNSON. Yes. The reason they have not investigated Benny Morrison for gambling is that there is no statute against gambling in the federal court. The federal courts have no jurisdiction over gambling.

Mr. PIERRELEE. Then how did they know that?

Mr. JOHNSON. In an investigation before a grand jury regarding this class of people there are a whole lot of related things that crop out. I suppose that is where Mr. Morgan and these people got their information.

Mr. PIERRELEE. Further you state in your report: "He is a chronic whisky peddler and joint keeper of years' standing and persists in his course in the face of repeated warning, indictments, and arrests." When did he peddle any whisky?

Mr. JOHNSON. There are several indictments.

Mr. PIERRELEE. I asked you when?

Mr. JOHNSON. I haven't the dates with me.

Mr. PIERRELEE. Can you furnish this committee with the dates when he peddled any whisky?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Will you do so?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You further state that: "To-day Morrison assaulted Special Officer Brents while the latter was in the performance of his duty." Is that a fact or false?

Mr. JOHNSON. That is a fact, as I understand it.

Mr. PIERRELEE. Where did you get those facts?

Mr. JOHNSON. From the Indian policemen and from Brents and Sero and two or three Indian policemen.

Mr. PIERRELEE. Whoever told you that; specify some one.

Mr. JOHNSON. I think that John Blackbird told me that.

Mr. PIERRELEE. Who else?

Mr. JOHNSON. As I recollect, Edgar Haskins.

Mr. PIERRELEE. Who else?

Mr. JOHNSON. One or two others. They testified at the trial of that case.

Mr. PIERRELEE. Did any person at the trial of that case—State of Wisconsin against Brents—testify that Benny Morrison assaulted Brents?

Mr. JOHNSON. I don't know whether they used those terms or not. They testified that he struck at him. In my judgment there was nothing about that whole affair that constituted a very serious assault.

Mr. PIERRELEE. Did any person testify that any person assaulted Brents?

Mr. JOHNSON. I don't know that they used that language, but they told the same thing in other words.

Mr. PIERRELEE. If you didn't think that any of those persons actually assaulted him, or that that affair was of any importance, why did you include it in this telegram to the department, upon which you asked for Benny Morrison's removal?

Mr. JOHNSON. I told you that I didn't think anything happened that would constitute a very serious assault, but there was an assault committed, as I understood it at that time, and as I understand it now.

Mr. PIERRELEE. Why did you put it in the telegram then?

Mr. JOHNSON. Because I believed it was true.

Mr. PIERRELEE. You knew, as a matter of fact, did you not, that Mr. Brents assaulted Mr. Morrison?

Mr. JOHNSON. I didn't understand it that way.

Mr. PIERRELEE. You heard the testimony of the witnesses in the trial of that case?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You heard Mr. Brents admit, did you not, that he struck at Mr. Morrison with his gun?

Mr. JOHNSON. Yes; after Morrison jumped onto him.

Mr. PIERRELEE. Did he say Morrison jumped upon him?

Mr. JOHNSON. He said Morrison attacked him.

Mr. PIERRELEE. He said Morrison called them a drunken bunch?

Mr. JOHNSON. Drunken bunch, I believe.

Mr. PIERRELEE. Then he struck at Morrison?

Mr. JOHNSON. No; Morrison made a lunge at him.

Mr. PIERRELEE. Did he claim that he struck him?

Mr. JOHNSON. No; he didn't hit. As I understand, neither one landed any place. Morrison struck first.

Mr. PIERRELEE. Do you know Mr. Brents was convicted of that matter in the municipal court of Ashland County?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. And appealed the case to the circuit court of Ashland County?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Do you know that since that time he has paid his fine and costs and asked to have the appeal dismissed?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. As a fact, then, according to the records as they stand, is that Brents assaulted Morrison instead of Morrison assaulting Brents.

Mr. JOHNSON. There is nothing in the record that shows that Morrison did not assault Brents also. Morrison was prosecuted, but Brents was. You can explain why that was, I presume.

Mr. PIERRELEE. Yes, I can; because there was nothing in the complaint made against Morrison. There was nothing in the testimony to warrant it.

Mr. JOHNSON. That is true; no complaint was made against Morrison.

Mr. PIERRELEE. And it is also true that there was never any testimony to warrant it. You further state that, "Morrison is now swearing out a warrant in court for Brents, charging him with carrying a revolver." Where did you get that information?

Mr. JOHNSON. From Morrison himself. He met me on the street and asked me what Brent's name was. I told him; I gave him the initials. He said he was going to make Brents some trouble; that was the basis for that.

Mr. PIERRELEE. Upon this information you asked special authority to remove Benny Morrison, under section 2149?

Mr. JOHNSON. On the whole information.

Mr. PIERRELEE. You were in a hurry for that?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Why were you particularly anxious to get that by telegram instead of by correspondence?

Mr. JOHNSON. I asked for an order by telegram for the simple reason that I didn't want to spend two or three weeks waiting around, corresponding back and forth. I wished the order immediately, so I could execute it and go on about my business.

Mr. PIERRELEE. On the following day did you send the following telegram to the Commissioner of Indian Affairs, Washington, D. C., dated Ashland, Wis.: "Brents arrested. Charge assault and battery account Odanah affair. Gave bond. Case set for Monday, January 8. Prosecuting attorney same lawyer who has always represented Odanah boot leggers in numerous suits against assistant farmer and other government officers who opposed boot legging. Request that United States attorney be instructed to appear for Brents. Letter follows. Johnson, Chief Special Officer." Did you send that telegram?

Mr. JOHNSON. I think there are one or two little mix ups in translation. I sent the telegram.

Mr. PIERRELEE. Where did you get your information upon which you based that telegram?

Mr. JOHNSON. Common talk around town.

Mr. PIERRELEE. From whom?

Mr. JOHNSON. What part of the information?

Mr. PIERRELEE. Well, that part referring to the prosecuting attorney as a bootlegger.

Mr. JOHNSON. I didn't write in the telegram that the prosecuting attorney was a bootlegger.

Mr. PIERRELEE. I thought you did. "Who has always represented Odanah bootleggers in numberous suits against Assistant Farmer and other government officers who opposed bootlegging." Where did you get that?

Mr. JOHNSON. I got that from Mr. Sero and Mr. Morgan and some from Mr. Wheeler.

Mr. PIERRELEE. Mr. Morgan and Mr. Wheeler weren't there, were they?

Mr. JOHNSON. No; but I talked with them.

Mr. PIERRELEE. Did they tell you that the prosecuting attorney was attorney for the bootleggers?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Didn't you get that information from anybody else?

Mr. JOHNSON. Yes; I got it from several.

Mr. PIERRELEE. What do you mean by "prosecuting attorney, same lawyer who has always represented Odanah bootleggers in numerous suits against Assistant Farmer and other government officers who opposed bootlegging?"

Mr. JOHNSON. Attorney for this bunch here in various proceedings.

Mr. PIERRELEE. "This bunch" is not much more definite than "bootleggers."

Mr. JOHNSON. Well, you are attorney in this divorce matter that has come up for Mrs. Sero, aren't you?

Mr. PIERRELEE. For Mrs. Sero, you mean?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Do you consider her one of the bootleggers?

Mr. JOHNSON. No; Mrs. Sero is not a bootlegger.

Mr. PIERRELEE. That is the only divorce that there was at that time?

Mr. JOHNSON. I have started out to specify——

Mr. PIERRELEE. And after you specified the first one—a divorce case—I called your attention to the basis of the action.

Mr. JOHNSON. That was one of the proceedings against Sero.

Mr. PIERRELEE. In which I was attorney?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. And it was not a bootlegger case, then?

Mr. JOHNSON. No.

Mr. PIERRELEE. Go on and specify some of the bootleggers.

Mr. JOHNSON. I don't think I can give you a list of the cases. I just referred to your general reputation there. Mr. Campbell advised me that you usually represented those interests.

Mr. PIERRELEE. Which interests?

Mr. JOHNSON. The whisky interests; and that in various conversations around the saloons I have heard you frequently referred to as the saloon men's man.

Mr. PIERRELEE. You know that I never represented one of those cases in any of the whisky interests, and I would like to have you tell me of any person that ever told you I represented any of those.

Mr. JOHNSON. I was advised that you were the attorney for the Glass brewery.

Mr. PIERRELEE. I am. Is that one of the bootleggers?

Mr. JOHNSON. They own a whole lot of shops that sell to the Indians. I had some conversation with the law-and-order people here along about that time, in which——

Mr. DILLON. You mean in Ashland, or here?

Mr. JOHNSON. At Ashland—in which they said I would not get any help from you as to prosecuting any whisky man; that you were one of that bunch, and so on, etc.

Mr. PIERRELEE. Who was it gave you that information? Mr. Edwards?

Mr. JOHNSON. There was a little meeting of preachers here in town.

Mr. PIERRELEE. At Ashland, you mean?

Mr. JOHNSON. Yes, at Ashland; held in Mr. Edwards' office. I don't recall their names, but I could get them. There was six or seven of them advised me that you were that kind of a man and that I would get no help from you whatever in prosecuting men who sold whisky to the Indians.

Mr. DILLON. You mean in prosecuting the saloon keepers at Ashland?

Mr. JOHNSON. No; in Odanah and outside of Ashland, in Ashland County.

Mr. PIERRELEE. What law would he violate?

Mr. JOHNSON. The state law.

Mr. PIERRELEE. If he sold whisky to the Indians?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Is there any such state law that is a valid law?

Mr. JOHNSON. I know of prosecutions that have been conducted under it.

Mr. PIERRELEE. In Wisconsin?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Recently?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. And convictions obtained?

Mr. JOHNSON. Yes, sir; one or two convictions reported to me near Shawano.

Mr. PIERRELEE. For selling liquor to the Indians under the Wisconsin law?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Have not our courts held that that statute is not applicable?

Mr. JOHNSON. Applicable to what?

Mr. PIERRELEE. To selling liquor to Indians.

Mr. JOHNSON. I would like to know where your court made any such ruling as that.

Mr. PIERRELEE. What you state is what some of the preachers, without making a complaint to ascertain for themselves whether they could get anyone prosecuted or not, have told you.

Mr. JOHNSON. The statement of the preachers and the statement of other people around town as to your general character would be sufficient to put me on my guard. I thought it was not worth while.

Mr. PIERRELEE. What other people around town?

Mr. JOHNSON. I couldn't give you any names. I could give you the names of the preachers, I think. Certainly one or two of them, I think; I asked their names. I don't remember their names. Several of them met me down there in Mr. Edwards's office.

Mr. PIERRELEE. Relative to this 40 gallons of wine. Indictment was subsequently returned against William Denomie and not against Morrison for that same offense, was it not?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Morgan having indorsed the idea that Benny Morrison should be convicted, did he?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. Who did?

Mr. JOHNSON. Yes. I thought you said he refused to indorse the idea for any of them. He refused to mention the names specifically at that time. He thought I had better get that information and select the names up at Ashland. All he referred to was "The whole Morrison bunch."

Mr. PIERRELEE. What was it, then, that induced you to make this report about Benny Morrison after Farmer Miles, who was in charge of the reservation here, had refused to do it?

Mr. JOHNSON. The fact that he was opening up a gambling place.

Mr. PIERRELEE. Don't you know that he had purchased that building with the consent and approval of the Indian agent, and with the knowledge and approval of the Indian agent that he was going to put in a confectionery store there?

Mr. JOHNSON. I didn't know that. He may have made such a representation. I heard they were going to open up a gambling house that night, and I went in there and found the goods, found the stuff.

Mr. PIERRELEE. Why didn't you wait until he had opened it up?

Mr. JOHNSON. I didn't think it was necessary.

Mr. PIERRELEE. And it was simply the gambling item, then, that changed your mind?

Mr. JOHNSON. That and the abuse of Sero and the assaulting of Brents had something to do with it.

Mr. PIERRELEE. What abuse of Sero?

Mr. JOHNSON. I was informed by the police that he used cuss words to Sero all the way across the street.

Mr. PIERRELEE. Called him a drunken bunch?

Mr. JOHNSON. Yes; and other names.

Mr. PIERRELEE. Haven't you ascertained that these circumstances were warranted by the facts in the case?

Mr. JOHNSON. No, sir; I have not.

Mr. PIERRELEE. Haven't you ascertained that both Mr. Brents and Mr. Sero participated in a drunken debauch at a road house near Ashland and which they admitted as much on the witness stand, that they had bought wine and champagne and whisky?

Mr. JOHNSON. You are referring to Brents and Sero being drunk that day. That is not true; they weren't drunk. I was with them all day long and they were not only not drunk, but they showed no evidences of having been drunk. Whether they had been or not I don't know, but I do know they had not been drunk enough to show any evidences of it. Any statement that they were drunk is grossly untrue.

Mr. PIERRELEE. Don't you know that they admitted on the witness stand in another case that they had wine and champagne and whisky?

Mr. JOHNSON. No. As I understand, there was no admission of anything except wine.

Mr. PIERRELEE. Your understanding is wrong.

The CHAIRMAN. Who is Brents; is he in the service?

Mr. JOHNSON. A special officer.

The CHAIRMAN. In the service?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. Regularly?

Mr. JOHNSON. Yes, sir.

Senator LA FOLLETTE. And is he still in the service?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. He was the man who had the trouble with Benny Morrison?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Don't you know, Mr. Johnson, that both of these gentlemen, Mr. Brents and Mr. Sero, also admitted that when they had this wine and champagne going to the road house and at the road house that they gave it to these two Indian women who were with them?

Mr. JOHNSON. I don't remember their making any admission as to champagne. I recollect that Sero testified to having a bottle of wine and they all took a drink out of it.

Mr. PIERRELEE. To these two Indian ladies?

Mr. JOHNSON. Yes; to the two Indian women.

The CHAIRMAN. Where is this road house you speak of—on the reservation?

Mr. PIERRELEE. No; that is outside of Ashland, about 2 miles from Ashland. [Addressing the witness.] You realized and knew, did you not, Mr. Johnson, that there was a considerable feeling between Mr. Sero and the Morrison family?

Mr. JOHNSON. Yes; I think I understood it. At the time that this thing came up I didn't fully realize it, but since then I understand there is a good deal of feeling between them.

Mr. PIERRELEE. Mr. Sero showed considerable feeling in furnishing you with this evidence.

Mr. JOHNSON. He didn't show any feeling at all when he furnished the evidence. He didn't appear to be angry or anything of the sort, but I understand since then, from information that has come to me, that there is trouble and plenty of it.

Mr. PIERRELEE. What relationship exists between Sero and the Morrison family—to Benny Morrison?

Mr. JOHNSON. I understand that Benny is his brother-in-law.

Mr. PIERRELEE. He married Benny Morrison's sister?

Mr. JOHNSON. So I understand.

Mr. PIERRELEE. That is the divorce action that is pending between the parties?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. In which I was at one time attorney?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. And quit?

(No response.)

Mr. PIERRELEE. What part, if any, did you take in removing Mr. Murray from the reservation?

Mr. JOHNSON. Mr. Murray was one of the four whose removal I recommended.

Mr. PIERRELEE. Based upon what information?

Mr. JOHNSON. The information that is given there.

Mr. PIERRELEE. Simply upon the records as reported to you by some one else?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. You knew nothing yourself?

Mr. JOHNSON. I had no personal knowledge.

Mr. PIERRELEE. You found nothing yourself against Mr. Murray?

Mr. JOHNSON. Except the record.

Mr. PIERRELEE. Except the record?

Mr. JOHNSON. That is all.

Mr. PIERRELEE. Did you ever have a talk with Mr. Murray about this matter later?

Mr. JOHNSON. Yes; he stopped me on the street at Ashland.

Mr. PIERRELEE. I didn't ask you what it was. I simply asked you if you had a talk with him?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. In your letter to the department did you write the following words: "During something like eight years a young mixed-blood Chippewa, Norbert Sero, has been employed at Odanah in various capacities, at present holding the position of assistant government farmer. The government farmer of Odanah, Mr. John F. Miles, is a most estimable gentleman, apparently an efficient officer; but he is somewhat advanced in years, and the brunt of the war upon these whisky peddlers has fallen upon the shoulders of Mr. Sero. Sero is waging incessant warfare against these grafters and whisky peddlers. The officers in the United States marshal's office here, who have had much to do with Mr. Sero, as well as the United States attorney and his assistants, who have investigated him time and again, the leaders of the temperance and reform forces at Ashland, speak of Mr. Sero in the very highest terms. He seems to have the unlimited confidence not only of Mr. Campbell and other government officers in Wisconsin, but of everybody in that vicinity. He has suffered all kinds of things on account of his warfare against the bootleggers. He was once shot at by them at Ashland, and on another occasion he was beaten into insensibility and left for dead on the railroad track near Odanah. By their wicked machinations the bootleggers have succeeded in breaking up his family. He is considered to be constantly in danger of his life. The bootleggers hurl epithets upon him on the street and pour out upon him every form of insult that can possibly be devised. In my work in this service I have met with nearly every form of rascality known to the infernal regions, but I have never seen wickedness in such a venomous form as it appears in a little coterie of gamblers and grafters on this Bad River Reservation." Did you make that report?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. And where did you get your knowledge upon which you made that?

Mr. JOHNSON. The bulk of that came from Mr. Morgan. I got some of that from Special Agent Allen. I got a good deal of that from Mr. Wheeler, United States Attorney Wheeler, and the United States marshal's office.

Mr. PIERRELEE. Did you ever see a letter of criticism written to Mr. Sero relative to his indulging in intoxicating liquor, and that he must cut it out?

Mr. JOHNSON. No.

Mr. PIERRELEE. Don't you know, as a matter of fact, Mr. Sero is a friend of a good many saloon keepers, and that he goes in and drinks whenever he wants it himself?

Mr. JOHNSON. I know he is not a friend of the saloon keepers. He is not that kind of man.

Mr. PIERRELEE. Now, you state that "He seems to have the unlimited confidence not only of Mr. Campbell and other government

officers in Wisconsin, but of everybody in that vicinity." Where did you get that information?

Mr. JOHNSON. Well, Mr. Edwards told me as to his standing, and one or two clergymen told me as to his standing and his trouble with the liquor men.

Mr. PIERRELEE. Did they tell you that he had the confidence of every government officer in Wisconsin and everybody in the vicinity?

Mr. JOHNSON. They didn't tell me that.

Mr. PIERRELEE. Who told you that?

Mr. JOHNSON. Well, United States Attorney Wheeler used almost those words. Mr. Morgan and the marshal's office down at Madison.

Mr. PIERRELEE. And they told you——

Mr. JOHNSON (continuing). I talked with Special Agent Allen, and he has told me a lot of stories about lots of trouble up here.

Mr. PIERRELEE. And they are all people who live several hundred miles from here?

Mr. JOHNSON. I told you that I got some of the information right from here. I did not canvass the town after you. Mr. Sero told me and the inspectors who had investigated the cases about him. My talk with the United States attorney and the assistant United States attorney and the chief deputy marshal and these people, which gave me that idea as to his standing.

Mr. PIERRELEE. Further on in this letter and speaking of the trial of the charge against Brents, you state: "In this connection it should be noted that the prosecuting attorney, Victor L. Pierrelee, is and has been for years the attorney for various liquor interests, and has been the attorney in most of the cases brought by these reservation bootleggers and gamblers to annoy government officers. Pierrelee was elected on the wet ticket and he has the reputation of not being at all scrupulous as to his methods. This explains the facility with which a multitude of annoying suits and criminal proceedings have been launched at Ashland against government officers who have attempted to break up the peddling of whisky to Indians. It seemed to me that prompt and decisive action was necessary. Accordingly on January 29 I sent to the office the following telegram." Where did you get that information?

Mr. JOHNSON. Around the streets.

Mr. PIERRELEE. Did you ever hear of any wet ticket in Ashland County?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Who told you that?

Mr. JOHNSON. Mr. Edwards told me that. That you were elected by that class of people.

Mr. PIERRELEE. Did you know Mr. Edwards voted for me?

Mr. JOHNSON. I did not know that.

Mr. PIERRELEE. Don't you know he testified to that in the circuit court?

Mr. JOHNSON. I do not. He may have voted for you because the other fellow was the worst one.

Mr. PIERRELEE. Who told you that I was not at all scrupulous about my methods?

Mr. JOHNSON. I think Mr. Edwards, the clergyman, and I think Mr. Campbell said something about that.

Mr. PIERRELEE. Mr. Campbell?

Mr. JOHNSON. Yes.

Mr. PIERRELEE. What did he tell you?

Mr. JOHNSON. I think he said something about that.

Mr. PIERRELEE. What is that?

Mr. JOHNSON. And some of your curves in these matters would indicate——

Mr. PIERRELEE (interrupting). What curves in these matters indicated to you that I am unscrupulous in my methods?

Mr. JOHNSON. Well, I believe that it was Mr. Morgan, and I think that Special Agent Allen or several of them told me a story about some years ago, three or four years ago, that some one went down to a road house near this town and raised a rough house, stating that his name was Sero; that afterwards this coterie of individuals went to the road-house man and got an affidavit to the effect that Sero was drunk and raising a rough house there a certain night; that the affidavit was made, I believe, in your office, and that complaint was made to Washington about Sero's conduct in the affair. I am informed that Mr. Doherty actually signed the complaint, but that the affidavits were made in your office that Sero was drunk down there at the road house a certain night. Allen investigated the matter and confronted the road-house man with Sero—first he went to the road-house man and showed him the affidavit and asked him if he made it. He said "yes," and then he confronted the road-house man with Sero and the road-house man said it was not him at all; it was another man. It was the belief of the department that you worked up that job.

Mr. PIERRELEE. What is that?

Mr. JOHNSON. It was the belief down at Washington that you inspired that job.

Mr. PIERRELEE. Is their belief based on your report?

Mr. JOHNSON. No. You asked me for some details as to why I regarded you as not an ideal man. I mentioned this affair as one of those circumstances on which I based my suspicions.

Mr. PIERRELEE. Simply because the affidavit was made in my office?

Mr. JOHNSON. Yes; and your clients apparently made the complaint.

Mr. PIERRELEE. Did I represent any clients at that time, to your knowledge?

Mr. JOHNSON. I don't know whether you represented them—it was your bunch.

Mr. PIERRELEE. The bootleggers?

Mr. JOHNSON. Yes, sir.

Mr. PIERRELEE. Because they happened to come to my office to make an affidavit upon which they were making charges at Washington against some federal official; that constitutes an unscrupulous man. Is that right?

Mr. JOHNSON. That is only one of the things on which I based that impression. I do not charge you with being an unscrupulous man, but I do not think you are particularly scrupulous.

Mr. PIERRELEE. You do and you don't.

Mr. JOHNSON. I say I don't charge you with being unscrupulous, but I have my opinion about you, that is all.

Mr. PIERRELEE. That is because I happened to be the prosecuting attorney who was instrumental in the conviction of your inferior officer, Mr. Brents?

Mr. JOHNSON. No.

Mr. PIERRELEE. You had never known me before that, had you?

Mr. JOHNSON. No, sir.

The CHAIRMAN. Your attention was called to a conversation you had with Murray subsequently. You may state what that was.

Mr. JOHNSON. Mr. Murray accosted me on the streets at Ashland and asked me in connection with some grape juice that I seized at his place. I did not destroy it, because it was another brand of grape juice; still it had a raw color, so I locked it up and sent a sample to Professor Koelker for analysis. Murray asked me about that grape juice. I, in the meantime, had received a report from Professor Koelker, and the report was to the effect that it was not intoxicating; at the same time it was mixed-up stuff with aniline dye. I advised Murray not to sell any more, but to ship it back. I returned to him the grape juice I had seized and he returned it to the people he got it from.

Mr. PIERRELEE. To put you in the proper light, if you had made a report to the department relative to Benny Morrison, charging him with having seized and destroyed 40 gallons of wine in his place, you corrected that, did you not?

Mr. JOHNSON. I think so.

Mr. PIERRELEE. By informing the department of that.

Mr. JOHNSON. Yes; that is my recollection, that I corrected that. The wine wasn't found in Benny's place, but was found in the place which he formerly owned.

Mr. PIERRELEE. That was corrected, however, after the removal of Benny Morrison?

Mr. JOHNSON. Yes, sir. I didn't, however, regard it as a sufficient reason to recommend his reinstatement.

Mr. PIERRELEE. Do you now know of anything that you would hold against Benny Morrison?

Mr. JOHNSON. I hold nothing against Benny Morrison. I would be glad at this time if Benny Morrison would put himself in a position where he would convince me that he was going to behave himself, and I would be glad, at this time, to sign a request for his reinstatement; and I have been in that frame of mind ever since I sent the recommendation asking for his removal.

Mr. PIERRELEE. Is the same true of Mr. Murray?

Mr. JOHNSON. The same is true of all of them. If they were to put themselves in a position and convince me that they intended to behave themselves I would be glad to sign a request just as I did in the case of George Parker, and recommend that they be reinstated. I have been in that frame of mind every hour since I made the original recommendation. As a matter of fact, Bascombe Johnson, when he was out here, drew up such a paper and asked them to sign it, and they refused to sign it.

Mr. DILLON. If they had not made this fight to get back, but had simply satisfied you of that, you would have made that request before this time?

Mr. JOHNSON. Certainly; just as George Parker did. George Parker kept his counsel and didn't stir the matter up at all, and

by and by, when Bascombe Johnson came out here to investigate the matter, he signed the statement that he wanted to quit and behave himself and obey the law, and Agent Campbell recommended that that be done, and I indorsed that recommendation.

Mr. DILLON. If these men were such disturbers that you considered it necessary to remove them, why would you immediately afterwards, on their mere promise, if they put it in writing, be willing to have them reinstated again?

Mr. JOHNSON. They would have to satisfy me as George Parker did. When he was served with the notice to quit, he quit and left the reservation.

Mr. DILLON. So did Benny Morrison and the rest of them, except Doherty, who came back a couple of times.

Mr. JOHNSON. Doherty came back a couple of times and Benny Morrison refused to go. We had to take him off. George Parker went off and minded his own business.

Mr. DILLON. It is your opinion, then, that it would have the effect of making them behave themselves, even if they were put back here?

Mr. JOHNSON. Yes. I had no intention of excluding them from the reservation for the course of their natural lives.

Mr. DILLON. You didn't consider them such inherent bad men that it was necessary to keep them off for all time?

Mr. JOHNSON. No.

Mr. DILLON. In these investigations, made through the department, is it customary for you to rely absolutely upon the reports of your subordinate officers?

Mr. JOHNSON. No. Sometimes I do.

Mr. DILLON. You don't have time to investigate them fully yourself?

Mr. JOHNSON. No, I do not; because I have to cover the whole United States. I have men in California and men in New York. I have to lean heavily upon the reports of my special officers.

Mr. DILLON. You are inclined to give them the benefit of the doubt in regard to the truth of the stories, aren't you?

Mr. JOHNSON. Yes; because they are all men in whom I have great confidence.

Mr. DILLON. Or you would not have them?

Mr. JOHNSON. Yes.

Mr. DILLON. You testified, in reply to Mr. Pierrelee's question, you knew there was a very intense feeling between the Morrisons and Sero.

Mr. JOHNSON. Yes.

Mr. DILLON. Did you discover that afterwards?

Mr. JOHNSON. I knew something about it before, but I didn't appreciate the fact it was so strong.

Mr. DILLON. Two of these men that you put off were brothers-in-law of Sero?

Mr. JOHNSON. Yes.

Mr. DILLON. You have relied a great deal in making these recommendations upon the recorded evidence Mr. Sero has told you of—what he has shown you?

Mr. JOHNSON. Not wholly. I believe him to be a man of truth.

Mr. DILLON. You have the greatest of confidence in Mr. Sero, haven't you?

Mr. JOHNSON. Yes.

Mr. DILLON. And in his trouble you have given him what support you could, even outside of his Indian business, haven't you?

Mr. JOHNSON. In what way?

Mr. DILLON. In the trial of the case in Ashland you lent him all the support you could?

Mr. JOHNSON. I have supported him to this extent—that is, to insist that he have a square and fair deal.

Mr. DILLON. Well, the presumption is that the court and jury would give him a fair and square deal without any interference from the department——

Mr. JOHNSON. The case is not finished.

Mr. DILLON. The trial was on at the time you took part in it?

Mr. JOHNSON. I was here at the time and I was called as a witness.

Mr. DILLON. Is that the part you took in it?

Mr. JOHNSON. I have had correspondence about it from time to time.

Mr. DILLON. You assisted him in getting evidence to prove his innocence, didn't you?

Mr. JOHNSON. Yes, sir.

Mr. DILLON. You interviewed a prostitute at Minneapolis and sent her statements to Mr. Sero, didn't you?

Mr. JOHNSON. I don't know whether she is a prostitute.

Mr. DILLON. You know she was an inmate of this so-called "road house?"

Mr. JOHNSON. Yes.

Mr. DILLON. You sent him the statement that she made?

Mr. JOHNSON. As a matter of fact——

Mr. DILLON. I just want to know.

The CHAIRMAN. Answer the question and also state the facts. What we want here are the facts.

Mr. DILLON. Did you go to Minneapolis for that purpose?

Mr. JOHNSON. No.

Mr. DILLON. Did you stop off for that purpose?

Mr. JOHNSON. Yes.

Mr. DILLON. Will you tell me why you considered it necessary, as United States government agent, to aid him in obtaining favorable testimony in his adultery case?

Mr. JOHNSON. Simply this: After that preliminary hearing I went out to make some inquiries for my own information, to satisfy myself independently of what anybody told me, as to whether these charges were true or untrue.

Mr. DILLON. Was that investigation made for the purpose of giving the information to him or for satisfying yourself?

Mr. JOHNSON. Satisfying myself.

Mr. DILLON. Go ahead.

Mr. JOHNSON. I satisfied myself, and then I gave the information to Mr. Sero when I obtained it; to Mr. Sero or Mr. Sero's attorneys. I didn't go out after the information for the purpose of vindicating Sero or anybody else, but I did go out and make an independent investigation, and I satisfied myself that so far as the adultery charge was concerned it was a put-up job, and I am more than satisfied of that now.

Mr. DILLON. You first got your impression of that case from Mr. Sero himself, didn't you; that it was a put-up job on him?

Mr. JOHNSON. No; I got no impression at all. As a matter of fact, I read the riot act to the boys for what they had done. They admitted doing certain things and they denied the adultery part of it. I read the riot act to the boys as to what they did do. They made a statement to me about the adultery part. After the preliminary hearing, when the boys were bound over for trial, then I went out independently, for my own information and for the information of the department, to convince myself as to whether they were guilty or innocent.

Mr. DILLON. Where did you go to make this investigation?

Mr. JOHNSON. I saw Colonel Barrett.

Mr. DILLON. And he told you that they were both there with those two women?

Mr. JOHNSON. Yes.

Mr. DILLON. And told you that they went upstairs with those women?

Mr. JOHNSON. Yes; and also told some other things which made an impossible story.

Mr. DILLON. Did you go and look at the arrangement of those rooms?

Mr. JOHNSON. I didn't go there.

Mr. DILLON. You saw him in town?

Mr. JOHNSON. Yes.

Mr. DILLON. You swear now you didn't go into that investigation for the purpose of aiding Sero in the case of the State of Wisconsin against Sero, but you did turn over to him anything you found favorable to him?

Mr. JOHNSON. After I satisfied myself it was a put-up job on Sero and Brents, then I gave them the information that induced that belief.

Mr. DILLON. Did you make your report of this to the department?

Mr. JOHNSON. Yes.

Mr. DILLON. Did you report that Sero and Brents both admitted that they gave wine to the Indian women?

Mr. JOHNSON. The department has a transcript of the testimony secured through Major Campbell.

Mr. DILLON. Did you make any report covering that part of it?

Mr. JOHNSON. I don't remember. I didn't go into the details of the evidence at all.

Mr. DILLON. You say you looked up the matter quite thoroughly?

Mr. JOHNSON. Yes.

Mr. DILLON. You knew how that thing came to be made public in the first place?

Mr. JOHNSON. Yes.

Mr. DILLON. That it was through Sero's wife and John Doherty following them out to that road house?

Mr. JOHNSON. Yes.

Mr. DILLON. And it was from that information that the prosecution was started?

Mr. JOHNSON. Yes; I supposed so.

Mr. DILLON. You figured it out afterwards that instead of going out on their own accord they were jobbed by some of these Indians?

Mr. JOHNSON. I do say that, in my judgment, after an investigation, I was convinced, so far as the adultery was concerned, it was a put-up job.

Mr. DILLON. Now, if you will make this just a little more specific. That is, you believed that they went out there with the women?

Mr. JOHNSON. Yes.

Mr. DILLON. You believe the two men and the two women took a rig and sent the rig back to town and stayed there?

Mr. JOHNSON. They had been out there a short time when John Doherty came.

Mr. DILLON. And they were upstairs at the time?

Mr. JOHNSON. Yes.

Mr. DILLON. This place, which is known as the "road house," is a place of assignation?

Mr. JOHNSON. Everything else was done except the commission of the adultery.

Senator LA FOLLETTE. I don't know what you mean.

Mr. DILLON. Everything that has been testified to here?

Mr. JOHNSON. There was some reference to champagne.

Mr. DILLON. I am speaking now of wine. You say you believe all of that true, but you don't believe in the adultery part. Why don't you?

Mr. JOHNSON. That requires quite a statement. Shall I make it?

The CHAIRMAN. We have got this far; you may as well go on.

Mr. JOHNSON. There was a suit pending for divorce between Sero and his wife. There was the custody of a little child and some ten or twelve thousand dollars, or quite a number of thousand dollars, at stake. Sero had the custody of the property and the custody of the child—I am trying to boil the whole thing into as short a summary as I can—Mrs. Dan Morrison, Mr. Sero believed, had a whole lot of information regarding the improper conduct of his wife. He had been trying for some time to get it connected with her and finally he did, and by some——

Mr. DILLON. I would like to ask a question. That is the story you got from Mr. Sero?

Mr. JOHNSON. No, sir; that is the story I got in my own mind from a whole lot of sources of information. I am not undertaking to tell all the details, but just summarize the case. Sero and Mrs. Dan Morrison made an appointment to go to that road house on a certain night. Sero wanted a witness, because he was wanting to have somebody to corroborate his testimony as to her story. He came up and asked Mr. Brents to go out with him, and Brents refused at first and told Sero to get somebody else; that he didn't want to mix in it. Sero went away and came back after Brents went to bed and insisted that Brents go out with him. Brents did go out with him. Now, they went out there—there is no question about that—the two men and the two women. Mrs. Dan Morrison gave a full statement of the information in her possession that evening. They had a supper out there, and a day or two afterwards she came up to the office of the attorneys for Sero and made an affidavit to these same statements that she repeated to him that night. The testimony was given at the preliminary examination—I wasn't at the trial of the case—that they went and had supper, and after the supper Sero and one of the women went to one room and Brents and

another woman went to another room and remained about an hour. That was the burden of the story.

Mr. DILLON. And the rig they went out in came back again to town?

Mr. JOHNSON. That is merely a matter of detail. They sent the rig back and they walked back.

The CHAIRMAN. Go on and tell why you think nothing occurred.

Mr. JOHNSON. I got hold of Colonel Barrett.

The CHAIRMAN. Who is he?

Mr. DILLON. The man that runs the joint.

Mr. JOHNSON. He told me this story: That on that night there was but four bedrooms upstairs. One of them was a junk room and was locked. The other was occupied by his daughter Minnie and a dog. They occupied the room all night long. The third room was occupied by a woman by the name of May Willis, alone all night, and that the fourth room was his private room, and when he went to bed at 4 o'clock in the morning it had been undisturbed; there were no signs of its having been used. In other words, if the story of these two women as to the performances in those two rooms was true, it was an impossible story, because two of them were occupied, another was locked up, and that only left one. Then Minnie Barrett made exactly the same statement. I hunted for May Willis and found she was in Minneapolis. I was going west at that time, and on my way west I stopped off and asked Mrs. Willis or Miss Willis for her version of the story. She told exactly the same story that the others did. The support of the case rested almost entirely upon Mrs. Dan Morrison and upon Mrs. Goslin, the other woman. Everybody else corroborated.

Mr. DILLON. That is, the three inmates of the house?

Mr. JOHNSON. Corroborated the story of Brents and Sero. If their story was true then the story of Goslin and Mrs. Dan Morrison was an impossible story, because the two rooms were occupied all night and the third room was a junk room and locked up, and the fourth room, the other one of the four rooms, was Colonel Barrett's private room, and he stated that at 4 o'clock in the morning he went up, and it had not been disturbed. There were some other discrepancies, but that was the drift of the story. Now, in connection with this same matter, and which bears out my theory of this case, here is an affidavit from Mrs. Dan Morrison herself.

Mr. DILLON. We have got her here.

Mr. JOHNSON (continuing). In which she swears that the whole story was false.

The CHAIRMAN. How long ago was this visit made to the road house?

Mr. JOHNSON. It was along about the time——

Mr. DILLON. The 28th of January.

The CHAIRMAN. What year?

Mr. DILLON. This year.

Mr. JOHNSON. I have no support to offer, no defense to make for the conduct of these boys in going down there. They went down there for a purpose, it is true, and perhaps it was, in itself, good, but they had no business to subject themselves to any such attack as this by such an expedition as that.

The CHAIRMAN. Was this divorce case pending then?

Mr. DILLON. Yes.

The CHAIRMAN. Had the first trial been had then—I understand it was tried once or twice?

(No response.)

Mr. JOHNSON. I did recommend to the department that both of these officers be censured for that expedition.

The CHAIRMAN. What did you say was their object in going there?

Mr. JOHNSON. Their object was to secure evidence from Mrs. Dan Morrison in that divorce case. They had no business to go there, and I have so reported to the department. I have recommended to the department that they be censured for that act, but I don't believe they did the other thing.

The CHAIRMAN. You have testified to that. Now, is there any further statement?

Mr. JOHNSON. I think of nothing else.

Mr. DILLON. You don't think it was necessary for the purpose of interviewing witnesses to go to an assignation house?

Mr. JOHNSON. No.

Mr. DILLON. You have been around the world considerably, I understand?

Mr. JOHNSON. Yes.

Mr. DILLON. And know that the usual purpose of a trip to an assignation house is not for the purpose of obtaining evidence?

Mr. JOHNSON. That is true. A detective, you understand, has to go to all sorts of places and at all sorts of times, but I don't think that they were justified in going to this place.

Mr. DILLON. Could not he have talked with Mrs. Dan Morrison in the rig, riding out and back?

Mr. JOHNSON. In my judgment, yes. I have nothing to say in justification of the boys making the trip.

Mr. DILLON. In regard to Doherty, what is the removal of Doherty based upon?

Mr. JOHNSON. I would rather refer you to the report.

Mr. DILLON. Made on the record, principally?

Mr. JOHNSON. Yes.

Mr. DILLON. Does the record show many indictments against Doherty?

Mr. JOHNSON. I can't recall the number; it speaks for itself.

Mr. DILLON. Just one, isn't it?

Mr. JOHNSON. He has been indicted a couple of times since then for coming back on the reservation.

Mr. DILLON. I mean prior to that.

Mr. JOHNSON. Yes.

Mr. DILLON. The principal reason why Doherty has been removed is that you considered he was a sort of a disturber of the peace around here?

Mr. JOHNSON. Yes. Mr. Morgan gave it as his opinion that Doherty was the worst of the bunch.

Mr. DILLON. Based upon his agitation of the Indians' rights, contrary to the rules of the department?

Mr. JOHNSON. He didn't say that.

Mr. DILLON. Isn't that what you understand now to be the principal charge against Mr. Doherty?

Mr. JOHNSON. That may be. I know nothing about that. I understand he has been agitating against the enforcement of the law against the introduction of liquor. That is what troubles me.

Mr. DILLON. That is your special business?

Mr. JOHNSON. Yes; chiefly that. Not entirely, but chiefly.

Mr. DILLON. Did anybody inform you that Doherty was introducing liquor on the reservation himself, as a general thing?

Mr. JOHNSON. He has that reputation.

Mr. DILLON. Did you get that from Mr. Miles?

Mr. JOHNSON. My report covers that; I got that from Miles, and I got some information about Doherty from the United States attorney, Mr. Wheeler, and from Mr. Morgan, and from Mr. Appleby, and I can tell you that I relied very heavily upon the information which comes from these official sources.

Mr. DILLON. That is your principal source of information. There seems to be only one indictment against Doherty for introducing liquor, and the other indictments for violating the rules in coming back here. Would you recommend the removal of a man for anything of that kind?

Mr. JOHNSON. I haven't got the record here.

Mr. DILLON. Well, say that there are two indictments for introducing liquor, dating back three or four years. Would you consider that sufficient for the removal of a man from the reservation?

Mr. JOHNSON. If that was all, no.

Mr. DILLON. His agitation is the principal thing against him, isn't it?

Mr. JOHNSON. Stirring up the people against those who are trying to enforce the law.

Mr. DILLON. Do you construe this statute to give the right to the department to remove a man who has a business on an Indian reservation and who is an allotted Indian?

Mr. JOHNSON. Section 2149——

Mr. DILLON. I just asked for your construction.

The CHAIRMAN. He has given it. However, go on and answer the question in your own way.

Mr. JOHNSON. Section 2149 gives the Commissioner of Indian Affairs authority, with the approval of the Secretary of the Interior, to remove anybody from an Indian reservation whose presence there he regards as detrimental to the welfare of the Indians. There are other provisions, but that is the provision upon which this action was based. He regarded the presence of these men, under the existing circumstances, as detrimental to the welfare of the Indians.

Mr. DILLON. Who regarded it?

Mr. JOHNSON. The Secretary of the Interior.

Mr. DILLON. Based upon information you sent him?

Mr. JOHNSON. Yes. He depended upon information from me, of course.

Mr. DILLON. I think that is all.

The CHAIRMAN. That is all for the present.

Mr. JOHNSON. I would like to make one statement. A good deal has been said here regarding the animosity between Norbert Sero and the Morrison family. All that is true, but I don't believe there is a scintilla of feeling against any of these boys on the part of Superintendent Campbell or on the part of Mr. Miles.

Mr. DILLON. I only asked you in reference to that because that source of information came from a man who was prejudiced against these men.

Mr. JOHNSON. Campbell and Miles have always spoken almost as a father would about these Indians, and I have in my pocket a copy of a letter from Mr. Campbell to the Indian Office in which he recommends that any action toward removing anybody be deferred until they saw if they would not behave themselves. You see, the matter was up in the office before I had anything to do with the matter. The department sent me a copy of that letter.

The CHAIRMAN. You may leave that letter with the reporter, to be inserted in the record.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
LA POINTE INDIAN AGENCY,
Ashland, Wis., January 19, 1909.

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

SIR: I have the honor to acknowledge the receipt of a letter from F. M. Conser, chief clerk, dated the 11th instant. "C. C. Cooperation 87367-08, J. E. D., subject: Suppression of gambling on Bad River Reservation, Wis.," which states as follows:

"The office has received your letter of the 24th ultimo, referring to the report of John F. Miles, farmer at the Bad River Reservation, relative to gambling operations on said reservation.

"Referring to gambling and other cases where the state law is violated and the United States district attorney advises you that there is no federal statute applicable to the offense, the matter should be taken up with the proper county officials and by them prosecuted under the state law. You are therefore instructed to take up with the county officials the case reported by Mr. Miles, and if the county officers fail or refuse to prosecute the offenders, to report the matter again to the office, with your recommendation whether Ne.jo-bi nessi and the others mentioned should be removed from the reservation as persons whose presence is detrimental to the peace and welfare of the Indians.

"Before submitting such report, however, it might be well for you to notify said persons to discontinue gambling operations on the reservation and warn them that if they fail to do so you will recommend their removal from the reservation under authority of section 2149 of the Revised Statutes of the United States, by which—

"'The Commissioner of Indian Affairs is authorized and required, with the approval of the Secretary of the Interior, to remove from any tribal reservation any person being therein without authority of law, or whose presence within the limits of the reservation may, in the judgment of the commissioner, be detrimental to the peace and welfare of the Indians, and may employ for the purpose such force as may be necessary to enable the agent to effect the removal of such person.'

"If any of the gamblers are not Indians belonging to the reservation, you are authorized to remove them therefrom, under section 2147 of the Revised Statutes of the United States, which authorizes the superintendent of Indian affairs, Indian agents, and subagents to remove from the Indian country all persons found therein contrary to law. Under this authority it is your duty to remove all objectionable persons coming on the reservation, and if they return you can remove them again. Section 2148 of the Revised Statutes provides that if any person who has been removed from the Indian country shall thereafter, at any time, return or be found therein, he shall be liable to a penalty of $1,000."

I would respectfully state that on the receipt of the above letter I forwarded a copy of it to each of the government farmers on the different reservations of this agency, and, as this is more applicable to the Bad River Reservation, I instructed John F. Miles, the government farmer of said place, to be very particular and to give them another chance. I now quote you his answer to my letter and to yours, a copy of which I inclosed him:

ODANAH, WIS., *January 18, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent, Ashland, Wis.

SIR: I am in receipt of your letter of the 14th instant, inclosing a copy of a letter from the honorable Commissioner, relative to a report I made to you

on December 23, 1908, concerning Ma su we auge Ne jo bu nessi running a gambling room in his place of business on the reservation, and also reporting Charles, Bennie, and George Morrison, James White, jr., and Mike Auge for gambling at his place of business.

The honorable Commissioner gives instructions to have these parties prosecuted by the state authorities for this offense, and if no satisfaction was received in that way to again report the matter to him. You advise us to call these men in and give them another chance if they would promise to discontinue this practice.

I would state that all of these parties are well informed of the law in regard to these matters, and I believe made promises of a similar kind before and have not lived up to it. For instance, you will note that last February George Morrison was at Madison to answer an indictment for selling and introducing liquor on the reservation; that upon his promises to discontinue the practice his case was compromised. He is now among the list of gamblers, and we have another liquor case to report against him for the next grand jury. Bennie and Charles Morrison also made their promises at Madison last February, and I can see no justice in giving these parties any more leniency than any other Indian. I believe they should be reported to the district attorney for Ashland County and see what he will do about it.

Respectfully,

JOHN F. MILES, *Government Farmer.*

P. S.—On complaint of the wife of Sam D. Denomie some of these same parties were tried in the municipal court and acquitted for a similar offense some time last winter; the case appeared clear to me, and it would seem like the height of foolishness to me to appeal to the state courts under the present régime.

J. F. M.

There is no doubt that there are some half a dozen parties on the Bad River Reservation who, if removed, would make it much more pleasant for the farmer and the superintendent, but it is going to be quite difficult to remove them, as they all have allotments on the reservation, and many of the state courts do not take seriously cases of Indians living on the reservation, and, in fact, most of the district attorneys do not wish to run their counties in any debt accomplishing the betterment of the Indian. These are the facts of the case: That they claim when there is any money to be paid out in reference to deceased parties or anything else that the Government should stand it, but when they want the Indians' money they figure they ought to be allowed to use it so that they can get it.

I do not know what to recommend in this case. I do not think I would recommend to have any of them removed at the present time, and would hold it in abeyance until I saw what they intended to do. As the farmer states, they know what the law is, but there are two or three soft-drink places down there and they are selling intoxicating drinks—there is no doubt of it—but the parties here at the present time are taking this matter up, both Mr. Johnson and his assistant, and I would, I think, let this lie dormant for the present until I saw what they might accomplish.

Respectfully,

S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

STATEMENT OF DAN CAMERON, JR.

DAN CAMERON, JR., having been first duly sworn by the chairman, testified as follows:

Mr. HOLCOMBE. How long have you lived at Odanah?

Mr. CAMERON. Thirteen years.

Mr. HOLCOMBE. Were you living in Odanah in May, 1908?

Mr. CAMERON. Yes.

Mr. HOLCOMBE. Do you remember being in the restaurant of Frank Murray at Odanah at any time during the month of May?

Mr. CAMERON. Yes.

Mr. HOLCOMBE. Did you procure any whisky at that restaurant in May, 1908?

Mr. CAMERON. It was the year before that.

Mr. HOLCOMBE. A year before 1908?

Mr. CAMERON. Yes.

Mr. HOLCOMBE. Was that 1907 or 1908?

Mr. CAMERON. I couldn't tell you. I can't read and write.

Mr. HOLCOMBE. Was it this year?

Mr. CAMERON. No; not this year.

Mr. HOLCOMBE. Was it last year?

Mr. CAMERON. No; a year ago before that. That will be three years this summer. They came out to get me.

Mr. HOLCOMBE. How much whisky did you get?

Mr. CAMERON. I got only one glass of whisky.

Mr. HOLCOMBE. Did you ever get whisky there before?

Mr. CAMERON. Yes; he used to treat me.

Mr. HOLCOMBE. What do you mean by that?

Mr. CAMERON. He used to give me some whisky right along.

Mr. HOLCOMBE. How often?

Mr. CAMERON. Just as often as I came down.

Mr. HOLCOMBE. Mr. Murray himself gave it to you?

Mr. CAMERON. Yes.

Mr. HOLCOMBE. Has he given you any whisky since?

Mr. CAMERON. Not since they drove him out of the reservation. I never got any from him.

Mr. HOLCOMBE. Since he was driven out of the reservation?

Mr. CAMERON. Yes.

Mr. HOLCOMBE. Did you get whisky up to the time he was driven off the reservation?

Mr. CAMERON. Oh, no.

Mr. HOLCOMBE. How long before that?

Mr. CAMERON. I could not tell you. I mean the dates.

Mr. HOLCOMBE. Was it a year?

Mr. CAMERON. Why, sure.

Mr. HOLCOMBE. Was it more than a year?

Mr. CAMERON. It is more than a year; yes, sir.

Mr. HOLCOMBE. Have you had any whisky there in the last year?

Mr. CAMERON. Oh, no; not in the last year.

Mr. HOLCOMBE. Have you had any whisky there within the last fifteen months?

Mr. CAMERON. Fifteen months?

Mr. HOLCOMBE. Yes.

Mr. CAMERON. No.

Mr. HOLCOMBE. Within the last year and a half?

Mr. CAMERON. Yes.

Mr. PIERRELEE. You stated that it was some three years ago, didn't you?

Mr. CAMERON. Two years ago. I stated two years ago.

Mr. PIERRELEE. Two years ago?

Mr. CAMERON. Yes.

Mr. PIERRELEE. You say they came out to get you?

Mr. CAMERON. Yes; when I was working for the Stearns Lumber Company, for to put up some ties, or something, they went after me. I don't know what they wanted me for.

Mr. PIERRELEE. Blackbird came out, didn't he?
Mr. CAMERON. Yes.
Mr. PIERRELEE. You thought Blackbird was going to arrest you for having had some trouble with some Indian ladies?
Mr. CAMERON. Yes.
Mr. PIERRELEE. About some whisky business?
Mr. CAMERON. Yes.
Mr. PIERRELEE. What did Blackbird say to you?
Mr. CAMERON. He told me I was wanted down here in town, so I says to him, "If you want to take me along you have got to serve papers on me." He says he didn't have any papers, "I am a government man and you have got to come along," so I had to come.
Mr. PIERRELEE. But for the last two years you haven't had any drink from Murray?
Mr. CAMERON. No.
Mr. PIERRELEE. You are sure about that?
Mr. CAMERON. Yes, sir; sure about that.
Mr. PIERRELEE. That is all.

STATEMENT OF JOSEPH GHEEN.

JOSEPH GHEEN, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. HOLCOMBE. Are you an Indian belonging to this band?
Mr. GHEEN. I am supposed to be an Indian.
Mr. HOLCOMBE. Belonging to this band?
Mr. GHEEN. Yes.
Mr. HOLCOMBE. How long have you resided at Odanah?
Mr. GHEEN. Off and on, I have resided all my lifetime.
Mr. HOLCOMBE. Did you ever work for Mr. Frank Murray?
Mr. GHEEN. Yes, sir.
Mr. HOLCOMBE. Did you work at the hotel?
Mr. GHEEN. Yes, sir.
Mr. HOLCOMBE. When did you work there?
Mr. GHEEN. In the winter of '78.
Mr. HOLCOMBE. '78?
Mr. GHEEN. Not '78. 1907.
Mr. HOLCOMBE. 1907—you are sure of that?
Mr. GHEEN. 1907-1908.
Mr HOLCOMBE. Didn't you work for him last winter?
Mr. GHEEN. 1907.
Mr. HOLCOMBE. During the time that you worked for him, did you ever see him sell or give beer or whisky to the Indians?
Mr. GHEEN. Well, I have bought it.
Mr. HOLCOMBE. Bought it from him?
Mr. GHEEN. Yes, sir.
Mr. HOLCOMBE. While you were working for him?
Mr. GHEEN. Yes, sir.
Mr. HOLCOMBE. Did you buy it from him afterwards?
Mr. GHEEN. I have bought it before, not afterwards, though. I bought it during the time I was there.
Mr. HOLCOMBE. You bought it during the time you were there?
Mr. GHEEN. Yes, sir.

Mr. HOLCOMBE. How often?

Mr. GREEN. Well, I couldn't say how often. I got it pretty near every time I wanted it.

Mr. HOLCOMBE. Did you want it pretty often?

Mr. GREEN. Well, not very often, because I ain't much of a drinker.

Mr. HOLCOMBE. Have you bought any since?

Mr. GREEN. No, sir.

Mr. HOLCOMBE. From anybody?

Mr. GREEN. Not on the reservation.

Mr. HOLCOMBE. In 1907, then, you could buy it from him?

Mr. GREEN. I did, and on and off five or six years before that.

Mr. HOLCOMBE. Up to 1907?

Mr. GREEN. 1908.

Mr. HOLCOMBE. What time in 1908?

Mr. GREEN. I commenced to work for Murray in January.

Mr. HOLCOMBE. January, 1908?

Mr. GREEN. January, 1907.

Mr. HOLCOMBE. 1907?

Mr. GREEN. Yes; and in May—I worked four months and a half.

Mr. HOLCOMBE. May of what year?

Mr. GREEN. 1907.

Mr. HOLCOMBE. 1907. Do you remember Mr. Bascombe Johnson, who was here, the special agent of the Government, who was here in June of this year—didn't a gentleman from Washington talk to you in June of this year in regard to the time you worked for Mr. Murray?

Mr. GREEN. Bascombe Johnson?

Mr. HOLCOMBE. Bascombe Johnson.

Mr. GREEN. Yes, sir.

Mr. HOLCOMBE. Didn't you tell him that you worked for Mr. Murray from January 1, 1908, until May 15, 1908?

Mr. GREEN. I told him that, but I told him to go to work and scratch it off, it was 1907, and he wouldn't do it.

Mr. HOLCOMBE. You told him to scratch it off?

Mr. GREEN. Yes, sir.

Mr. HOLCOMBE. Did he scratch it off?

Mr. GREEN. No, sir.

Mr. HOLCOMBE. Did you swear to it?

Mr. GREEN. I had to then, because he would not scratch it off.

Mr. HOLCOMBE. You wanted to make that correction before you swore to that?

Mr. GREEN. Sir?

Mr. HOLCOMBE. You say you wanted to make that correction before you swore to it?

Mr. GREEN. Yes, sir.

Mr. HOLCOMBE. And he would not let you make it?

Mr. GREEN. No; he said he wouldn't do it. I wouldn't swear to it. He kept me there for half an hour.

Mr. HOLCOMBE. Do you know the nature of an oath?

Mr. GREEN. Yes; certainly I do. I suppose so.

Mr. HOLCOMBE. Did you know what you swore to when you signed this paper?

Mr. GREEN. Of course I didn't know the nature of that.

Mr. HOLCOMBE. You knew he hadn't made any change in these dates, didn't you?

Mr. GREEN. What?

Mr. HOLCOMBE. You knew he hadn't changed these dates—that he didn't scratch them off?

(No response.)

Mr. HOLCOMBE. You signed that paper, didn't you?

Mr. GREEN. Yes; I told him then to scratch that off and put 1907.

The CHAIRMAN. You signed this, didn't you?

Mr. GREEN. When I signed that I supposed it was all right.

The CHAIRMAN. You supposed he had changed it?

Mr. GREEN. Oh, yes, sir. I supposed that he had changed it. I didn't see the paper.

The CHAIRMAN. You want to be understood, then, as swearing that since May, 1907, you haven't bought any whisky from Mr. Murray, or any beer?

Mr. GREEN. 1907, in May.

The CHAIRMAN. You haven't bought any since then?

Mr. GREEN. No.

The CHAIRMAN. You swear to that?

Mr. GREEN. I haven't bought any from Frank Murray since 1907; since I quit working for him.

The CHAIRMAN. And he has not given you any?

Mr. GREEN. Not that I know of.

The CHAIRMAN. Not that you know of?

Mr. GREEN. No, sir; not to my recollection.

The CHAIRMAN. Do you know whether he ever sold to any other persons while you were there?

Mr. GREEN. At the time?

The CHAIRMAN. Yes.

Mr. GREEN. I could not swear that he sold it to them. I worked in this other room here. They had a bar there and they used to have a door into the room and they had another door coming in this way [illustrating]. I have seen Frank Murray walk along there and do that [illustrating].

The CHAIRMAN. What was that, winking?

Mr. GREEN. Winking and nodding his head. They would go into the other room. I don't know what they got there, but I know what I got when I went there.

The CHAIRMAN. Who do you remember seeing go in there?

Mr. GREEN. I have seen different persons, but there ain't half a dozen men in this town I know by name. I know them by sight, that is all, because I am deaf and I can't hear their names. I know a good many by sight.

The CHAIRMAN. Don't you know anybody here by name that you have seen around the hotel, that you saw go in there that way?

Mr. GREEN. One man I know, but he isn't here.

The CHAIRMAN. What is his name?

Mr. GREEN. Wiggins, Ed.

The CHAIRMAN. Did you ever buy any whisky from anybody else in this town?

Mr. GREEN. No, sir.

The CHAIRMAN. Did you ever buy any from any of the Morrisons?

Mr. GREEN. No, sir. I didn't know the Morrisons ever kept it.

Mr. PIERRELEE. Have you got a job waiting for you anywhere?
Mr. GREEN. Not that I know of.
Mr. PIERRELEE. Wasn't a job offered you by anyone at a summer resort—Green Bay?
Mr. GREEN. Yes, sir.
Mr. PIERRELEE. By whom?
Mr. GREEN. By——
Mr. PIERRELEE. Appleby?
Mr. GREEN. Appleby.
Mr. PIERRELEE. He is a United States officer, isn't he?
Mr. GREEN. Stanford Starvey.
Mr. PIERRELEE. Is that the name of the place?
Mr. GREEN. No; that is the man that hired me.
Mr. PIERRELEE. And where were you going to go?
Mr. GREEN. Between Oconto and Crandon.
Mr. PIERRELEE. Why haven't you gone?
Mr. GREEN. Because my papers haven't come here.
Mr. PIERRELEE. Who told you to wait?
Mr. GREEN. My papers are here, but the man ain't here that is going to employ me.
Mr. PIERRELEE. Who told you to wait?
Mr. GREEN. A letter.
Mr. PIERRELEE. Did you ever have any talk with Norbert Sero about this?
Mr. GREEN. No more than anybody else.
Mr. PIERRELEE. Didn't he tell you to wait and you would get that job?
Mr. GREEN. No, sir.
Mr. PIERRELEE. That is all.

STATEMENT OF JOHN BASANA, JR.

JOHN BASANA, JR., a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. HOLCOMBE. Are you an Indian?
Mr. BASANA. Yes, sir.
Mr. HOLCOMBE. Of what blood?
Mr. BASANA. Half.
Mr. HOLCOMBE. How long have you lived at Odanah?
Mr. BASANA. I was born here; raised here.
Mr. HOLCOMBE. Do you remember on or about the 28th day of November, 1906, going into the place of business kept by Ben and George Morrison?
Mr. BASANA. Yes, sir.
Mr. HOLCOMBE. What did you get there?
Mr. BASANA. Got some grape juice there; that is all I got out of there.
Mr. HOLCOMBE. What effect did that grape juice have on you?
Mr. BASANA. It made me drunk.
Mr. HOLCOMBE. How much did you drink?
Mr. BASANA. Well, I don't know; I drank lots of it.
Mr. HOLCOMBE. Were you so drunk that you had to be carried away?
Mr. BASANA. Yes.

Mr. HOLCOMBE. Have you ever gone there since and bought grape juice that intoxicated you?

Mr. BASANA. Not after that.

Mr. HOLCOMBE. Did you ever go there after that?

Mr. BASANA. No; I did not.

Mr. HOLCOMBE. That was your dose, was it—that cured you?

Mr. BASANA. Yes, sir.

Mr. HOLCOMBE. Do you know of anybody else who went there about that time?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. Were you by yourself?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. Who was with you?

Mr. BASANA. There was another young fellow with me.

Mr. HOLCOMBE. What was his name?

Mr. BASANA. John Sky, jr.

Mr. HOLCOMBE. Did he get drunk?

Mr. BASANA. Yes; he got drunk; and we both got pulled that night.

Mr. HOLCOMBE. You both got pulled?

Mr. BASANA. That is the time; yes.

Mr. HOLCOMBE. Has he stopped going there now?

Mr. BASANA. I don't know. I don't keep track of him. I don't know where he goes.

Mr. HOLCOMBE. Do you know of anybody else getting drunk there?

Mr. BASANA. No.

Mr. HOLCOMBE. Have you ever seen crowds congregated around that place?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. Was that your first time?

Mr. BASANA. That is my first time.

Mr. HOLCOMBE. And last?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. It wasn't your last?

Mr. BASANA. Not there.

Mr. HOLCOMBE. Where have you been since?

Mr. BASANA. I have been at Ashland.

Mr. HOLCOMBE. Where?

Mr. BASANA. I have been at Ashland.

Mr. HOLCOMBE. Any other place here in Odanah?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. What officer arrested you?

Mr. BASANA. I think it was John Marksman.

Mr. HOLCOMBE. Is he here now?

Mr. BASANA. He was here this morning.

The CHAIRMAN. Do you know whether John Sky, jr., is around here now—have you seen him lately?

Mr. BASANA. Yes; I saw him the other day.

The CHAIRMAN. Have you seen him to-day?

Mr. BASANA. Not to-day.

Mr. PIERRELEE. How do you remember the date of this matter?

Mr. BASANA. By me getting pulled that night.

Mr. PIERRELEE. You got pulled that night?

Mr. BASANA. Yes, sir; that is how I got pulled.

Mr. PIERRELEE. You had been to Ashland that day?
Mr. BASANA. That day?
Mr. PIERRELEE. Yes.
Mr. BASANA. Not that I know of.
Mr. PIERRELEE. As a matter of fact, didn't you come in on the evening train and spend the evening at the pool room?
Mr. BASANA. No, sir; I don't remember it, going to Ashland.
Mr. PIERRELEE. Didn't you get off the train pretty drunk, here at the station, that evening, coming from Ashland?
Mr. BASANA. I don't remember whether I did or not.
Mr. PIERRELEE. As a matter of fact didn't you come from the station over to the pool room and there get grape juice?
Mr. BASANA. Maybe I did. I don't know which way I went.
Mr. PIERRELEE. You don't know but what that is the fact?
Mr. BASANA. No.
Mr. PIERRELEE. Wasn't this boy Sky with you at the same time—didn't you both come from Ashland?
Mr. BASANA. No; I seen him there at the pool room.
Mr. PIERRELEE. You saw him there at the pool room?
Mr. BASANA. Yes, sir.
Mr. PIERRELEE. You don't remember what time you got to the pool room, do you?
Mr. BASANA. No, sir.
Mr. PIERRELEE. It was after supper?
Mr. BASANA. Yes, sir.
Mr. PIERRELEE. You don't remember where you were during the day before you went to the pool room?
Mr. BASANA. Why, no; I don't remember where I was.
Mr. HOLCOMBE. Are you employed here?
Mr. BASANA. No, sir.
Mr. HOLCOMBE. What do you do?
Mr. BASANA. I ain't doing nothing just now.
Mr. HOLCOMBE. What were you doing in 1906 at the time you got drunk?
Mr. BASANA. I was going to school then, I think.
Mr. HOLCOMBE. Whereabouts?
Mr. BASANA. Here at the Sisters.
Mr. HOLCOMBE. Here at the Sisters?
Mr. BASANA. I think it was at that time.
Mr. HOLCOMBE. This was in November, and you were attending school at the Sisters, you think, at that time?
Mr. BASANA. I think it was at that time or after. I think it was after I quit school.
Mr. HOLCOMBE. After you quit school?
Mr. BASANA. Yes, sir.
Mr. HOLCOMBE. Were you working then?
Mr. BASANA. No, sir; I wasn't working.
Mr. PIERRELEE. This was about Thanksgiving time, wasn't it?
Mr. BASANA. I don't know. Maybe it was. I ain't sure.
Mr. PIERRELEE. You are quite sure you weren't going to school at that time?
Mr. BASANA. No; I was not.
Mr. PIERRELEE. You didn't get any grape juice from Benny Morrison, did you?

Mr. BASANA. No, sir.

Mr. HOLCOMBE. Who did you get it from?

Mr. BASANA. George Morrison.

Mr. PIERRELEE. And that was grape juice that they sold to everybody there, wasn't it?

Mr. BASANA. Well, yes, sir. It was at the time; yes, sir.

STATEMENT OF MRS. DAN MORRISON.

Mrs. DAN (CHARLOTTE) MORRISON, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. DILLON. I understand, Mrs. Morrison, that there was an affidavit here yesterday before the committee with your signature on it in relation to your testimony that you gave in the circuit court during the trial of the State of Wisconsin against Sero, in which you swore in the affidavit that the testimony you gave in the circuit court wasn't true. Did you sign such an affidavit as that?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. Where did you sign it?

Mrs. MORRISON. At my house.

Mr. DILLON. Who brought it to you?

Mrs. MORRISON. Mr. Jordan.

Mr. DILLON. Did you know that that was in the affidavit when you signed it, saying that all you testified to in the circuit court was untrue?

Mrs. MORRISON. No; I didn't understand it that way.

Mr. DILLON. How did you understand it, Mrs. Morrison?

Mrs. MORRISON. Well, I understood that my husband made me say that.

Mr. DILLON. That your husband made you say the things?

Mrs. MORRISON. Yes; that is the way I understood it.

Mr. DILLON. That is, you understood you were swearing that the testimony you gave in the circuit court was given because your husband made you give it?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. Was the testimony you gave in the circuit court, with relation to yourself and Mr. Sero, true or false?

Mrs. MORRISON. It was true.

Mr. DILLON. And you didn't intend to say in this affidavit, nor didn't understand that you were saying, that you testified falsely in the circuit court, did you?

Mrs. MORRISON. Sir?

Mr. DILLON. When you signed this affidavit, you intended to say in the affidavit, or didn't know it was in the affidavit, you were saying you testified falsely in the circuit court?

Mrs. MORRISON. I understood the last part.

Mr. DILLON. What was that?

Mrs. MORRISON. I told you.

Mr. DILLON. In relation to your husband getting you to testify?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. How many times was Mr. Jordan out there?

Mrs. MORRISON. Just once.

Mr. DILLON. He came there with the affidavit already drawn up?

Mrs. MORRISON. Yes, sir.

Senator LA FOLLETTE. I would like to suggest to Mr. Dillon that maybe she doesn't understand the word "false."

Mrs. MORRISON. Yes; I do.

Mr. DILLON. She testified that she didn't intend to say in the affidavit that what she said in the circuit court was false, but that her husband required her to give the testimony.

Senator LA FOLLETTE. Not that he required her to give false testimony. Is that the way you want it stated; is that the truth?

Mrs. MORRISON. Which way?

Senator LA FOLLETTE. That your husband didn't require you to swear falsely, but that he insisted upon you giving your testimony?

Mrs. MORRISON. Yes, sir; he did.

Senator LA FOLLETTE. And, if I understood you rightly, the testimony which you gave in court was the truth?

Mrs. MORRISON. Yes, sir.

Senator LA FOLLETTE. You understand what I mean by court—when the trial was had in Ashland?

Mrs. MORRISON. Yes, sir.

The CHAIRMAN. You can read and write?

Mrs. MORRISON. Yes, sir; I can.

The CHAIRMAN. You may read that [handing paper to the witness].

(Witness handed the paper to the chairman.)

The CHAIRMAN. This may be put into the record at this point.

STATE OF WISCONSIN, IN CIRCUIT COURT, ASHLAND COUNTY.

The State of Wisconsin, plaintiff, *v.* Norbert Sero, defendant.

STATE OF WISCONSIN, *Ashland County, ss:*

Charlotte Morrison, being duly sworn, on oath says that in the trial of the above-entitled action, in the month of April last, affiant testified as a witness in behalf of the State; that in her said testimony she stated that she and the defendant above named committed adultery and had sexual intercourse with each other at a certain place known as the "Road House," in the outskirts of the city of Ashland, on the night of January 28 and 29, 1909, one Colonel Barrett being the proprietor of said place; that said testimony was wholly false and was given by affiant under fear of her husband, Daniel Morrison; that her said husband compelled her to give such false testimony by threatening to do her bodily harm unless she would so testify, and affiant feared that he would carry out such threat if she refused to comply with his said request, and because of such coercion and for no other reason she gave said false testimony.

CHARLOTTE MORRISON.

Subscribed and sworn to before me this 25th day of August, 1909.

C. O. JORDAN,
Justice of the Peace in and for Ashland County.

The CHAIRMAN. You understand now what is in this paper?

Mrs. MORRISON. Yes, sir.

The CHAIRMAN. Now, you may state what you understood was in it when you signed it.

Mrs. MORRISON. I said I understood my husband made me say it.

The CHAIRMAN. Take the paper and point out, if you can, what you understood was in it and what you didn't understand was in it—don't you understand the question [handing paper to the witness]?

Mrs. MORRISON. Yes, sir; I do [indicating on paper]. Right there, that part.

The CHAIRMAN. What part?

Mrs. MORRISON. This part right here [indicating].

The CHAIRMAN. Read the part that you refer to—the part you didn't understand was in there; tell the words, so that it may be recorded.

Mrs. MORRISON. I read it, but I didn't know it meant that; that is all. About that place there.

The CHAIRMAN. Do you want to be understood as saying that the only difference between it, as you understood it, and as it is, is the word "false?"

Mrs. MORRISON. I understood that; yes, sir.

The CHAIRMAN. Did you hear it read at the time?

Mrs. MORRISON. Where?

The CHAIRMAN. When you signed it.

Mrs. MORRISON. I read it myself. Nobody didn't read it to me. I read it myself.

The CHAIRMAN. But you don't understand the word "false" was there?

Mrs. MORRISON. I didn't understand the way it read in here—the first part.

The CHAIRMAN. What?

Mrs. MORRISON. I didn't understand the first part.

The CHAIRMAN. How far down do you call the first part?

Mrs. MORRISON. Down here [indicating].

The CHAIRMAN. To the word "testimony?"

Mrs. MORRISON. Yes, sir; that far.

The CHAIRMAN. That far you didn't understand it?

Mrs. MORRISON. No, sir.

The CHAIRMAN. Did you understand the balance of it?

Mrs. MORRISON. Yes; I did.

The CHAIRMAN. That is the word "testimony" on the fifth line from the bottom?

Mrs. MORRISON. Yes, sir.

The CHAIRMAN. Who was present when you signed this, besides the justice of the peace?

Mrs. MORRISON. There was my stepmother and sister.

The CHAIRMAN. Are they here?

Mrs. MORRISON. No; they are not here.

The CHAIRMAN. Do you know how Mr. Jordan came to bring that to you?

Mrs. MORRISON. No, sir; I do not.

The CHAIRMAN. Did anyone come with him when he brought it?

Mrs. MORRISON. My uncle; that is all.

The CHAIRMAN. What is his name?

Mrs. MORRISON. Billy Druler.

The CHAIRMAN. Where were you at the time; here in the village?

Mrs. MORRISON. No; out on the farm.

The CHAIRMAN. How far from here?

Mrs. MORRISON. I think it is about 4 miles—I think.

Mr. HOLCOMBE. Did you ever tell anyone that the evidence that you gave at that trial was false?

Mrs. MORRISON. No, sir; I did not.

Mr. HOLCOMBE. Did you ever send anyone to Mr. Jordan or to Mr. Sero?

Mrs. MORRISON. No, sir.

Mr. HOLCOMBE. You read this affidavit when it was brought to you?

Mrs. MORRISON. I read it myself.

Mr. HOLCOMBE. You understood when Mr. Jordan brought it there he was bringing you an affidavit for some purpose?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. Were you expecting Mr. Jordan, Mrs. Morrison?

Mrs. MORRISON. No, sir; I didn't expect him at all.

Mr. HOLCOMBE. What did he say to you when he first met you with this affidavit?

Mrs. MORRISON. He brought it to the house; he just showed it to me; that is all; and he just wanted me to sign that.

Mr. HOLCOMBE. And you read it?

Mrs. MORRISON. Yes, sir; I read it.

Mr. HOLCOMBE. And you willingly signed it?

Mrs. MORRISON. I didn't sign it right away.

Mr. HOLCOMBE. You stopped to consider it?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. How often did you read it?

Mrs. MORRISON. I read it about once or twice, I guess.

Mr. HOLCOMBE. How long did it take you to make up your mind?

Mrs. MORRISON. I can't just say how long it took me.

Mr. HOLCOMBE. About how long—how long was Mr. Jordan there?

Mrs. MORRISON. How long was he there?

Mr. HOLCOMBE. Yes.

Mrs. MORRISON. About two hours, I think.

Mr. HOLCOMBE. Was there any reason for your signing this?

Mrs. MORRISON. Yes.

Mr. HOLCOMBE. What was that reason?

Mrs. MORRISON. Because my husband had left me; that is the reason I signed that.

Mr. HOLCOMBE. He had left you?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. Then, because he had left you, you wanted to tell the facts and the truth in regard to your testimony?

Mrs. MORRISON. Sir?

Mr. HOLCOMBE. It was because he left you that you had made up your mind to tell the truth.

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. And this affidavit, as you understood it, was the truth?

Mrs. MORRISON. No; I don't say that.

Mr. HOLCOMBE. You don't say that now?

Mrs. MORRISON. No.

Mr. HOLCOMBE. You thought so then?

The CHAIRMAN. As you understood this affidavit?

Mrs. MORRISON. Yes; I understood some of it.

The CHAIRMAN. The way you understood it, it was the truth?

Mrs. MORRISON. Yes, sir; the way I understood it.

Mr. HOLCOMBE. Has your husband come back to you?

Mrs. MORRISON. No.

Mr. HOLCOMBE. Have you heard from him since?

Mrs. MORRISON. Well, I had a talk with him, that is all.

Mr. HOLCOMBE. Have you had a talk with him since last night?
Mrs. MORRISON. No; I didn't see him last night.
Mr. HOLCOMBE. Are you in dread of him now?
Mrs. MORRISON. What is that?
Mr. HOLCOMBE. Are you in fear of him now—are you afraid of him?
Mrs. MORRISON. No.
Mr. HOLCOMBE. You know this affidavit states you gave that testimony because he forced you to give it, and that you were in dread of bodily harm if you did not do it?
Mrs. MORRISON. Yes.
Mr. HOLCOMBE. Do you feel that way about it now?
Mrs. MORRISON. No; I don't.
Mr. HOLCOMBE. Did you feel that way when you signed this affidavit?
Mrs. MORRISON. No; during the trial I did.
Mr. HOLCOMBE. Have any threats been made to you since this affidavit was made?
Mrs. MORRISON. No, sir.
Mr. HOLCOMBE. When did your husband talk to you since the trial?
Mrs. MORRISON. It was day before yesterday.
Mr. HOLCOMBE. Did you live with your husband after that trial?
Mrs. MORRISON. Yes, sir.
Mr. HOLCOMBE. How long.
Mr. MORRISON. I lived with him just until about a month ago, I guess.
Mr. HOLCOMBE. From April up to last month?
Mrs. MORRISON. Yes, sir.
Mr. HOLCOMBE. You mean a month before this affidavit was made you lived with him?
Mrs. MORRISON. Just about that.
Mr. HOLCOMBE. Have you lived with him since this affidavit was made?
Mrs. MORRISON. No, sir.
Mr. HOLCOMBE. Are you going to live with him?
Mrs. MORRISON. I don't know.
Mr. HOLCOMBE. Have any promises been held out to you?
Mrs. MORRISON. No, sir.
Mr. HOLCOMBE. Where are you living now?
Mrs. MORRISON. I am staying right here in town.
Mr. HOLCOMBE. How long have you been living here?
Mrs. MORRISON. Just about a week, I guess. I just came here. I have been living with my father.
Mr. HOLCOMBE. Where did you come from?
Mrs. MORRISON. Where? My father's.
Mr. HOLCOMBE. Where does your father live?
Mrs. MORRISON. About 4 miles from here.
Mr. HOLCOMBE. Where were you to-day when you were sent for?
Mrs. MORRISON. I was in Bayfield.
Mr. HOLCOMBE. Whereabouts in Bayfield—who are you living with there?
Mrs. MORRISON. Nobody. I just went to see my friend there.
Mr. HOLCOMBE. Who is your friend?

Mrs. MORRISON. I can't just tell you who my friend is.

Mr. HOLCOMBE. How long had you been with your friend when this subpœna reached you?

Mrs. MORRISON. This morning, ever since last night.

Mr. HOLCOMBE. You stopped there last night?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. Did you ever have any talk with Mr. Lamoreux in regards to the affidavit?

Mrs. MORRISON. No; not the affidavit. I didn't say anything to him about the affidavit.

Mr. HOLCOMBE. Did you ever say anything to him about what you had sworn to in this affidavit?

Mrs. MORRISON. No, sir.

Mr. HOLCOMBE. Did you ever tell him that your husband had promised to take you back?

Mrs. MORRISON. He didn't promise me to take me back. He did talk with me, that is all.

Mr. HOLCOMBE. He had a talk with you?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. Did you tell Mr. Lamoreux that?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. What did you tell Mr. Lamoreux?

Mrs. MORRISON. I told him that I had talked with him; that is all.

Mr. HOLCOMBE. Did your husband make any conditions?

Mrs. MORRISON. Well, no; he didn't.

Mr. HOLCOMBE. Weren't you at Redcliffe last night?

Mrs. MORRISON. Yes, sir; I was there.

Mr. HOLCOMBE. That is Redcliffe Agency, isn't it?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. I understood you to say you went there yesterday?

Mrs. MORRISON. I went there last night.

Mr. HOLCOMBE. What time last night did you leave here?

Mrs. MORRISON. I went on that 10 o'clock train.

Mr. HOLCOMBE. At 10 o'clock last night?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. Did anyone talk to you last night before you went away in regard to this affidavit?

Mrs. MORRISON. No; nobody never talked to me.

Mr. HOLCOMBE. Did anyone talk with you during the night in regard to this affidavit?

Mrs. MORRISON. No, sir.

Mr. HOLCOMBE. Were you here last night when your husband was on the stand?

Mrs. MORRISON. No; I wasn't here. I could not have been here when I was in Redcliff.

The CHAIRMAN. You left on the afternoon train, about 5 o'clock, didn't you?

Mrs. MORRISON. I went yesterday morning, and I stayed in Ashland there.

The CHAIRMAN. During the day?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. What conversation did you have with Mr. Lamoreux in regard to your husband taking you back? State it as fully as you can.

Mrs. MORRISON. I only told him I had talked with him day before yesterday.

Mr. HOLCOMBE. You didn't tell him what that talk amounted to?

Mrs. MORRISON. Well, no; I did not.

Mr. HOLCOMBE. You are sure of that?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. You didn't tell him that your husband had promised to take you back, provided you would stand pat on the testimony you had given at that trial?

Mrs. MORRISON. Well, no; he didn't say that.

Mr. HOLCOMBE. Well, what did he say?

Mrs. MORRISON. He said he would help me out.

Mr. HOLCOMBE. If you would stick to that testimony, is that what he said?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. When was this?

Mrs. MORRISON. Day before yesterday.

Mr. HOLCOMBE. Your husband told you day before yesterday if you would adhere to what you said on the stand at that former trial, he would help you out?

Mrs. MORRISON. He said something like that; yes, sir.

Mr. DILLON. You have said here that you had a conversation with Mr. Frank Lamoreux. Where were you talking with Mr. Lamoreux?

Mrs. MORRISON. I was talking with him on the train, coming down.

Mr. DILLON. From Ashland?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. Is that the only talk you have had with him about that?

Mrs. MORRISON. Yes, sir; that is all.

Mr. DILLON. Were you ever in his office in Ashland?

Mrs. MORRISON. Well, I have been there three or four times; yes, sir.

Mr. DILLON. Were you talking with him in there at any time?

Mrs. MORRISON. Yes; he was talking to me all the time while I was there.

Mr. DILLON. I mean Mr. Frank Lamoreux.

Mrs. MORRISON. Yes, sir; that is who I mean.

Mr. DILLON. Did he ever ask you to make any affidavit or statement in this case?

Mrs. MORRISON. Well, no. He didn't say anything like that.

Mr. DILLON. What did he say? Tell us just as near as you remember what talk you had with him about the case.

Mrs. MORRISON. He only asked me if I was willing to make an affidavit. That is what he asked me.

Mr. DILLON. Did he tell you what he wanted in the affidavit?

Mrs. MORRISON. No, sir; he didn't tell me.

Mr. DILLON. What did you say to him at that time?

Mrs. MORRISON. I told him I wasn't ready just now.

Mr. DILLON. That was before you made this affidavit?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. That was the first time that anybody had asked you to make an affidavit in relation to the trial in the circuit court, wasn't it?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. Did he tell you what he wanted it for?

Mrs. MORRISON. No; he didn't say what he wanted it for.

Mr. DILLON. Did he tell you he was representing Mr. Sero or anything of that kind?

Mrs. MORRISON. No, sir.

Mr. DILLON. He just asked you if you were ready to make an affidavit about your testimony in the circuit court?

Mrs. MORRISON. Yes, sir.

Mr. DILLON. Did he want you to make an affidavit that your testimony in the circuit court wasn't true?

Mrs. MORRISON. No.

Mr. DILLON. He didn't say what he wanted in the affidavit?

Mrs. MORRISON. He didn't say.

Mr. HOLCOMBE. Did you ever go to Attorney Shea voluntarily in regard to this matter?

Mrs. MORRISON. No, sir.

Mr. HOLCOMBE. Never went to his office?

Mrs. MORRISON. He sent for me.

Mr. HOLCOMBE. Who did he send?

Mrs. MORRISON. I think he sent Mr. Jermain.

Mr. HOLCOMBE. When was this?

Mrs. MORRISON. I don't know just how long it is.

Mr. HOLCOMBE. What did he say to you after you got there?

Mrs. MORRISON. He asked me if I was willing to make a statement; that is all.

Mr. HOLCOMBE. And what did you say?

Mrs. MORRISON. I told him no; I wasn't ready.

Mr. HOLCOMBE. What did you mean by not being ready?

Mrs. MORRISON. I meant that I didn't make up my mind. That is what I meant.

Mr. HOLCOMBE. What statement did he want you to make?

Mrs. MORRISON. Well, I suppose he wanted me to make a statement of the kind I made.

Mr. HOLCOMBE. So you had been talked to before you signed this, and you knew what was in it?

Mrs. MORRISON. No; I didn't. How could I know when I didn't see the paper?

Mr. HOLCOMBE. You knew what was in it after you had talked about it—they wanted you to say that the testimony you gave at that trial was false?

Mrs. MORRISON. Well, I suppose so. I don't know just what they wanted me to say.

Mr. HOLCOMBE. They talked to you before about that?

Mrs. MORRISON. Yes.

Mr. HOLCOMBE. Mr. Shea did?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. And Mr. Lamoreux?

Mrs. MORRISON. Yes; Mr. Frank Lamoreux.

Mr. HOLCOMBE. And then Mr. Jordan finally came to you with the affidavit?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. And you took time to think about it, did you?

Mrs. MORRISON. Yes, sir.

Mr. HOLCOMBE. And then signed it?
Mrs. MORRISON. Yes, sir.
Mr. HOLCOMBE. Now, is this affidavit true?
Mrs. MORRISON. Part of it; I suppose it is.
Mr. HOLCOMBE. Did you know that you were swearing falsely when you signed this?
Mrs. MORRISON. Yes, sir.
Mr. HOLCOMBE. You knew that?
Mrs. MORRISON. What is that?
Mr. HOLCOMBE. Did you know that you were swearing falsely when you signed this affidavit?
Mrs. MORRISON. No; I didn't know it.
Mr. HOLCOMBE. You knew what was in it?
Mrs. MORRISON. I knew part of it. Yes; I think I knew part of it.
The CHAIRMAN. Did your husband bring a divorce case against you?
Mrs. MORRISON. No, sir.
The CHAIRMAN. Did you and your husband separate for a while?
Mrs. MORRISON. No.
The CHAIRMAN. Did you ever separate?
Mrs. MORRISON. No, sir; only until just now.
The CHAIRMAN. When?
Mrs. MORRISON. About a month ago.
The CHAIRMAN. This is not a smiling matter.
Mrs. MORRISON. No.
The CHAIRMAN. We want to get at the facts here.
Mrs. MORRISON. I am telling everything.
The CHAIRMAN. How long did you remain separated?
Mrs. MORRISON. We lived together ever since about a month ago.
The CHAIRMAN. Up to a month ago?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. When was the adultery alleged?
Mr. PIERRELEE. Twenty-eighth of January, 1908.
The CHAIRMAN. When was the trial?
Mr. PIERRELEE. In April.
The CHAIRMAN. Up to the time that you and your husband separated, a month ago, was Mr. Sero coming to your house?
Mrs. MORRISON. He came there once.
The CHAIRMAN. When?
Mrs. MORRISON. That was right after I come from Hayward.
The CHAIRMAN. Right after you came from Hayward?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. When did you come from Hayward?
Mrs. MORRISON. When I come down to visit my father.
The CHAIRMAN. Where was your husband—didn't you separate in Hayward?
Mrs. MORRISON. Yes, sir; that is when I came down, then.
The CHAIRMAN. A month ago?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. I will have to have some advice as to the facts before I can proceed with an inquiry of this kind. How long were you in Hayward?
Mrs. MORRISON. Just about three or four months, I think. I was with my husband then.

The CHAIRMAN. You were with your husband at Hayward?
Mrs. MORRISON. Yes, sir; we lived there.
The CHAIRMAN. About a month ago you came down here, did you?
Mrs. MORRISON. Yes, sir; ever since we separated.
The CHAIRMAN. A month or two months?
Mrs. MORRISON. Ever since we separated?
The CHAIRMAN. Yes.
Mrs. MORRISON. Probably it is more than a month. I am not sure just how long.
The CHAIRMAN. Between one and two months?
Mrs. MORRISON. Yes, sir; just about that.
The CHAIRMAN. How long had you lived at Hayward before you came down here, when you separated?
Mrs. MORRISON. How long we lived there—about, probably, four months.
The CHAIRMAN. Had you lived here before you went to Hayward?
Mrs. MORRISON. Then we lived here. We lived in Ashland, I mean.
The CHAIRMAN. You lived at Ashland?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. You and your husband both went from Ashland to Hayward?
Mrs. MORRISON. Yes, sir; and lived there.
The CHAIRMAN. How long had you lived in Ashland, as near as you can tell?
Mrs. MORRISON. Probably about five or six months, I think—I am not sure.
The CHAIRMAN. About five or six months?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. Where did you move from when you went to Ashland—where did you come from when you went to Ashland?
Mrs. MORRISON. We were down here then.
The CHAIRMAN. How long had you lived here?
Mrs. MORRISON. We have been living here ever since I have been married.
The CHAIRMAN. About how long?
Mrs. MORRISON. Maybe about fifteen or sixteen years; maybe longer than that.
The CHAIRMAN. At least ten?
Mrs. MORRISON. Probably.
The CHAIRMAN. After you came here, when you separated from your husband in Hayward, where did you live here—here in the village or out in the country?
Mrs. MORRISON. No; I lived with my father.
The CHAIRMAN. About 4 miles out of town?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. When was it that Sero came to see you?
Mrs. MORRISON. He didn't come to see me. He come to see my father.
The CHAIRMAN. He came to see your father?
Mrs. MORRISON. Yes, sir.
The CHAIRMAN. Were you present?

Mrs. MORRISON. He didn't come in the house. No. I was in the house.

The CHAIRMAN. Have you had any interview or visit with Sero since you came home?

Mrs. MORRISON. No, sir.

The CHAIRMAN. You are sure about that?

Mrs. MORRISON. Yes, sir; I am.

The CHAIRMAN. Hasn't he solicited favors of you since you came back from Hayward?

Mrs. MORRISON. No, sir; he never said anything to me about that.

The CHAIRMAN. You know what that means?

Mrs. MORRISON. Yes, sir; I do.

The CHAIRMAN. And the only time he has been to the house was the time he came out to see your father?

Mrs. MORRISON. Yes, sir.

The CHAIRMAN. Did you speak to him that day?

Mrs. MORRISON. He was outside.

The CHAIRMAN. I know, but did you speak to him?

Mrs. MORRISON. No, sir.

(Thereupon the committee, at 6.30 p. m., took a recess to 7.30 p. m.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Odanah, Wis., September 24, 1909—7.30 p. m.

AFTER RECESS.

(The subcommittee reassembled at 7.30 o'clock p. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also Mr. E. P. Holcombe, chief supervisor, Indian Service; F. W. Campbell, esq., United States Indian agent; V. T. Pierelle, esq., and M. E. Dillon, esq., appearing as attorneys for Frank Murray and Benny Morrison; also William T. Cox, assistant forester, Agricultural Department.

The CHAIRMAN. The committee will now hear everybody who desire to make statements.

STATEMENT OF STANLEY MAYDAY.

STANLEY MAYDAY, having been first duly sworn, testified as follows:

The CHAIRMAN. Mr. Holcombe, I believe you desire to conduct the examination of this witness.

Mr. HOLCOMBE. Yes, sir. How old are you?

STANLEY MAYDAY. Twenty-four years old last Monday.

Mr. HOLCOMBE. How long have you been living on this reservation?

STANLEY MAYDAY. About six years now, I think.

Mr. HOLCOMBE. Do you know Frank Murray and Ben Morrison?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. How long have you known Frank Murray?

STANLEY MAYDAY. I think I have known him about five years.

Mr. HOLCOMBE. During that time, what has been his business?

STANLEY MAYDAY. Restaurant keeper.

Mr. HOLCOMBE. What has been your business during a portion of that time?

STANLEY MAYDAY. I have been working here for George R. Derievers, of Chicago.

Mr. HOLCOMBE. Whom were you working for before that?

STANLEY MAYDAY. I worked here before. I first came from him. He sent me down here—George R. Derievers, of Chicago.

Mr. HOLCOMBE. Have you ever worked for Frank Murray?

STANLEY MAYDAY. Yes, sir. For two weeks, I think.

Mr. HOLCOMBE. What has been his business during that time?

STANLEY MAYDAY. Restaurant keeper.

Mr. HOLCOMBE. Did you reside at that restaurant or hotel during that time?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. And for any time after that?

STANLEY MAYDAY. Well, it has been a year and a half now.

Mr. HOLCOMBE. During the time that you were engaged with him did you know of his selling liquor on the premises?

STANLEY MAYDAY. Well, the time I have been boarding with him I have known it.

Mr. HOLCOMBE. What kind of liquor did he sell?

STANLEY MAYDAY. I could not tell you whether it was whisky or anything else. It was "sure death."

Mr. HOLCOMBE. Was it whisky?

STANLEY MAYDAY. I think it was.

Mr. HOLCOMBE. Did you see any beer there?

STANLEY MAYDAY. No, sir.

Mr. HOLCOMBE. Did you ever buy any whisky there?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. Did you know of others who bought it there?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. Who were they?

STANLEY MAYDAY. Mr. Gus Benesky. He is the only one.

Mr. HOLCOMBE. Do you know Ben Morrison?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. Do you know Mrs. Zake?

STANLEY MAYDAY. I am not acquainted with that lady, but I have seen her in town pretty often.

Mr. HOLCOMBE. Are Ben Morrison and Mrs. Zake married, that you know of?

STANLEY MAYDAY. Not that I know.

Mr. HOLCOMBE. Have you ever seen them together at that hotel?

STANLEY MAYDAY. I have not seen them in the hotel, but when I was working in the restaurant alone Mr. Murray told me to look after the rooms for a while, and I came about 11 o'clock in the evening and went to bed and my lamp was gone, so I commenced looking around for the lamp, and that room was locked, and I knocked at the door and inquired who was in there. He said: "This is all settled for." So I said: "All right." I went to bed in the dark. About 3 o'clock the people got up and walked downstairs. They walked off the little step, and I opened the window and saw who they were.

Mr. HOLCOMBE. Who were they?

STANLEY MAYDAY. Mr. Morrison and that lady friend of his.

Mr. HOLCOMBE. What time was this; during the time that you were working with them?

STANLEY MAYDAY. No, sir. I was not working for Mr. Murray. I was boarding with him then.

Mr. HOLCOMBE. About what time was that?

STANLEY MAYDAY. It was in the fall of the year.

Mr. HOLCOMBE. Of what year?

STANLEY MAYDAY. I do not just remember the date.

Mr. HOLCOMBE. About what year?

STANLEY MAYDAY. It was between 1906 and 1907, I think.

Mr. HOLCOMBE. The fall of that year?

STANLEY MAYDAY. Yes, sir.

Mr. HOLCOMBE. Was it anywhere near Christmas?

STANLEY MAYDAY. I could not tell you whether it was near Christmas or afterwards; it was during the cold weather anyway, because I had to build a fire to keep those people warm.

Mr. PIERELLE. You would have a fire in January, too, would you not?

STANLEY MAYDAY. Why, sure.

Mr. PIERELLE. Do you know what month you were in that building?

STANLEY MAYDAY. I could not remember what month it was. My remembrance is awful weak.

Mr. PIERELLE. Why is your memory weak?

STANLEY MAYDAY. I was hurt.

Mr. PIERELLE. You had an injury or an accident in Chicago?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And you still have a scar on your forehead from that.

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And your memory is very weak.

STANLEY MAYDAY. Yes, sir. I could not remember what day of the month it was.

Mr. PIERELLE. Who told you what month it was?

STANLEY MAYDAY. Mr. Sero was trying to make that up.

Mr. PIERELLE. And he told you what month it was?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And what month did he tell you it was?

STANLEY MAYDAY. He said it was——

Mr. PIERELLE. December?

STANLEY MAYDAY. December; something like it.

Mr. PIERELLE. And he got you to sign a paper of that kind?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. You do not know what month it was yourself, do you?

STANLEY MAYDAY. No, sir; I told him I did not know the date or the month, and he said: "I know it." He said he knew it.

Mr. PIERELLE. Are you a little sore against Frank Murray?

STANLEY MAYDAY. Why, I have not been; no, sir.

Mr. PIERELLE. You had a little trouble with him, did you not?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. He garnisheed you for your board bill, did he not?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And that made you a little sore, did it not?

STANLEY MAYDAY. It did not just exactly make me sore, but the other people that got after me. It made them sore more than it made me.

Mr. PIERELLE. That was Gates, was it?

STANLEY MAYDAY. Mr. Gates and Mr. Sero locked me in the office, and that is how they got everything out of me.

Mr. PIERELLE. They locked you in the office and made you tell this, did they?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And they wanted you to defend the case that Murray started on the ground that Murray had sold you liquor, did they not?

STANLEY MAYDAY. Yes, sir; that is what they wanted me to do.

Mr. PIERELLE. What did they say they would do with you if you did not?

STANLEY MAYDAY. They did not say anything as to what they would do with me, but I was not feeling well that week anyway—all the while I had been in that trouble—and I was kind of sick and wanted to get away as soon as I could and go to bed. I was trying to get rid of them, and five or six days afterwards he made out that the farmer wanted me to sign them, and I would not do it; so I came up to the office and he sent me with Mr. Blackford to Mrs. Hill, who made me sign those papers.

Mr. PIERELLE. Was your memory strong enough for you to tell what there was on that sheet?

STANLEY MAYDAY. I could just tell what there was on that sheet; yes, sir; because I was getting ready to go to work then.

Mr. PIERELLE. But now you do not know what there is on that sheet, do you?

STANLEY MAYDAY. I think I do.

Mr. PIERELLE. On that sheet you state something about that being in the month of December, 1907. Do you know that now?

STANLEY MAYDAY. I do not think I know that.

Mr. PIERELLE. Did you go and see Mrs. Murray about this, or did you see her or talk with her about it?

STANLEY MAYDAY. I did; I talked with her at her home.

Mr. PIERELLE. Did you tell her that Norbert Sero got you in the office and made you sign the paper?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. Did you tell her that you did not know what was in the paper?

STANLEY MAYDAY. I told her; I think I did.

Mr. PIERELLE. What did you tell her?

STANLEY MADAY. I think I told her that was about that liquor. He made me sign the papers.

Mr. PIERELLE. And did you tell her that you thought Norbert Sero was trying to do his job with Mr. Murray?

STANLEY MAYDAY. That is what I thought he was going to do. He has been after me right along to do it. I did not like to do it, but he was a man that was after me to do it.

Mr. PIERELLE. Who?

STANLEY MAYDAY. Mr. Sero. It hurt their feelings more than it did mine.

Mr. PIERELLE. You had just gotten out of a sick bed then, had you not?

STANLEY MAYDAY. I was sick for a while after that trouble. My sister was up at the camp to bring me down that evening home. I was sick, but working in the camp.

Mr. PIERELLE. You were afraid they were going to put you in jail, were you not?

STANLEY MAYDAY. No, sir; because I intended to go to Ashland in a couple of days and settle that on the quiet with Mr. Murray himself, and this man Gates had that thing planned out when I got here. He said, "You are going to fight this garnishee case of yours," and I told him I did not want to; that I was going to town myself. So when I got back I saw Mr. Murray and went into the office that night for him to make that check out; I was going to give it to Mrs. Murray that same evening, and he would not do it; he would not make that check out. He said: "I have a telephone message from Mr. Pierelle that everything is satisfactory, and the check has got to go through Pierrelle's hand. It cost me ten to fifteen dollars to pay for handling it."

Mr. PIERELLE. You did not pay anything to Pierelle, did you?

STANLEY MAYDAY. Yes, sir——

Mr. PIERELLE. You did not pay anything to Pierelle yourself, did you?

STANLEY MAYDAY. No, sir; they took it off my check.

Mr. PIERELLE. You do not know whether they gave it to Pierelle, do you?

STANLEY MAYDAY. I am quite sure they did; that is what they said they did; they showed me a receipt.

Mr. PIERELLE. From Pierelle?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. That he got $10 from you?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. Have you got that receipt here?

STANLEY MAYDAY. No, sir; they kept the receipt.

Mr. PIERELLE. I do not think they ever saw a receipt of that kind.

STANLEY MAYDAY. I do not think so either. I was after them afterwards to pay me that money back and could not see them. They went away.

Mr. PIERELLE. You never paid Pierelle any money?

STANLEY MAYDAY. No, sir; I do not think so.

Mr. PIERELLE. Well, I am Mr. Pierelle.

STANLEY MAYDAY. You surprise me.

Mr. PIERELLE. And I did not get the money. Do you know what it was that you got from Frank Murray?

STANLEY MAYDAY. When?

Mr. PIERELLE. You said you bought something from him, did you not?

The CHAIRMAN. A drink?

STANLEY MAYDAY. About liquor, you mean?

Mr. PIERELLE. Yes.

STANLEY MAYDAY. I think I did, because I have a friend here that was with me.

Mr. PIERELLE. Who is the friend?

STANLEY MAYDAY. Mr. Vinesky.

Mr. PIERELLE. Do you rely on his judgment as to what you bought?

STANLEY MAYDAY. Well, I do not rely on his judgment, but I think it was.

Mr. PIERELLE. How long ago was that?

STANLEY MAYDAY. Two years and a half or three years; I am not quite sure of it.

The CHAIRMAN. Did you buy it for yourself or did your friend buy it?

STANLEY MAYDAY. I hardly ever bought the liquor. When we went in there my friend bought it; he bought it.

The CHAIRMAN. Who?

STANLEY MAYDAY. A friend of mine.

The CHAIRMAN. You swore that you drank it.

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. Do you know of Mr. Murray ever bringing any liquor onto the Indian reservation?

STANLEY MAYDAY. I never saw him bring in any.

Mr. PIERELLE. And when you made an affidavit to that effect you did not know what was in the affidavit, did you?

STANLEY MAYDAY. I just told you that I just read one sheet of it; that is all he showed to me.

Mr. PIERELLE. He only showed you one sheet?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. The affidavit appears to be made on two sheets.

Mr. HOLCOMBE. Have you an affidavit to that effect?

Mr. PIERELLE. Yes, sir.

Mr. HOLCOMBE. What date is it?

Mr. PIERELLE. It appears to be on the 15th of June. You never saw him bring any liquor on the reservation, you say?

STANLEY MAYDAY. No, sir.

Mr. PIERELLE. And if you made that statement in the affidavit, it was not true, that you saw him bring liquor onto the reservation?

STANLEY MAYDAY. Well, I did not see him. I never watched him.

Mr. PIERELLE. This is the way the affidavit reads:

> Affiant further states that at divers times he has seen and known of his own personal knowledge that Frank B. Murray has introduced on the Bad River Indian Reservation, and sold to divers persons, intoxicating liquors.

Do you know that of your own personal knowledge, that he brought into the reservation liquor and sold it?

STANLEY MAYDAY. I do not know that he brought it, but I know that he sold it. That is all I know of it.

Mr. PIERELLE. But that was about two and a half years ago. You did not look into that room in the house where you say two people occupied the room, did you?

STANLEY MAYDAY. I could not look into the room. The door was locked.

Mr. PIERELLE. And you did not, did you?

STANLEY MAYDAY. No, sir; the door was locked, but I saw them when they came out.

Mr. PIERELLE. What time was that?

STANLEY MAYDAY. It was in the morning, about 3 o'clock.

Mr. PIERELLE. Was it light?

STANLEY MAYDAY. It was a nice moonlight, and I had the window open and could see. I opened the window and could see Mr. Morri-

son—I did not know the lady friend, but when she was in the room she was talking through the wall to me; she was talking about Chicago. I was surprised to hear that; I did not know who was in there, so when I heard that racket about 3 o'clock in the morning I thought I would see just who was there.

Mr. PIERELLE. You thought it was some friend of yours from South Chicago, did you?

STANLEY MAYDAY. I thought it was when she commenced talking to me, and I thought Mr. Murray had put them in there.

Mr. PIERELLE. Now, you had a little trouble with Benny Morrison, did you not?

STANLEY MAYDAY. I do not think I did.

Mr. PIERELLE. Did you not owe him a bill?

STANLEY MAYDAY. I owe his brother, Charley.

Mr. PIERELLE. You owe the store a bill that Benny was interested in, do you not?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And they have sent you several dunning letters about it, have they not?

STANLEY MAYDAY. Yes, sir; they have.

Mr. PIERELLE. Threatening to put it in the hands of a lawyer if you did not pay it?

STANLEY MAYDAY. At that time I was out in the camp, do you mean?

Mr. PIERELLE. Did they not write a letter to you threatening to put it in the hands of a lawyer if you did not pay it?

STANLEY MAYDAY. Yes, sir; they did.

Mr. PIERELLE. Did you pay it?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. And that made you a little sore on them afterwards, did it not?

STANLEY MAYDAY. No, sir; it was not about that at all.

Mr. PIERELLE. Frank Murray and his wife were not living there then, were they?

STANLEY MAYDAY. Where?

Mr. PIERELLE. In the restaurant?

STANLEY MAYDAY. Yes, sir.

Mr. PIERELLE. Was not the restaurant closed?

STANLEY MAYDAY. When Mr. Morrison was there?

Mr. PIERELLE. Yes.

STANLEY MAYDAY. No, sir; they were living in the hotel.

Mr. PIERELLE. Do you know anything of your own personal knowledge about Murray renting rooms to Morrison there?

STANLEY MAYDAY. I could not tell you, because when I rapped at the door and asked who was in there that man said, "This is all settled for."

Mr. PIERELLE. You had charge of the rooms yourself, did you not?

STANLEY MAYDAY. No, sir; I do not think I did.

Mr. PIERELLE. Did you not so testify here?

STANLEY MAYDAY. He just told me to look after them.

Mr. PIERELLE. Then you had charge of them?

STANLEY MAYDAY. I had not been there all the time; I was working at night, and I could not be there every time. I was working two weeks at night and two weeks days.

Mr. PIERELLE. That week you were working nights?
STANLEY MAYDAY. That week I was working daytime.
Mr. PIERELLE. And you had charge of them nights?
STANLEY MAYDAY. I had charge of them, but I did not have the keys for them. He did not give me any keys to look after that room.
Mr. PIERELLE. You do not know how the parties got to the room there, do you?
STANLEY MAYDAY. No, sir; I could not tell you. I was trying to tell Mrs. Murray about that the next day, about the parties being in the room, but I do not know what she said afterwards.
Mr. PIERELLE. What did she say then?
STANLEY MAYDAY. I can not remember what she said.
Mr. PIERELLE. You can not remember?
SANLEY MAYDAY. No, sir.
Mr. PIERELLE. Why not?
STANLEY MAYDAY. I do not know.
Mr. PIERELLE. That is all.
(The witness was thereupon excused.)

STATEMENT OF JOHN SKY, JR.

JOHN SKY, Jr., having been first duly sworn, testified as follows:
Mr. HOLCOMBE. How old are you?
JOHN SKY, Jr. Twenty-one.
Mr. HOLCOMBE. Where do you live?
JOHN SKY, Jr. At Odanah.
Mr. HALCOMBE. How long have you lived here?
JOHN SKY, Jr. About eleven years.
Mr. HOLCOMBE. Are you a full-blood Indian?
JOHN SKY, Jr. I am a half blood.
Mr. HOLCOMBE. Do you know of a place of business that was kept and owned by George and Ben Morrison?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Have you ever bought anything there?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Were you there in November, 1906, in company with John Baseny?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Did you buy anything there at that time with him?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. What was it that you bought?
JOHN SKY, Jr. We bought some grape juice.
Mr. HOLCOMBE. What effect did it have on you; did it make you drunk?
JOHN SKY, Jr. I do not think that made me drunk. I had something that made me drunk before.
Mr. HOLCOMBE. Where did you get it?
JOHN SKY, Jr. At Ashland.
Mr. HOLCOMBE. Were you there that day?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Was this other boy with you?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. In Ashland?
JOHN SKY, Jr. Yes, sir.

Mr. HOLCOMBE. How long had you been back from Ashland?
JOHN SKY, Jr. I came on that evening train.
Mr. HOLCOMBE. Then, did you go anywhere else after you got off that train besides George and Ben Morrison's?
JOHN SKY, Jr. I went home and went up there.
Mr. HOLCOMBE. Were you drunk when you went home?
JOHN SKY, Jr. I was not so very drunk.
Mr. HOLCOMBE. Did you get drunk after that?
JOHN SKY, Jr. No, sir.
Mr. HOLCOMBE. Were you arrested?
JOHN SKY, Jr. Yes, sir; I was arrested.
Mr. HOLCOMBE. Were you drunk when you were arrested?
JOHN SKY, Jr. No, sir; I was not drunk.
Mr. HOLCOMBE. Was your companion drunk?
JOHN SKY, Jr. Yes, sir; he was drunk.
Mr. HOLCOMBE. He was drunk, was he?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Were you drunker then than when you got off that train?
JOHN SKY, Jr. No, sir; I was not drunk.
Mr. HOLCOMBE. Was he?
JOHN SKY, Jr. I do not know; I did not see him when he got off the train.
Mr. HOLCOMBE. He did not come from Ashland with you?
JOHN SKY, Jr. I did not see him on the train when he came.
Mr. HOLCOMBE. Did you see him on the train when you went to Ashland?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Did you see him in Ashland?
JOHN SKY, Jr. I saw him once in Ashland.
Mr. HOLCOMBE. Whereabouts?
JOHN SKY, Jr. Right there at—I have forgotten the name of that place——
Mr. HOLCOMBE. What kind of a place was it?
JOHN SKY, Jr. It is in the saloon.
Mr. HOLCOMBE. Was he drunk then?
JOHN SKY, Jr. No, sir.
Mr. HOLCOMBE. And you did not see him after that until you saw him here?
JOHN SKY, Jr. No, sir.
Mr. HOLCOMBE. You did not see him on the train?
JOHN SKY, Jr. No, sir.
Mr. HOLCOMBE. When you did see him here at Morrison's he was drunk?
JOHN SKY, Jr. Yes, sir.
Mr. HOLCOMBE. Then he was drunker then than when you saw him before, was he not?
JOHN SKY, Jr. He must have been; I saw him in Ashland and he was not drunk there.
Mr. HOLCOMBE. And you did not see him again until you saw him at George Morrison's?
JOHN SKY, Jr. No, sir.
Mr. HOLCOMBE. Had he taken anything at George Morrison's when you saw him there?

JOHN SKY, Jr. Yes, sir; he was drinking then.

Mr. PIERELLE. We do not care to cross-examine this witness.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF JOHN TWO BIRDS.

JOHN TWO BIRDS, having been recalled for further examination, testified as follows:

Mr. HOLCOMBE. What degree of blood did you say you were?

JOHN TWO BIRDS. I am a full-blood Indian.

Mr. HOLCOMBE. I want to ask you if you remember at any time in the year 1906 buying any whisky from George or Ben Morrison?

JOHN TWO BIRDS. I bought it from George Morrison.

Mr. HOLCOMBE. At this place of business that was run by George and Ben Morrison?

JOHN TWO BIRDS. I do not remember whether they were partners or not.

Mr. HOLCOMBE. You bought it at that place?

JOHN TWO BIRDS. Yes, sir.

Mr. HOLCOMBE. Do you know whether they were in partnership at any time?

JOHN TWO BIRDS. I do not remember.

Mr. HOLCOMBE. How much whisky did you buy?

JOHN TWO BIRDS. About half a pint.

Mr. HOLCOMBE. Do you know whether at any time before that, or after that, Ben Morrison and George Morrison brought any whisky on this reservation?

JOHN TWO BIRDS. I do not know of any time before that.

Mr. HOLCOMBE. Do you know of any time after that?

JOHN TWO BIRDS. No, sir.

Mr. HOLCOMBE. Do you know whether they ever brought any whisky on this reservation?

JOHN TWO BIRDS. I do not know whether they brought it themselves or not.

Mr. HOLCOMBE. Did you ever buy it from them at any other time?

JOHN TWO BIRDS. Before that time; yes, sir.

Mr. HOLCOMBE. How often?

JOHN TWO BIRDS. Almost every day.

Mr. HOLCOMBE. At that place of business up there?

JOHN TWO BIRDS. Yes, sir.

Mr. PIERELLE. You did not buy any from Ben Morrison, did you?

JOHN TWO BIRDS. I did not.

Mr. PIERELLE. You never bought any from him?

JOHN TWO BIRDS. I did not, that I recollect.

Mr. PIERELLE. You are a police officer, are you not?

JOHN TWO BIRDS. No, sir.

Mr. PIERELLE. Were you out to the halfway house, McMillan's place, on the night of May 15, 1900?

JOHN TWO BIRDS. I was.

Mr. PIERELLE. Did you get some liquor out there?

JOHN TWO BIRDS. Yes, sir.

Mr. PIERELLE. Who was with you?

JOHN TWO BIRDS. Mr. White Bird.

Mr. PIERELLE. Who is he?

JOHN TWO BIRDS. He is an Indian here in town.

Mr. PIERELLE. What does he do now?

JOHN TWO BIRDS. He is living here.

Mr. PIERELLE. How much liquor did you get out there?

JOHN TWO BIRDS. As much as we could drink.

Mr. PIERELLE. Did you bring any with you?

JOHN TWO BIRDS. I do not know whether we did or not.

Mr. PIERELLE. I say did you bring any with you from the halfway house?

JOHN TWO BIRDS. I do not know whether we did or not.

Mr. PIERELLE. Why do you not know?

JOHN TWO BIRDS. Because I did not have any.

Mr. PIERELLE. Did the other fellow have any?

JOHN TWO BIRDS. I seen his jug, but I do not know what it contained.

Mr. PIERELLE. Did you not taste it in coming in?

JOHN TWO BIRDS. No, sir.

Mr. PIERELLE. What did he do with the jug?

JOHN TWO BIRDS. I do not know what became of it after he got in the barn there.

Mr. PIERELLE. Did you not have any of it afterwards?

JOHN TWO BIRDS. No, sir.

Mr. PIERELLE. Did you not take it to George Messenger's house?

JOHN TWO BIRDS. No, sir.

Mr. PIERELLE. Were you not at George Messenger's house that night?

JOHN TWO BIRDS. No, sir.

Mr. PIERELLE. You were not there at all?

JOHN TWO BIRDS. No, sir; I was not there.

Mr. PIERELLE. Did the other fellow take it there?

JOHN TWO BIRDS. I do not know whether he did or not.

Mr. PIERELLE. Were they not having a kind of round-up at Messenger's house that night?

JOHN TWO BIRDS. I do not know.

Mr. PIERELLE. Did you not go out and get the whisky to bring it to Messenger's house?

JOHN TWO BIRDS. I do not know whether it was in the jug or not.

Mr. PIERELLE. Did you take the jug there without knowing what was in it?

JOHN TWO BIRDS. I did not take it; I did not know where it was.

Mr. PIERELLE. Did you stop at Messenger's house when you came in?

JOHN TWO BIRDS. No, sir; I did not.

Mr. PIERELLE. How did you fix that date that you bought the pint of whisky from George Morrison?

JOHN TWO BIRDS. I can not fix the date; I do not remember just what the date was. I can not recollect it at this time.

Mr. PIERELLE. Do you know now what date it was?

JOHN TWO BIRDS. No, sir; I do not.

Mr. PIERELLE. Who first saw you about this—who came to get you to make the affidavit? You made an affidavit about it?

JOHN TWO BIRDS. I was subpœnaed to Superior on the same case.

Mr. PIERELLE. When?

JOHN TWO BIRDS. About that time 1906; something like that.

Mr. PIERELLE. Do you know that the grand jury returned an indictment at that time against George Morrison?

JOHN TWO BIRDS. I do not know about that.

Mr. PIERELLE. Do you know that Mrs. Messenger got her leg broke that night?

JOHN TWO BIRDS. I heard of it.

Mr. PIERELLE. Was that not from the influence of the liquor you brought in the jug?

JOHN TWO BIRDS. I do not know anything about the whisky.

Mr. PIERELLE. Was she not a witness with you people before the grand jury?

JOHN TWO BIRDS. Not at the time; I did not see her.

Mr. PIERELLE. Did you not go to see Ben and George about this?

JOHN TWO BIRDS. I do not remember.

Mr. PIERELLE. Did you not go to them and tell them something about $65?

JOHN TWO BIRDS. No.

Mr. PIERELLE. Did you not tell Ben and George that if they got $65 out of it that would be all there would be to it?

JOHN TWO BIRDS. No, sir; not that I remember.

Mr. PIERELLE. Are you sure?

JOHN TWO BIRDS. I am sure.

Mr. PIERELLE. Did you ever have any talk with them about $65?

JOHN TWO BIRDS. I do not remember.

Mr. PIERELLE. That is all.

(The witness was thereupon excused.)

STATEMENT OF JOHN BLACKBIRD.

JOHN BLACKBIRD, having first been duly sworn, testified as follows:

The CHAIRMAN. Please state your full name?

JOHN BLACKBIRD. My name is John Blackbird.

Mr. HOLCOMBE. Are you an Indian?

JOHN BLACKBIRD. Yes, sir.

Mr. HOLCOMBE. What degree of blood?

JOHN BLACKBIRD. Full blood.

Mr. HOLCOMBE. Where do you live?

JOHN BLACKBIRD. At Odanah Reservation.

Mr. HOLCOMBE. What is your position?

JOHN BLACKBIRD. I am an Indian policeman.

Mr. HOLCOMBE. Do you know the place of business that was conducted by Ben and George Morrison on this reservation?

JOHN BLACKBIRD. Yes, sir.

Mr. HOLCOMBE. Do you remember entering that place on or about the 20th day of December, 1908?

JOHN BLACKBIRD. Yes, sir.

Mr. HOLCOMBE. State what you saw there, and who you saw?

JOHN BLACKBIRD. I saw Ben Morrison, and I saw Brents, Williams Deview, Norbert Sero, and Johnson.

Mr. HOLCOMBE. What Johnson was that?

JOHN BLACKBIRD. Special officer.

Mr. HOLCOMBE. What date are you speaking about now?

JOHN BLACKBIRD. I do not remember the date.

The CHAIRMAN. You are talking of the time they had some trouble?
JOHN BLACKBIRD. Yes, sir.
Mr. HOLCOMBE. I am speaking about near Christmas last year.
JOHN BLACKBIRD. The 22d of December.
Mr. HOLCOMBE. On or about the 20th of December?
JOHN BLACKBIRD. Yes, sir; the 20th of December.
Mr. HOLCOMBE. Who did you see there?
JOHN BLACKBIRD. Charley Morrison, Ben Morrison, George Morrison, James White, jr., Mike Augur, Antoine Aclan, James Scott, George D. Martin, and Antoine B. Couture.
Mr. HOLCOMBE. What were they doing there?
JOHN BLACKBIRD. Those four boys I mentioned were playing pool—the first I mentioned, they were playing cards for money.
Mr. HOLCOMBE. Who were those that you first mentioned who were playing cards for money?
JOHN BLACKBIRD. Charley Morrison, George Morrison, Ben Morrison, James White, jr., and Mike Augur.
Mr. HOLCOMBE. What game were they playing?
JOHN BLACKBIRD. They were playing cards there.
Mr. HOLCOMBE. Do you know what game of cards they were playing?
JOHN BLACKBIRD. No, sir; I saw money on the table.
Mr. HOLCOMBE. Did you see anything else on the table?
JOHN BLACKBIRD. No, sir; that is all I saw.
Mr. HOLCOMBE. Do you know the game of poker?
JOHN BLACKBIRD. Yes, sir.
Mr. HOLCOMBE. Do you know whether they were playing poker or not?
JOHN BLACKBIRD. No, sir.
Mr. HOLCOMBE. Did you see any money pass between them?
JOHN BLACKBIRD. No, sir; I was only there a minute or two looking for a fellow.
Mr. HOLCOMBE. You are reading those names from a memorandum book. What is that book?
JOHN BLACKBIRD. It is a memorandum book, that is all.
Mr. HOLCOMBE. What do you keep it for?
JOHN BLACKBIRD. I keep it for everything.
Mr. HOLCOMBE. Did you put those names down at that time?
JOHN BLACKBIRD. Yes, sir; I put those names down.
Mr. HOLCOMBE. At the time you saw them?
JOHN BLACKBIRD. Yes, sir.
Mr. HOLCOMBE. Did you ever make search of the place of Ben and George Morrison in 1906, in February?
JOHN BLACKBIRD. Yes, sir; I think I did.
Mr. HOLCOMBE. Did you find any whisky jugs there?
JOHN BLACKBIRD. I think we did.
Mr. HOLCOMBE. Do you know whether you did or not?
JOHN BLACKBIRD. Yes, sir.
Mr. HOLCOMBE. Did you?
JOHN BLACKBIRD. I found cider, I believe; it was not exactly whisky; it was what they call cider.
Mr. HOLCOMBE. What kind of cider was it?
JOHN BLACKBIRD. Well, I can not say.
Mr. HOLCOMBE. Was it sweet cider or hard cider?

JOHN BLACKBIRD. I do not know.

Mr. HOLCOMBE. Was there plenty of it in the jugs?

JOHN BLACKBIRD. No; I believe they found it in the bottles?

Mr. HOLCOMBE. They found some in bottles?

JOHN BLACKBIRD. Yes, sir.

Mr. HOLCOMBE. What did you find in the bottles?

JOHN BLACKBIRD. We found cider.

Mr. HOLCOMBE. Did you find any whisky at all?

JOHN BLACKBIRD. I do not remember.

Mr. HOLCOMBE. Did you make an affidavit on June 15, 1909, that you found four 5-gallon whisky jugs containing sufficient whisky to satisfy you the jugs did contain whisky?

JOHN BLACKBIRD. I do not remember.

Mr. HOLCOMBE. You do not remember whether you made that affidavit or not?

JOHN BLACKBIRD. No, sir; I do not remember.

Mr. HOLCOMBE. Did you make any affidavit about that time?

JOHN BLACKBIRD. I do not remember.

Mr. HOLCOMBE. Do you know what an affidavit is?

JOHN BLACKBIRD. No, sir.

Mr. HOLCOMBE. Did you sign a paper in which you said you found four 5-gallon jugs and there was sufficient whisky in them to satisfy you what was in them?

JOHN BLACKBIRD. I think I did.

Mr. HOLCOMBE. Is that a fact that you did find those jugs and there was enough whisky in them to satisfy you that there had been whisky in them?

JOHN BLACKBIRD. I think I did.

Mr. HOLCOMBE. Were you drinking there at that time?

JOHN BLACKBIRD. Yes, sir; sometimes.

Mr. HOLCOMBE. You have bought whisky there yourself, have you?

JOHN BLACKBIRD. No, sir.

Mr. HOLCOMBE. Have you been treated to whisky there?

JOHN BLACKBIRD. No, sir.

Mr. HOLCOMBE. Have you seen anyone buy whisky there?

JOHN BLACKBIRD. No, sir.

Mr. HOLCOMBE. What did you do with those jugs?

JOHN BLACKBIRD. I do not remember. Once in a while I destroyed jugs.

Mr. HOLCOMBE. Do you remember whether you destroyed those?

JOHN BLACKBIRD. I threw them in the river——

Mr. HOLCOMBE. I say do you remember whether you destroyed those jugs that you found there?

JOHN BLACKBIRD. I believe we sold some to a Jew.

Mr. HOLCOMBE. What Jew?

JOHN BLACKBIRD. A rag peddler.

Mr. HOLCOMBE. Did you taste any of that whisky to find out if those jugs had whisky in them?

JOHN BLACKBIRD. Yes, sir.

Mr. HOLCOMBE. And you were satisfied they did have whisky in them?

JOHN BLACKBIRD. Yes, sir.

Mr. PIERELLE. How long have you been an Indian policeman, John?

JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. Who is your superior officer?
JOHN BLACKBIRD. Sero, the farmer.
Mr. PIERELLE. He is chief, is he not?
JOHN BLACKBIRD. I do not know; I never asked him.
Mr. PIERELLE. You say you signed some paper at one time about this matter?
JOHN BLACKBIRD. I think I did.
Mr. PIERELLE. Do you not know?
JOHN BLACKBIRD. Yes.
Mr. PIERELLE. Who drew up that paper?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. Where was it when you signed it?
JOHN BLACKBIRD. I do not remember where I signed it.
Mr. PIERELLE. Do you know where you were when you signed it?
JOHN BLACKBIRD. No, sir.
Mr. PIERELLE. Who was there when you signed it?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. Was it before Jordan, the justice of the peace?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. Did you draw up the paper that you signed?
JOHN BLACKBIRD. No.
Mr. PIERELLE. Was it drawn before you got there?
JOHN BLACKBIRD. I think so.
Mr. PIERELLE. Who told you to sign it?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. There was cider in those jugs, was there not—apple cider?
JOHN BLACKBIRD. It was in bottles, the cider.
Mr. PIERELLE. The cider was in bottles?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. Are you sure about that?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. Were there any jugs there?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. There were about 20 of them in the back room, were there not?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. In the back yard?
JOHN BLACKBIRD. I think in the ice house.
Mr. PIERELLE. They were running a soda fountain there, were they not—a soda and ice cream fountain?
Mr. HOLCOMBE. In the ice house?
Mr. PIERELLE. Well, in the ice house and store.
JOHN BLACKBIRD. They had it in the store.
Mr. PIERELLE. They get their mixtures that they make ice cream soda from in jugs, do they not?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. Why did you testify in the first portion of your examination that it was cider that you found in the jugs? Can you explain that?
JOHN BLACKBIRD. Say that again.
Mr. PIERELLE. Why did you, in the first part of your examination, testify before this committee that it was cider in the jugs?

JOHN BLACKBIRD. I do not remember that I said it.
Mr. PIERELLE. If you did say it, what do you say about that now?
JOHN BLACKBIRD. I said it was whisky in the jugs.
Mr. PIERELLE. Who tasted it?
JOHN BLACKBIRD. I did.
Mr. PIERELLE. Was it whisky?
JOHN BLACKBIRD. It was whisky.
Mr. PIERELLE. Was it good whisky?
JOHN BLACKBIRD. No; I never say whisky is good.
Mr. PIERELLE. How much did you taste, out of how many jugs?
JOHN BLACKBIRD. I do not know how many jugs I tasted.
Mr. PIERELLE. You do not remember?
JOHN BLACKBIRD. No, sir.
Mr. PIERELLE. Who else tasted it?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. Well, you were there and could see, could you not?
JOHN BLACKBIRD. Yes, sir; but I do not remember.
Mr. PIERELLE. Now, have you got anything in your book about this?
JOHN BLACKBIRD. No, sir.
Mr. PIERELLE. Why have you not?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. A great many people, John, come from Ashland and congregate on the depot platform, do they not?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. A good many of them are feeling pretty good, are they not?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. Then they come uptown and gather in different places, do they not?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. Who was with you at the time when you went to Morrison's place; that time when you claim to have found the jugs?
JOHN BLACKBIRD. I believe it was John Morrison.
Mr. PIERELLE. When was that?
JOHN BLACKBIRD. I have forgotten.
Mr. PIERELLE. When do you think it was?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. At the time you did go there, who was with you?
JOHN BLACKBIRD. I believe it was John Marksman.
Mr. PIERELLE. Who else?
JOHN BLACKBIRD. I do not believe anybody else.
Mr. PIERELLE. Did John taste any of the whisky?
JOHN BLACKBIRD. I do not know.
Mr. PIERELLE. What did you do with the jugs?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. If there was whisky in the jugs, you would take them along, would you not?
JOHN BLACKBIRD. Yes, sir.
Mr. PIERELLE. Did you?
JOHN BLACKBIRD. I do not remember.
Mr. PIERELLE. Have you any opinion on that matter at all now?

JOHN BLACKBIRD. No, sir.

Mr. PIERELLE. Is your recollection about that now as plain as it was a couple of months ago?

JOHN BLACKBIRD. No, sir.

Mr. PIERELLE. It is not?

JOHN BLACKBIRD. No, sir.

Mr. PIERELLE. Why not?

JOHN BLACKBIRD. I can not remember.

Mr. PIERELLE. I mean, can you not tell about those things as well as you could last June?

JOHN BLACKBIRD. No.

Mr. PIERELLE. You can not?

JOHN BLACKBIRD. No, sir.

Mr. PIERELLE. Then the testimony you give us now you do not want us to believe with the same credibility or the same strength as any statement you would have made last June; is that the way you want to be understood?

JOHN BLACKBIRD. I do not know. I do not know anything about this at all.

Mr. HOLCOMBE. Do you mean that you do not understand or do not know? Do you want an interpreter?

JOHN BLACKBIRD. No; I do not remember.

Mr. PIERELLE. And you want the committee to understand you in that way?

JOHN BLACKBIRD. Yes, sir.

The CHAIRMAN. Do you mean to say that you did not go there and get any jugs at any time? Did you ever go there and get any jugs that had whisky in them?

JOHN BLACKBIRD. I went there once, only once or twice; I do not remember the date.

The CHAIRMAN. I know you do not remember the date, but did you ever go there and get any jugs that had whisky in them at any time?

JOHN BLACKBIRD. I went there once and found some barrels and found some jugs. I do not remember the date.

The CHAIRMAN. But did the jugs have any whisky in them?

JOHN BLACKBIRD. Yes, sir; enough whisky there to prove that it was whisky.

The CHAIRMAN. You found enough whisky in the jugs to know that it was whisky, did you?

JOHN BLACKBIRD. Yes, sir.

Mr. PIERELLE. I understand, John, that you say you did not see any money passed between the parties when you saw the card game?

JOHN BLACKBIRD. I saw the money on the table. Some of the party were picking them up and putting it in his pockets.

Mr. PIERELLE. Were they not chips that you saw on the table?

JOHN BLACKBIRD. No, sir; chips do not sound like money.

Mr. PIERELLE. You were only in there a minute or two, you say?

JOHN BLACKBIRD. Yes, sir.

Mr. PIERELLE. And you do not know what they were playing?

JOHN BLACKBIRD. No, sir.

Mr. PIERELLE. That is all.

(The witness was thereupon excused.)

STATEMENT OF JOSEPH WHITEBIRD.

JOSEPH WHITEBIRD, having been first duly sworn, and his interpreter, William Obern, having been similarly sworn to correctly and accurately interpret him, testified as follows:

Mr. HOLCOMBE. Please state your full name.

JOSEPH WHITEBIRD. My name is Joseph Whitebird. My Indian name is Ojequam.

Mr. HOLCOMBE. You are a full-blood Indian?

JOSEPH WHITEBIRD. Yes, sir; I am a full-blood Indian.

Mr. HOLCOMBE. Where do you reside?

JOSEPH WHITEBIRD. At Odanah, Wis.

Mr. HOLCOMBE. Do you know John Twobirds?

JOSEPH WHITEBIRD. Yes, sir.

Mr. HOLCOMBE. Do you know Ben Morrison and George Morrison?

JOSEPH WHITEBIRD. Yes, sir.

Mr. HOLCOMBE. Do you know a place of business that was conducted by George and Ben Morrison?

JOSEPH WHITEBIRD. Yes, sir.

Mr. HOLCOMBE. Were you with John Twobirds at any time when he has bought liquor?

JOSEPH WHITEBIRD. No, sir; I never was.

Mr. HOLCOMBE. Did you ever see John Twobirds buy whisky at Ben Morrison's or George Morrison's place?

JOSEPH WHITEBIRD. No, sir.

Mr. HOLCOMBE. Did you ever see him drink anything at Ben Morrison's or George Morrison's—any liquor or whisky?

JOSEPH WHITEBIRD. He invited me to go into a room there and take a drink, but I do not know that he got it.

Mr. HOLCOMBE. Who invited you?

JOSEPH WHITEBIRD. John Twobirds borrowed a half a dollar of me, and it was a little while after that that he invited me to the room to take a drink; but I do not know that he got the liquor.

Mr. HOLCOMBE. What room was it?

JOSEPH WHITEBIRD. It was at the south end of the building—at one of the partitions at the south end of the building.

Mr. HOLCOMBE. What building?

JOSEPH WHITEBIRD. At the place of George Morrison and Ben Morrison's place of business.

Mr. PIERELLE. Mr. Chairman, I do not know why it should be necessary to take up any more time on that phase of the matter, because I think that is the indictment that George Morrison pleaded guilty to and paid the fine.

Mr. HOLCOMBE. I do not know what the indictment was. I was only trying to establish the fact that they were selling whisky at that place. Do you know of any whisky being brought here by George or Ben Morrison on this reservation?

JOSEPH WHITEBIRD. No, sir; never.

Mr. PIERELLE. Were you and Twobirds out at McMullin's place on the night before that?

JOSEPH WHITEBIRD. On the evening of the day that we took the drink at Morrison's we went to McMullin's.

Mr. PIERELLE. Before or after you were at Morrison's?

JOSEPH WHITEBIRD. It was after we had taken the drinks at Morrison's that we went to McMullin's.

Mr. PIERELLE. That is all.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF NORBERT SERO.

NORBERT SERO, having been recalled, testified as follows:

Mr. HOLCOMBE. Do you remember, on or about the 10th day of February, 1906, whether Ben Morrison and George Morrison brought onto the Bad River Reservation and offered for sale any intoxicating liquors?

Mr. SERO. I do not know that they brought it on at that particular date, but they had it there at that date at their place of business.

Mr. HOLCOMBE. What did they have?

Mr. SERO. Did you say the 10th of February?

Mr. HOLCOMBE. The 10th day of February, 1906.

Mr. SERO. They had a beverage there called "all ale" in bottles.

Mr. HOLCOMBE. Did they have anything else?

Mr. SERO. We found some jugs there in the back room that had some liquor—whisky in them.

Mr. HOLCOMBE. What kind of liquor?

Mr. SERO. Whisky.

Mr. HOLCOMBE. Do you know whether they were accustomed to sell whisky at that place?

Mr. SERO. I do not know of my own personal knowledge.

Mr. HOLCOMBE. Have you heard it generally stated that they did sell it?

Mr. SERO. Yes, sir.

Mr. HOLCOMBE. You have heard it stated generally that they did sell it?

Mr. SERO. Yes, sir; I did.

Mr. HOLCOMBE. Was that the common belief about this town that they sold whisky?

Mr. SERO. It was; yes, sir.

Mr. HOLCOMBE. At that time, and at other times as well?

Mr. SERO. Yes, sir.

Mr. HOLCOMBE. Do you remember that on the 29th day of February, 1908, in the nighttime, being held up in this town?

Mr. SERO. I do.

Mr. HOLCOMBE. Who held you up?

Mr. SERO. I do not know that I could name all who were present there. There were a few that I can remember now. There were quite a few of them there.

Mr. HOLCOMBE. Name them as far as you can.

Mr. SERO. There was Louis Sevalier, Ben Morrison, and John Doherty; ——— that I remember positively.

Mr. HOLCOMBE. Was Charles Morrison there?

Mr. SERO. He may have been there, but I do not remember.

Mr. HOLCOMBE. You remember Ben Morrison, you say?

Mr. SERO. Yes, sir.

Mr. HOLCOMBE. And John J. Doherty?

Mr. SERO. Yes, sir.

Mr. HOLCOMBE. And Louis Sevalier?

Mr. SEBO. Yes, sir.
Mr. HOLCOMBE. Where did they stop you?
Mr. SEBO. Right in front of this building.
Mr. HOLCOMBE. What did they stop you for?
Mr. SEBO. I had a hand grip and they said they wanted that.
Mr. HOLCOMBE. Did they get it?
Mr. SEBO. No, sir; they did not get it.
Mr. HOLCOMBE. Why did they not get it?
Mr. SEBO. I would not let them have it.
Mr. HOLCOMBE. How did you keep them from taking it?
Mr. SEBO. I pulled a gun.
Mr. HOLCOMBE. Did Ben Morrison take any part in that?
Mr. SEBO. Well, not any more than he did some talking there.
Mr. HOLCOMBE. What did you have in your hand bag?
Mr. SEBO. I had some laundry and a pair of shoes, and one thing or another that I got in Ashland.
Mr. HOLCOMBE. Did they know what was in it?
Mr. SEBO. No; I do not think they did.
Mr. HOLCOMBE. Did you ever file any complaint against them for that?
Mr. SEBO. I spoke to the United States attorney about it.
Mr. HOLCOMBE. Who was the United States attorney at that time?
Mr. SEBO. William G. Wheeler, and also Henry Morgan.
Mr. HOLCOMBE. What did they advise you?
Mr. SEBO. They said there was nothing they could do about it in the United States court.
Mr. HOLCOMBE. Did you take it up with the county attorney?
Mr. SEBO. I knew that it would be useless to do that.
Mr. PIERELLE. Was Ben Morrison in his clothing store at that time?
Mr. SEBO. I do not remember positively. I remember his being out on the corner there by the store when I went by.
Mr. PIERELLE. He did not interfere with you in any way, did he?
Mr. SEBO. He came out and said something about wanting to see what was in the grip.
Mr. PIERELLE. Ben Morrison? I thought that was Mr. Doherty who said that.
Mr. SEBO. That was after that.
Mr. PIERELLE. Ben said that afterwards?
Mr. SEBO. Yes, sir.
Mr. PIERELLE. That was after the hold up that occurred, was it?
Mr. SEBO. Yes, sir; it was. I was on my way home then.
Mr. PIERELLE. He expressed a desire to see what was in the grip, did he?
Mr. SEBO. Yes, sir.
Mr. PIERELLE. And that is about all he had to do with the hold up, was it?
Mr. SEBO. I think that was about all.
Mr. PIERELLE. The time that you speak of, on February 10, 1906, when you found some liquor in the place run by George and Ben Morrison, an indictment was returned for that offense, was it not?
Mr. SEBO. I think it was.
Mr. PIERELLE. And that was the indictment to which George Morrison pleaded guilty and paid his fine, was it not?

Mr. SERO. No; I do not believe it was. I could not say positively as to that.

Mr. PIERELLE. Do you remember what the result of the indictment was?

Mr. SERO. I remember that there was an indictment. I think an indictment is pending yet.

Mr. PIERELLE. You think an indictment is pending yet?

Mr. SERO. I do.

Mr. PIERELLE. You do not think that Ben Morrison is under any indictment now, do you?

Mr. SERO. I think that indictment is pending; yes, sir.

Mr. PIERELLE. Was there any indictment returned against Ben?

Mr. SERO. I do not believe there was an indictment against Ben at that particular place.

Mr. DILLON. What did Doherty say to you?

Mr. SERO. He said, "We want this grip."

Mr. DILLON. Did he grab at it or try to take it?

Mr. SERO. He grabbed hold of me by the arm.

Mr. DILLON. Did he say what he wanted the grip for?

Mr. SERO. I do not just remember; he said something about there was a ball in the grip.

Mr. DILLON. Where were you coming from that day?

Mr. SERO. I came from Ashland.

Mr. DILLON. What time did you go to Ashland that day?

Mr. SERO. I went up on the 5.14 train, if I remember correctly.

Mr. DILLON. And came back on the 7.15 train from Ashland?

Mr. SERO. Yes, sir.

Mr. DILLON. What did you carry the grip for?

Mr. SERO. I had my laundry in it.

Mr. DILLON. You had your laundry done up in Ashland?

Mr. SERO. Yes, sir.

Mr. DILLON. You always, on your trips between here and Ashland, carry that grip, do you not?

Mr. SERO. Not always.

Mr. DILLON. Nearly always?

Mr. SERO. No.

Mr. DILLON. Do you known where Goeltz and Wardak's saloon is in Ashland?

Mr. SERO. Yes, sir.

Mr. DILLON. Have you not been in the practice of leaving that grip in that saloon and having them put a bottle in it, and you carrying the bottle down here with you?

Mr. SERO. No, sir; I have not.

Mr. DILLON. Have you never, at any time, carried a bottle in that grip down here?

Mr. SERO. I have not.

Mr. DILLON. Did you not understand that night that that was the reason why they wanted to get that grip, to get a bottle of whisky to prove that you were carrying whisky on the reservation?

Mr. SERO. After this transaction occurred I heard rumors around about it; yes, sir.

Mr. DILLON. And do you swear now that you had never, at any time, left that grip at that saloon?

Mr. SERO. No; I always go in for my meals at the restaurant, and when I go in I usually put the grip down by the door.

Mr. DILLON. Do you never find a bottle of whisky in that grip after you get back on the reservation?

Mr. SERO. No, sir.

Mr. PIERELLE. You said that you knew it was no use to make complaint to the district attorney or to the county officials?

Mr. SERO. I did.

Mr. PIERELLE. Why did you not make complaint to the judge of a municipal court, where all complaints are made?

Mr. SERO. I thought it would be useless to make a complaint to the judge.

Mr. PIERELLE. Why?

Mr. SERO. So long as the prosecuting attorney would not prosecute it.

Mr. PIERELLE. How do you know that he would not prosecute the case?

Mr. SERO. I knew by my experience.

Mr. PIERELLE. Do you not know that he was compelled to prosecute or to furnish some one to prosecute for him?

Mr. SERO. I knew that he ought to do it.

Mr. PIERELLE. Did you ever know of his refusing to do it?

Mr. SERO. I knew of one time when he refused to prosecute a case.

Mr. PIERELLE. Of that kind?

Mr. SERO. It was a case of gambling.

Mr. PIERELLE. What case was that?

Mr. SERO. It was a case that was reported against Ben Morrison, George Morrison, and others for gambling.

Mr. PIERELLE. Do you not know as a matter of fact that he did prosecute it before a jury in the municipal court of Ashland County?

Mr. SERO. Not very successfully.

Mr. PIERELLE. The jury returned a verdict of not guilty, did they not?

Mr. SERO. I think they did.

Mr. PIERELLE. Why did you not make a report to the justice of the peace in Odanah, here, Mr. Obern, or Mr. Jordan?

Mr. SERO. As I understood the matter, Mr. Obern did not want to handle the case for some personal reason.

Mr. PIERELLE. Why did you not take it before Mr. Jordan?

Mr. SERO. I felt as though Mr. Jordan was in the business here and he might feel the same.

The CHAIRMAN. You have been here in the room yesterday and to-day?

Mr. SERO. Yes, sir.

The CHAIRMAN. Have you been here much of the time?

Mr. SERO. A great part of the time; yes, sir.

The CHAIRMAN. And you have heard much of the evidence.

Mr. SERO. Yes, sir; I have.

The CHAIRMAN. You can make any statement now that you care to make with reference to anything that has been offered here in evidence during this hearing and anything that occurs to you that you wish to make a statement about.

Mr. SERO. There was some matters here that I would like to explain to the committee, but I do not feel that I would like to go on with it so publicly.

The CHAIRMAN. Well, anything that the committee hears would have to be public. Whatever has been said here has been in public, and whatever reply is made must be in public.

Mr. SERO. I realize that; yes, sir. The case that I am interested in is pending in the court and has not been decided, and I do not think it is fair to me to bring this matter on in this way. I have a lot of money involved in this case, and it would not be fair to take advantage of me in that way.

The CHAIRMAN. I do not see how you are being taken any advantage of. Nothing that is offered before this committee is any evidence of itself before any other tribunal.

Mr. SERO. I have been subjected to a lot of investigations and to a lot of expense. I have been here for nine years at a very small salary, and this matter has been hashed over time and time again. I have had to have counsel to represent me, and it has cost me a lot of money. It has cost me really ten times more than I have ever made, and I do not care to go much further with it. It is a lot of expense. I have a lot of expense now coming on to finish it up, and it means a whole lot to me—this case.

The CHAIRMAN. Well, you do not understand that this committee is trying your case. The action of this committee is an investigation. We have received the complaints and statements of the people on these different reservations and of others. If there has been anything developed here, the opportunity will be given you as it will be given to others to make any statement that you care to make to the committee; otherwise we will take up some other matter. We will do it to-morrow if we are here. Can you identify that paper [handing a paper to the witness].

Mr. SERO. Yes, sir; I can.

The CHAIRMAN. What is it?

Mr. SERO. It is a copy of a record that I keep here.

The CHAIRMAN. Of what matters?

Mr. SERO. Of different liquor cases that I have reported to the United States court.

The CHAIRMAN. And this is made from the records in your office?

Mr. SERO. Yes, sir.

The CHAIRMAN. And it is correct?

Mr. SERO. Yes, sir; it is correct as near as I can make it.

The CHAIRMAN. Does it give the disposition of them; does it state that they have been disposed of?

Mr. SERO. No, sir; I never get that.

The CHAIRMAN. That may be inserted in the record.

(The paper is as follows:)

Schedule of liquor cases reported by Norbert Sero.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Albert Olson	Reported for introducing 2 quarts of liquor on the reservation on Aug. 18, 1901. Witnesses: Norbert Sero, William Gordon, and James Doolittle.
Angus Peterson	Reported for introducing 1 pint of alcohol on the reservation Aug. 18, 1901. Witnesses: Norbert Sero and James Doolittle.
Bert Grandey	Reported for introducing 10 quarts of hop tea or beer on the reservation Aug. 18, 1901. Witnesses: Norbert Sero, James Doolittle, William Gordon, Mary Banks, and Little Denomie.
John O'Brien	Reported for selling liquor by drinks to William La Point Aug. 17, 1901. Witnesses: Edward Haskins, Ed. Gordon, Joe Connors, and William La Point, all Indians.
Alfred Windoff	Reported for introducing 1 pint of liquor on the reservation Aug. 29, 1901. Witnesses: Norbert Sero, James Doolittle, and William Gordon.
John McCarthy	Reported for selling liquor to Henry Condecon, David Cloud, Joe Bigboy, and Condecon Stoddard, Indians, Aug. 29, 1901, all of whom are witnesses.
William Banks	Reported for introducing 1 case of beer on the reservation Nov. 1, 1901, also for selling 1 bottle to C. S. Ditzler. Witnesses: Dr. George S. Davidson, C. S. Ditzler, and Norbert Sero.
Albert Gilstead	Reported for giving liquor to Joe Rain, an Indian, on Nov. 30, 1901. Witnesses: Joe Rain and James Doolittle.
Jack Kinning	Reported for giving liquor to Joe Kanoshim, an Indian, on Nov. 30, 1901. Witnesses: Joe Kanoshim and Norbert Sero.
Joseph Soulier	Reported for introducing 1 quart of whisky on the reservation Nov. 30, 1901. Witnesses: William Gordon, Joe Benson, and Norbert Sero.
Sam Denomie	Reported for introducing liquor on the reservation Dec. 18, 1901, and giving same to Mary Shelafoe, an Indian girl, making her drunk. Witnesses: Mary Shelafoe, Norbert Sero, and James Doolittle.
John O'Brien	Reported for selling 1 pint of liquor to John Green, an Indian, Dec. 24, 1901. Witnesses: John Green and Alex. Charrette.
Andrew C. Oleson, Nels Anderson, and C. D. Oleson.	Reported for introducing 1 quart of liquor on reservation Dec. 25, 1901, Witnesses: Norbert Sero, Joe Bigboy, and Joe Fourdays.
John Cloud	Reported for introducing 1 pint of liquor on reservation on Dec. 26, 1901. Witnesses: James Doolittle and Norbert Sero.
Frank Green	Reported for introducing liquor on reservation on Dec. 26, 1901. Witnesses: Norbert Sero and Joe Bigboy.
Christ Downey	Reported for giving liquor to John Sailor, an Indian. Witnesses: John Sailor and William Gordon. Dec. 25, 1901.
John McCarthy	Reported for selling 1 pint of liquor to Mr. and Mrs. John Sky on Jan. 18, 1902. Witnesses: Mrs. John Sky and John Sky.
Joe Martin	Reported for introducing 1 quart of liquor on the reservation on Jan. 19, 1902. Witnesses: Norbert Sero, James Doolittle, and William Gordon.
John S. Green	Reported for introducing 1 pint of liquor on the reservation on Feb. 4, 1902. Witnesses: Norbert Sero and William Oberm.
John McCarthy	Reported for selling 1 quart of liquor to Frank Chingaway, an Indian. Witnesses: Frank Chingaway and Norbert Sero. Whisky sold to Indian on Feb. 16, 1902.
Fred Young	Reported for giving liquor to John Sailor, an Indian, on Feb. 22, 1902. Witnesses: John Sailor and Antoine Sailor.
Albert McKnight	Reported for giving liquor to Major Denomie, an Indian, on Feb. 22, 1902. Witnesses: Major Denomie and Mary Shelafoe.
George Curtis and Maggie Condecon.	Reported for introducing liquor on the reservation (1 pint) on Mar. 11, 1902. Witnesses: James Doolittle, Norbert Sero, and William Gordon.
Sam Denomie	Reported for giving liquor to Dave Blackbird, an Indian, on Mar. 29, 1902. Witnesses: Dave Blackbird, Norbert Sero, and William Gordon.
Augustine Head	Reported for introducing liquor on the reservation on Apr. 3, 1902. Witnesses: Norbert Sero and George S. Davidson.
Thomas Dougherty	Reported for introducing 1 pint of liquor on the reservation on Apr. 3, 1902. Witnesses: George Pitcher and Norbert Sero.
Do	Reported for introducing liquor on the reservation on Apr. 11, 1902. Witnesses: Norbert Sero and William Seymour.
Frank James	Reported for introducing liquor on the reservation on Apr. 8, 1902, and giving same to Antoine Starr, an Indian. Witnesses: Norbert Sero and George S. Davidson.
William Rice	Reported for introducing liquor on the reservation on Apr. 17, 1902—1 pint of whisky and 1 quart of beer. Witnesses: Norbert Sero and George S. Davidson.
George Rufus	Reported for introducing 1 quart of liquor on the reservation on May 1, 1902. Witnesses: John Stoddard and Norbert Sero.
Sam Denomie, jr	Reported for introducing 1 pint of whisky on the reservation on Apr. 24, 1902, and giving same to Mary Shelafoe, an Indian girl. Witnesses: Mary Shelafoe and Maggie Young.
James Miller	Reported for introducing 1 quart of whisky on the reservation on May 3, 1902. Witnesses: Norbert Sero, James Doolittle, and William Gordon.
Joe Kanoshim	Reported for introducing 2½ quarts of whisky on the reservation on May 8, 1902. Witnesses: Norbert Sero, James Doolittle, and William Gordon.
George Parker	Reported for giving 1 quart of whisky to Joseph Doolittle, Henry Twobirds, and Sam Denomie, all Indians. Witnesses: Joseph Doolittle, Henry Twobirds, and Sam Denomie. May 14, 1902.
George Rice	Reported for giving whisky to Sam Denomie, an Indian. Witnesses: Sam Denomie and George Parker.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Antoine Sailor	Reported for giving whisky to Louise Parker and Rose Doolittle, Indian girls. Witnesses: Louise Parker and Rose Doolittle. May 20, 1902.
Levi Davidson	Reported for introducing 1½ quarts of whisky on the reservation on Apr. 7 1902. Witnesses: Norbert Sero and William Obern.
William Johnston	Reported for introducing 1 pint of alcohol on reservation on May 24, 1902. Witnesses: Norbert Sero and Alex Osious.
John McCarthy	Reported for selling 1 pint of whisky to John Shabiash, an Indian. Witnesses: John Shabiash, Charles Catfish, William Gordon, and Norbert Sero. June 1, 1902.
Thomas Real	Reported for introducing 2 quarts of whisky on the reservation on June 14, 1902, and giving same to Lizzie Crow, an Indian girl. Witnesses: Lizzie Crow, Kate Crow, and Joseph Crow.
Thomas Cloud	Reported for introducing 1 pint of whisky on the reservation on June 23, 1902. Witnesses: William Gordon, James Doolittle, and Norbert Sero.
Sam Denomie	Reported for introducing 1 pint of whisky on reservation, June 12, 1902. Witnesses: James Doolittle, Norbert Sero, and William Gordon.
Thomas Cloud	Reported for introducing 1 pint of whisky on the reservation, June 23, 1902. Witnesses: William Gordon and Norbert Sero.
Joe Kanoshin	Reported for introducing 1½ pints of whisky on the reservation, July 3, 1902. Witnesses: Norbert Sero, George S. Davidson, and William Obern.
Tom Benson	Reported for introducing ½ quart of whisky on the reservation, Aug. 9, 1902. Witnesses: Norbert Sero and William Obern.
Frank Bressette	Reported for introducing 1 quart of whisky on the reservation, Sept. 8, 1902, and giving same to John Bennett, an Indian, making him drunk. Witnesses: Jno. Bennett, A. E. Gordon, and Norbert Sero.
Neise St. Thomas and Neise Syr.	Reported for introducing 3 quarts of whisky on reservation, Sept. 10, 1902. Witnesses: Norbert Sero and William Gordon.
John Asphalin	Reported for introducing 1 gallon of whisky on the reservation, Sept. 11, 1902. Witnesses: Norbert Sero and James Doolittle.
John McCarthy	Reported for selling by the drink beer and whisky to John Smart, Frank Cadotte, Frank Green, and Joe Martin, all Indians, on Nov. 15, 1902. Witnesses: John Smart, Frank Cadotte, Frank Green, and Joe Martin.
William Banks	Reported for selling 1½ quarts of whisky to James Bede, an Indian, on Nov. 4, 1902, and at divers other times sold whisky to James Bede and Antoine Charette, also an Indian. Witnesses: James Bede, Antoine Charette, and Norbert Sero.
Mike Auge and Robert Boyd.	Reported for introducing 1 pint and 4 quarts of beer on the reservation, Oct. 14, 1902. The pint referred to is whisky. Witnesses: Norbert Sero, William Gordon, and James Doolittle.
Antoine Benjamin	Reported for introducing 1 pint of whisky on the reservation, Oct. 30, 1902. Witnesses: Norbert Sero and James Doolittle.
Frank Blatchford	Reported for introducing 1 quart of whisky on the reservation, Nov. 4, 1902. Witnesses: Norbert Sero and William Obern.
John Russell	Reported for selling 1½ pints of whisky to William Knight, an Indian Witnesses: Mrs. Knight and William Knight. Nov. 8, 1902.
James Folly	Reported for introducing 1 quart of whisky on the reservation, Oct. 30, 1902, giving same to Mrs. Kate Denomie, an Indian woman. Witnesses: Kate Denomie, Sam Denomie, and Norbert Sero.
John Miller	Reported for introducing 1 quart of whisky on the reservation, Nov. 29, 1902. Witnesses: John Moses, James Doolittle, and Norbert Sero.
Simon Bressette	Reported for introducing 1 quart of whisky on the reservation, Nov. 29, 1902. Witnesses: Norbert Sero and William Obern.
John McCarthy	Reported for selling 1 quart of whisky to John Smart, an Indian, on Nov. 27, 1902. Witnesses: Charlotte Smart and John Smart.
Antoine Boulier and Henry Bressette.	Reported for introducing 1½ gallons of whisky on the reservation, Nov. 30, 1902. Witnesses: William Couture, George Start, and Sophia Montry.
Joe Martin	Reported for introducing 1 pint of whisky on the reservation, Dec. 11, 1902. Witnesses: James Doolittle and Norbert Sero.
Vincent Pawaser	Reported for selling 1 quart of whisky to Robert Charrette and 1 quart to Joe Roy, No. 3, on Dec. 8, 1902. Witnesses: Joe Roy, No. 3, Robert Charrette, Joe Halfaday, Antoine Gosley, and Henry Twobirds.
Fred Green	Reported for introducing 1 gallon of whisky on the reservation, Dec. 13, 1902. Witnesses: Norbert Sero, James Doolittle, and J. B. Bentley.
George Smith	Reported for introducing 1½ quarts of whisky on the reservation, Dec. 11, 1902. Witnesses: Joe Martin, Edward Whisley, and Alex Charette.
John Denomie, jr.	Reported for introducing 1½ quarts of whisky on the reservation, Dec. 16, 1902. Witnesses: Norbert Sero, James Doolittle, and Wm. Gordon.
John Flanegan	Reported for introducing 1 quart of whisky on the reservation, Dec. 25, 1902. Witnesses: James Doolittle, Edward Hoskins, and Norbert Sero.
John Erickson	Reported for introducing 2 quarts of whisky on the reservation, Dec. 25, 1902. Witnesses: Norbert Sero, James Doolittle, and William Gordon.
Angus Shagod	Reported for introducing 1 quart of whisky on the reservation, Dec. 26, 1902. Witnesses: William Gordon, Norbert Sero, and James Doolittle.
Dan Merrille	Reported for selling 1 quart of whisky to Joseph Bigboy, an Indian, on Jan. 1, 1903. Witnesses: Joe Bigboy and John Soulier.
Vincent Pawaser	Reported for selling 1 quart of whisky to Antoine Kebec, an Indian, on Dec. 31, 1902. Witnesses: Antoine Kebec and Frank Bocaway.
Antoine Charette and James Bede.	Reported for introducing 1 gallon of whisky on the reservation, Jan. 28, 1903. Witnesses: Lizzie Shelnice and John Fonda.
Mike Naganob	Reported for introducing 1 pint of whisky on the reservation, Feb. 11, 1903. Witnesses: Norbert Sero, James Doolittle, Edward B. Hoskins.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Charlotte Smart	Reported for introducing 2 quarts of whisky on the reservation, Feb. 21, 1903. Witnesses: John Smart, John Brown, and Frank Simon.
Frank James	Reported for introducing 1 pint of whisky on the reservation, Mar. 12, 1903. Witnesses: Norbert Sero, George Starr, and Antoine Charette.
Joe Rain	Reported for introducing 1 pint of alcohol on the reservation, Mar. 14, 1903. Witnesses: Edward Haskins and Norbert Sero.
Vincent Pawaser	Reported for selling, by drinks, liquor to Antoine Kebec on Feb. 10, 1903. Kebec is an Indian. Witnesses: Antoine Kebec and Frank Bokaway.
Charles Holtes	Reported for giving 1 quart of whisky to Charlotte Smart and Susan Baker on Mar. 28, 1903. Witnesses: Charlotte Smart and Susan Baker.
Antoine Sailor	Reported for introducing 2 quarts of whisky on the reservation, Mar. 28, 1903. Witnesses: Edward Beason and Antoine Guyette.
Antoine Benjamin	Reported for introducing 1 pint of whisky on the reservation on Mar. 31, 1903. Witnesses: Norbert Sero and Edward Haskins.
William Seager	Reported for selling whisky to James Laferdier, an Indian; also to Henry Condecon and James Bungo, both Indians. Witnesses: James Laferdier, Henry Condecon, and James Bungo. Apr. 7, 1903.
Louis Dushak	Reported for introducing 1 quart of whisky on the reservation, Apr. 20, 1903. Witnesses: Edward Beason and Antoine Haskins.
Frank Baker	Reported for introducing 1 pint of whisky on the reservation, Apr. 20, 1903. Witnesses: Edward Haskins and Peter Houle.
Antoine Haskins and John Smart.	Reported for introducing 1 gallon of whisky on the reservation, Apr. 20, 1903.
John Linden	Reported for introducing 1 pint of whisky on the reservation, Apr. 21, 1903. Witnesses: Edward Haskins and Norbert Sero.
Frank Bokaway	Reported for introducing 1 quart of alcohol on the reservation, May 3, 1903. Witnesses: David Blackbird and John Priest.
George Stone	Reported for introducing 1 quart of whisky on the reservation, May 4, 1903. Witnesses: Joe Chingaway and Anna Chingaway.
Frank Dakota	Reported for introducing 1 quart of whisky on the reservation on Mar. 6, 1903. Witnesses: John Sailor and Antoine Sailor.
Paul Current and Tom Denomie.	Reported for introducing ½ gallon of whisky on the reservation on Apr. 25, 1903. Witnesses: Lizzie Current, Maggie Wilson, and Theresa Current.
Clarence Higgins and Mary Banks.	Reported for introducing 1 pint of whisky on reservation on May 15, 1903. Witnesses: Norbert Sero, Edward Haskins, and James Doolittle.
Andrew Neuman	Reported for introducing 1½ quarts of whisky on reservation, May 10, 1903. Witnesses: W. J. Griffin and Edward Haskins.
Antoine Starr	Reported for introducing 1 quart of whisky on reservation on May 11, 1903. Witnesses: Edward Haskins, James Doolittle, and Norbert Sero.
Edward Beason	Reported for introducing 1 pint of alcohol on reservation on May 11, 1903. Witnesses: Peter Manypenny and Charles Manypenny.
Mary Mayotte	Reported for introducing 1 pint of whisky on the reservation on May 17, 1903. Witnesses: Edward Haskins and Norbert Sero.
Levi Davidson	Reported for introducing 1 gallon of whisky on the reservation, Aug. 9, 1903. Witnesses: Augus Shegod, Edward Haskins, and Norbert Sero.
William Johnston	Reported for introducing 1 quart of whisky on reservation, Jan. 10, 1903. Witnesses: John Dubinge and Nick Dakota.
Charlotte Smart	Reported for introducing 2 quarts of whisky on the reservation, Feb. 21, 1903. Witnesses: John Brown and Frank Simon.
Joe Fourdays	Reported for introducing 1 quart of whisky on the reservation, Mar. 6, 1903. Witnesses: Edward Haskins and Norbert Sero.
John Gibson	Reported for selling 10 quarts of beer to Joseph Bigboy, an Indian, on Apr. 24, 1903. Witnesses: Joseph Bigboy, Mary Sheloice, and Frank Gishkog.
Victor Deabois	Reported for selling beer over bar to Basil Gordon, an Indian, on May 16, 1903. Witnesses: Basil Gordon and George Roberts.
John James	Reported for introducing 1½ quarts of whisky on the reservation on May 29, 1903. Witnesses: Edward Haskins, Norbert Sero, and James Doolittle.
C. S. Deitzler	Reported for introducing 1 quart of whisky on the reservation, May 30, 1903. Witnesses: James Doolittle, Edward Haskins, and Norbert Sero.
Peter Pesanno	Reported for introducing 1 quart of whisky on the reservation, June 3, 1903. Witnesses: Edward Haskins and Norbert Sero.
John Green	Reported for introducing 1 quart of whisky on the reservation, June 12, 1903. Witnesses: Peter Manypenny and Lizzie Manypenny.
Joseph Brooks	Reported for selling 3 quarts of beer and 1 quart of whisky to Susan Knight, June 20, 1903. Witnesses: Susan Knight and William Knight.
Gust Frost	Reported for introducing 1 quart of whisky on reservation on July 3, 1903. Witnesses: Paul Current and Sam Green.
James Current	Reported for introducing 1 gallon of whisky on the reservation, July 3, 1903. Witnesses: James Laferdier and Paul Current.
Frank Bressette	Reported for introducing 1 quart of whisky on the reservation, July 6, 1903. Witnesses: Mrs. George Sipe and George Sipe.
James Bede	Reported for introducing 2 quarts of alcohol on the reservation, July 12, 1903. Witnesses: Mary Bressette and Lizzie Starr.
George Messenger	Reported for giving 1 quart of whisky to Maggie Young and Charlotte Jackson on Aug. 2, 1903. Witnesses: Maggie Young and Charlotte Jackson.
John B. Bressette	Reported for introducing and selling 1½ quarts of whisky on the reservation Aug. 10, 1903. Sold liquor to Antoine Cloud, an Indian. Witnesses: Antoine Cloud and Frank James.
Pat Kenny	Reported for introducing and giving 1 pint of whisky to Maggie Sipe, an Indian, Aug. 10, 1903. Witnesses: Maggie Sipe, Edward Haskins, and Norbert Sero.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Alex King	Reported for introducing 1 gallon of whisky on the reservation, Aug. 16, 1903. Witnesses: John Gordon and Mrs. John Gordon.
Joseph Frost	Reported for introducing 1 quart of alcohol on the reservation, Aug. 18, 1903. Witnesses: Norbert Sero and D. J. Griffin.
Vincent Pawaser	Reported for selling whisky and beer over the bar to Joseph Current, James Current, and Frank Dakota, Aug. 19, 1903. Witnesses: Joseph Current, James Current, and John Vanburen.
Vincent Pawaser	Reported for selling 1 quart of alcohol to John Smart, an Indian, July 5, 1903. Witnesses: John Smart and John Vanburen.
O. C. Johnston	Reported for introducing 1 gallon of whisky on the reservation, Aug. 21, 1903. Witnesses: Edward Haskins and James Doolittle.
Vincent Pawaser	Reported for selling 1 quart of whisky to Joseph Starr, an Indian, Aug. 17, 1903. Witnesses: Joseph Starr and John Cutore.
Vincent Pawaser	Reported for selling 1 pint of whisky to Joe Kinoshim and for selling 1 quart of whisky to Sam Markenman, both Indians, on Sept. 5, 1903. Witnesses: Joseph Kinoshim and Sam Markenman.
James Current	Reported for selling 1 quart of alcohol and 1 pint of whisky on reservation, Sept. 5, 1903. Witnesses: Joseph Kinoshim and Antoine Sailor.
Arthur Jones	Reported for selling 1 quart of whisky to Henry Bressette, an Indian; also to Sophia Montry, an Indian woman, on Sept. 10, 1903. Witnesses: Henry Bressette and Sophia Montry.
George Miller	Reported for selling and introducing 2 quarts of whisky on the reservation Sept. 18, 1903. Witnesses: Peter Manypenny and Henry Bressette.
Victor Deshois	Reported for selling 1 quart of whisky to Antoine Kebec, an Indian, Oct. 15, 1903. Witnesses: Antoine Kebec, Sophia Boyo, and John Denomie.
John Pennoc	Reported for introducing 1 quart of beer on the reservation, and giving same to Susie McBride, on Oct. 18, 1903. Witnesses: Helen McBride and Susie McBride.
Joseph Gordon	Reported for introducing 1 quart of beer on the reservation, and giving same to Helen McBride, on Oct. 18, 1903. Witnesses: Helen McBride and Susie McBride.
Vincent Pawaser	Reported for selling beer and whisky over the bar to John Moses, Angus Shegod, and James Doolittle, Sept. 30, 1903. Witnesses: John Moses, Angus Shegod, and James Doolittle, all Indians.
Vincent Pawaser	Reported for selling 1 pint of whisky and ½ pint of alcohol to Frank Kebec, an Indian, Oct. 12, 1903. Witnesses: Frank Kebec and John Shibiash, Indians.
Mrs. Vincent Pawaser	Reported for selling 1 gallon of whisky to Sambo Denomie, an Indian, Oct. 21, 1903. Witnesses: Sambo Denomie and Edward Beason.
John Goslin	Reported for introducing 1 quart of whisky on the reservation, Oct. 18, 1903. Witnesses: Henry Blatchford, Norbert Sero and Peter Goslin.
Frank Zack	Reported for selling whisky by drinks to Joseph James and Frank Bokaway Indians, Nov. 27, 1903. Witnesses: Joseph James and Frank Bokaway.
John Sailor	Reported for introducing 1 pint of alcohol on the reservation, Nov. 20, 1903. Witnesses: Norbert Sero and William Obern.
Frank Zack	Reported for selling 2 quarts of whisky to Joe Beason, an Indian, on Dec. 1, 1903. Witnesses: Joe Beason, Mrs. Joe Beason, and Norbert Sero.
Frank Valley	Reported for introducing 1 pint of whisky on the reservation, Dec. 8, 1903. Witnesses: Edward Hoskins, Norbert Sero, and James Doolittle.
Frank Zack	Reported for selling 1 pint of whisky and 3 drinks of whisky over the bar to Frank Green, on Dec. 7, 1903. Witnesses: Frank Green and John Mediger.
Phillip Tealsir	Reported for selling 2 glasses of beer each to James Bede and Mrs. A. J. Vandevanter, Nov. 8, 1903. Witnesses: James Bede and Mrs. A. J. Vandevanter.
James Bede	Reported for introducing and giving ½ gallon of alcohol to Mrs. A. J. Vandevanter on Nov. 8, 1903. Witnesses: Mrs. A. J. Vandevanter and George Curtis.
John Moses	Reported for introducing 1 gallon of alcohol on the reservation, Dec. 6, 1903. Witnesses: Anna Forcla and Mrs. Mike Contore.
Joseph Gordon	Reported for introducing 1 quart of whisky on the reservation, Dec. 15, 1903. Witnesses: Joseph Current and Mrs. Joseph Current.
John Boudreau	Reported for introducing 1 quart of whisky on the reservation on Dec. 24, 1903. Witnesses: Norbert Sero and Joe Bigboy.
Jasper Belanger	Reported for introducing 1 quart of whisky on the reservation and giving same to Charlotte Current and Lizzie Bressette, Indians, on Dec. 24, 1903. Witnesses: Charlotte Current and Lizzie Bressette.
Jerry Lemers	Reported for introducing 1 pint of whisky on the reservation, Dec. 24, 1903. Witnesses: Norbert Sero and William Obern.
Elof Nelson, Aron Johnston, Carl Benson and Olis Erickson	Reported for introducing ½ gallon of whisky and ½ gallon of alcohol on the reservation, Dec. 24, 1903. Witnesses: Edward Haskins, Paul Current, Joe Bibgoy and Norbert Sero.
Joe Kinoshim	Reported for introducing 1 quart of whisky on the reservation at Joe Current's residence, Jan. 7, 1904. Witnesses: Joseph Current and Charlotte Current.
Alfred La Point	Reported for introducing 1 quart of whisky on the reservation, Dec. 25, 1903. Witnesses: Norbert Sero and Antoine Starr.
George Thompson	Reported for introducing 1 pint of whisky on the reservation, Jan. 17, 1904. Witnesses: Edward Hoskins and James Doolittle.
Joseph Thompson	Reported for selling whisky over the bar to John Van Buren, an Indian. Witnesses: John Van Buren and Mrs. John Van Buren. Jan. 6, 1904.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Joe Fulton	Reported for introducing 1 quart of whisky on the reservation, Jan. 19, 1904. Witnesses: Joe Rain and Mrs. Joe Rain.
Nelse Anderson	Reported for introducing 1 gallon of whisky on the reservation, Feb. 20, 1904. Witnesses: James Halt, Norbert Sero, and James Doolittle.
Duffie Bressette	Reported for introducing 1 quart of whisky on the reservation, Mar. 16, 1904. Witnesses: Norbert Sero, James Doolittle, and Edward Haskins.
Tim Leland	Reported for selling, by drinks, liquor to Peter Antoine and Frank Doolittle; also 1 pint of whisky to Peter Antoine, on Mar. 28, 1904. Witnesses: Peter Antoine and Frank Doolittle.
Ali La Fernia	Reported for selling, by drinks, liquor to John Marksman and Mike Crow, Indians, on Mar. 5, 1904. Witnesses: Mike Crow and John Marksman.
Alfred La Pointe	Reported for introducing 1 quart of whisky on the reservation on Mar. 28, 1904. Witnesses: Norbert Sero, W. J. Griffin, and William Obern.
Fred Sanders	Reported for selling 2 quarts of whisky to Alex Charrette; also, by drinks, liquor to Alex Charrette and Antoine Charrette, Indians, on Feb. 6, 1904. Witnesses: Alex Charrette and Antoine Charrette.
Frank Cadotte	Reported for introducing 1 quart of whisky on the reservation on Apr. 2, 1904. Witnesses: Norbert Sero and W. J. Griffin.
Louis Saveller	Reported for introducing and selling 1 quart of whisky on the reservation to Antoine Starr, an Indian, on Apr. 12, 1904. Witnesses: Antoine Starr, John Marksman, and Norbert Sero.
Joe La Pointe	Reported for introducing and selling 1 pint of whisky on the reservation to Mike Defore, an Indian, on Apr. 12, 1904. Witnesses: Mike Defore, Norbert Sero, and Edward Haskins.
John Marksman	Reported for introducing and selling on the reservation 1 pint of whisky to Margaret Durant, an Indian woman, on Apr. 12, 1904. Witnesses: Margaret Durant and John Durant.
Edward Carl	Reported for introducing on the reservation and giving to Mary Mayotte and Mary Couture 2 quarts of whisky and 6 quarts of beer on May 2, 1904. Witnesses: Mary Mayotte and Mary Couture.
Peter Dugless	Reported for selling, by the drinks, whisky and beer to Antoine Roy and John Stoddard, Indians, and selling 1 pint of whisky to Antoine Roy, on Mar. 19, 1904. Witnesses: Antoine Roy and John Stoddard.
Joseph La Pointe	Reported for introducing 1 pint of whisky on the reservation on May 8, 1904. Witnesses: Norbert Sero and James Doolittle.
James Haskins	Reported for introducing 1 quart of whisky on the reservation, May 8, 1904. Witnesses: William Obern and Norbert Sero.
Frank Chingway	Reported for introducing 1 quart of whisky on the reservation, May 22, 1904. Witnesses: Norbert Sero, Edward Haskins, and James Doolittle.
Joe Starr	Reported for introducing 1 quart of whisky on the reservation, June 10, 1904. Witnesses: Edward Haskins, James Doolittle, and Norbert Sero.
Andrew Winiski	Reported for introducing 12 quarts of beer on the reservation, July 4, 1904. Witnesses: Norbert Sero, George Irish, and Edward Haskins.
John Bost	Reported for introducing ½ barrel of beer on the reservation on July 3, 1904. Witnesses: James La Fernia, Peter Houle, and Norbert Sero.
William Fond	Reported for introducing 1 quart of whisky on the reservation, July 3, 1904. Witnesses: James La Fernia, Peter Houle, and Norbert Sero.
Joe Truckey	Reported for selling 1 quart of alcohol to John Smart, an Indian, July 18, 1904. Witnesses: John Smart, Mrs. John Smart, and Norbert Sero.
Edward Beason and Antoine Smart	Reported for introducing 4 gallons of whisky on the reservation, July 18, 1904. Witnesses: Frank Rebec, Edward Haskins, and Norbert Sero.
Wm. J. McCarthy	Reported for selling over the bar 10 bottles of beer to James Blackbird and James Bede, July 19, 1904. Witnesses: James Blackbird, James Bede, and Maggie Smart.
Edward Demars	Reported for selling to George Rufus and Antoine Sailor on July 25, 1904, 1 pint of whisky and 2 drinks of whisky and beer over the bar; both Indians. Witnesses: Edward Rufus and Antoine Sailor.
Edward Demars	Reported for selling to Louis Mayotte and Joe Sullivan, Indians, nine bottles of beer and drinks of beer and whisky over the bar, on July 31, 1904. Witnesses: Louis Mayotte and Joe Sullivan.
Helmer Olson	Reported for introducing 2 quarts of whisky on the reservation, July 24, 1904. Witnesses: William Obern and Norbert Sero.
William Roy	Reported for introducing 1 quart of alcohol on the reservation, Aug. 4, 1904, giving same to Peter Manypenny, Joseph Frenchman, and Frank Bokaway.
Frank Green	Reported for introducing 1 pint of whisky on the reservation, Aug. 18, 1904. Witnesses: James La Fernia and Joe De Pugh.
Edward Demars, Oliver Demars, and Joe Truckey.	Reported for selling beer and whisky over the bar to George Rufus, Edward Beason, and Frank Soulier, Indians, on Aug. 29, 1904. Witnesses: George Rufus, Edward Beason, and Frank Soulier.
T. J. McMullin	Reported for selling ½ pint of whisky to Robert Boyd on Oct. 23, 1904; also for selling whisky and beer over the bar to Robert Boyd, Alex Bressette, Edward Bashon, and James La Fernia. Witnesses: Robert Boyd, Alex Bressette, Edward Bashon, and James La Fernia, all Indians.
Lund Patterson, James Gorman, Alfred Windoff, and Bert Fredrick.	Reported for introducing 1½ quarts of whisky on the reservation, Sept. 18, 1904. Witnesses: Edward Haskins, James Doolittle, and Norbert Sero.
Charles Cadotte	Reported for introducing 1 pint of whisky on the reservation, Sept. 26, 1904. Witnesses: John Blackbird and Dave Marksman.
Joe Truckey	Reported for selling 3 quarts of whisky to John Sky, an Indian, Sept. 26, 1904. Witnesses: John Sky and Eli Lemeaux.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, s.—	
T. J. McMullin	Reported for selling over the bar whisky to John Sky and Eli Lemeaux, Indians, on Sept. 28, 1904. Witnesses: John Sky and Eli Lemeaux.
T. J. McMullin	Reported for selling to George Martin drinks of whisky and beer over the bar on Oct. 1, 1904. Witnesses: George Martin and Mrs. George Martin.
Mike Auge	Reported for introducing and giving to George Martin 1 pint of whisky on Oct. 1, 1904. Witnesses: George Martin and Mrs. George Martin.
Nelse Gady	Reported for introducing 2 gallons of whisky on the reservation on Oct. 2, 1904. Witnesses: John Marksman and Joe Beason.
W. J. McCarthy	Reported for selling beer over the bar to Joe Starr and Antoine Charrette, Indians, taking about 15 drinks, on Oct. 3, 1904. Witnesses: Joe Starr and Antoine Charrette.
Joe Rain	Reported for introducing 1½ quarts of alcohol and 1 pint of whisky on the reservation, Oct. 5, 1904. Witnesses: Norbert Sero and James La Fernia.
Frank Bokaway	Reported for introducing 1 quart of alcohol and 1 quart of whisky on the reservation, Oct. 5, 1904. Witnesses: Norbert Sero, James La Fernia, and Ben Bilsavetr.
T. J. McMullin	Reported for selling 1 pint of whisky and beer over the bar to William Roy and Joe Roy, Indians, on Oct. 5, 1904. Witnesses: William Roy and Joe Roy.
Joe Trookey	Reported for selling 2 pints of alcohol and 1 pint of whisky to Frank Bokaway, an Indian, on Oct. 5, 1904. Witnesses: Frank Bokaway, Joe Bigboy, and Joe Starr.
Edward Demars	Reported for selling beer over the bar to William Roy and Mrs. William Roy; also ½ pint of alcohol and ½ pint of whisky to William Roy, Indian, on Oct. 11, 1904. Witnesses: William Roy and Mrs. William Roy.
Mrs. John McCarthy	Reported for selling whisky in drinks over the bar to Henry Condecon, George Messenger, James La Fernia, Edward Wiggins, and Edward Haskins, all Indians, Oct. 28, 1904. Witnesses: Henry Condecon, George Messenger, Edward Haskins, James La Fernia, and Edward Wiggins.
T. J. McMullin	Reported for selling to Edward Beson and Thomas P. Smart, Indians, whisky over the bar; also for selling 1 pint of whisky to Thomas P. Smart and 1 pint of whisky to Louis Lamob on Nov. 27, 1904. Witnesses: Edward Beson, Tom P. Smart, and Louis Lamob.
David Blackbird	Reported for introducing 1 pint of whisky on the reservation on Dec. 18, 1904. Witnesses: Norbert Sero and Levi Chose.
W. J. McCarthy	Reported for selling in drinks over the bar whisky to John E. Green and Frank Cadotte, Indians, Dec. 18, 1904. Witnesses: John E. Green and Frank Cadotte.
Mrs. W. J. McCarthy	Reported for selling in drinks over the bar whisky to John E. Green and Frank Cadotte, Indians, on Dec. 18, 1904. Witnesses: John E. Green and Frank Cadotte.
Griffith Jones	Reported for introducing 1½ quarts of whisky on the reservation on Dec. 22, 1904. Witnesses: Edward Haskins and Norbert Sero.
Pat Crounin	Reported for introducing 1½ quarts of whisky on the reservation on Dec. 25, 1904. Witnesses: Norbert Sero and J. M. Meyers.
Joseph Kakagon	Reported for introducing ½ gallon of whisky on the reservation on Dec. 25, 1904. Witnesses: Norbert Sero, George Rufus, and Doctor Griffin.
Charles Bonessay	Reported for introducing 1 quart of whisky on the reservation on Dec. 24, 1904. Witnesses: Norbert Sero and William Obern.
Alfred Bed	Reported for introducing 1 quart of whisky on the reservation on Sept. 24, 1904. Witnesses: Mrs. Maj Deborne and Mary Shelafoe.
Thomas O'Day	Reported for selling ½ gallon of whisky to Joe Kakagon, an Indian; also for selling 1 quart of whisky to James White, an Indian, on Dec. 24, 1904. Witnesses: Joe Kakagon and James White.
Charles Bennett	Reported for introducing 1 quart of whisky on the reservation Dec. 6, 1904. Witnesses: Joseph Current and Mrs. Joseph Current.
Peter Antoine	Reported for introducing ½ gallon of whisky on the reservation Jan. 1, 1905. Witnesses: Norbert Sero, Edward Haskins, and Henry Holliday.
Joseph Soolier	Reported for introducing 1 quart of whisky on the reservation Jan. 1, 1905. Witnesses John Marksman and Norbert Sero.
Jasper Belenger	Reported for introducing 1 pint of whisky on the reservation on Jan. 1, 1905. Witnesses: Norbert Sero, Edward Haskins, and Henry Holliday.
George Curtis	Reported for introducing 1 gallon of whisky on the reservation Jan. 1, 1905. Witnesses: Norbert Sero, Thos. Condecon, and Henry Condecon.
Peter Teabeau and T. J. McMullin.	Reported for selling beer and whisky to Ed Wiggins, Willie Goslin, James Goslin, Frank Soolier, Maggie Sprink, Lizzie Bressette, and Mary Shelafoe, and James La Fernia, all Indians. Witnesses: All persons above mentioned to whom liquor was sold. Jan. 17, 1905.
Peter Teabeau	Reported for selling whisky and beer over the bar to Joseph Current, Mrs. Joseph Current, and Lizzie Bressette, all Indians, on Jan. 23, 1905. Witnesses: Joseph Current, Mrs. Joseph Current, and Lizzie Bressette.
Mrs. William McCarthy	Reported for selling 1 pint of whisky to Joe Halfday, and 3 drinks of whisky each to Joe Halfday and Mrs. Joe Halfday, Indians, on Jan. 27, 1905. Witnesses: Joe Halfday and Mrs. Joe Halfday.
Thomas O'Day	Reported for selling in drinks over the bar whisky to Basil Goodin and Levi Davidson, Indians, on Jan. 21, 1905. Witnesses: Levi Davidson and Basil Goodin.
Fred O'Day	Reported for selling in drinks over the bar gin to Henry Twobirds and Mike Auge, both Indians, also for selling 1 pint of gin to Mike Auge on Nov. 6, 1904. Witnesses: Henry Twobirds and Mike Auge.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
M. F. Kelicher	Reported for introducing 1 quart of whisky on the reservation on Sept. 27, 1904. Witnesses: John Blackbird, Dave Marksman, and Norbert Sero.
T. J. McMullin	Reported for selling 3-quarts of whisky to Frank Frost, an Indian, also for selling beer over the bar to Frank Frost and Gust Frost, Indians, on Feb. 22, 1905. Witnesses: Gust Frost and Frank Frost.
Louis Lemeaux	Reported for introducing 1 pint of whisky on the reservation on Mar. 2, 1905. Witnesses: Norbert Sero, James W. Roy, and John Blackbird.
Gust Frost	Reported for introducing 1 gallon of whisky on the reservation Mar. 8, 1905. Witnesses: Norbert Sero, John Blackbird, and Antoine Kebec.
T. J. McMullin	Reported for selling 1 pint of whisky to John Gordon, and whisky and beer over the bar to George Rufus and John Gordon, both Indians, on Mar. 6, 1905. Witnesses: George Rufus and John Gordon.
John McCarthy	Reported for introducing 1 quart of whisky on the reservation, and giving same to John B. Bressette and Peter Soulier, Indians, on Feb. 28, 1905. Witnesses: John B. Bressette and Peter Soulier.
T. J. McMullin	Reported for selling 2 quarts of whisky to John B. Bressette and Peter Soulier, Indians, on Feb. 20, 1905. Witnesses: John B. Bressette and Peter Soulier.
Mrs. John McCarthy	Reported for selling 1 pint of whisky to Peter Soulier; also for selling whisky and beer over the bar to Peter Soulier and John B. Bressette, both of whom are Indians and witnesses. Feb. 27, 1905.
Edward Demars	Reported for selling in drinks over the bar whisky to Antoine Denomie, Joe Potack and John Gokes, all of whom are Indians and witnesses.
Robert Charrette	Reported for introducing 1 quart of whisky on the reservation on Apr. 11, 1905. Witnesses: Mable Chalker and Philemina Quebec.
William Ruby	Reported for introducing 1 pint of whisky on the reservation Mar. 19, 1905. Witnesses: Charlotte Current and Joe Fourdays.
George Stone	Reported for introducing 1 quart of whisky on the reservation on May 31, 1905. Witnesses: John Blackbird and Walter Scott
Louis Belanger	Reported for introducing 1 quart of whisky on the reservation on May 21, 1905. Witnesses: John Blackbird, John Marksman, and David Blackbird.
John Martin	Reported for introducing 1 gallon of whisky on the reservation on May 27, 1905. Witnesses: John Blackbird and John Marksman.
Antoine Lemeaux	Reported for introducing 1 pint of whisky on the reservation on May 27, 1905. Witnesses: John Blackbird and John Marksman.
Frank Dakota	Reported for introducing 1 pint of whisky on the reservation on May 27, 1905. Witnesses: Edward Haskins and John Marksman.
Joe Auger	Reported for introducing 2 quarts of whisky on the reservation and giving same to Thomas P. Smart; also gave drink to Maggie Spink and a pint of whisky to John and Charlotte Smart on Apr. 19, 1905. Witnesses: Lucy Cloud, Maggie Spink, and Simon Denomie.
John Smart and Charlotte Smart.	Reported for the murder of Thomas F. Smart on Apr. 19, 1905. Witnesses: Lucy Cloud, Maggie Spink, Simon Denomie, Mike Bressette, Joseph Current, and Theresa Current.
Louis Belanger	Reported for introducing 1 quart of whisky on the reservation, May 21, 1905. Witnesses: John Blackbird and John Marksman.
John Baker	Reported for introducing 2 gallons of whisky on the reservation on May 30, 1905. Witnesses: Edward Haskins and John Marksman.
James Bechand	Reported for introducing 1 gallon of whisky on the reservation on July 16, 1905. Witnesses: Norbert Sero, John Marksman, and W. J. Griffin.
Robert Boyd	Reported for introducing 1 quart of whisky on the reservation, Oct. 3, 1905. Witnesses: Norbert Sero and John Blackbird.
Robert Boyd	Reported for introducing ½ pint of whisky on the reservation, Apr. 23, 1906. Witnesses: Maggie Wilson and Lizzie Bressette.
Antoine Basino	Reported for introducing 1 gallon of whisky on the reservation on Mar. 22, 1905. Witnesses: Thomas Beason and Mrs. Lizzie Beason.
Joe Burns	Reported for introducing 2 quarts of whisky on the reservation on May 16, 1906. Witnesses: Norbert Sero and John Marksman.
Joe Bigboy	Reported for introducing ½ gallon of alcohol on the reservation on Sept. 24, 1905. Witnesses: Joe Fourdays and John Blackbird.
John Couture	Reported for introducing 1 pint of whisky on the reservation, Nov. 12, 1905. Witnesses: John Blackbird and John Marksman.
Lucy Cloud	Reported for introducing 1 pint of whisky on the reservation, Apr. 19, 1905. Witnesses: John Smart and Charlotte Smart.
Henry Charlieau	Reported for introducing 1 quart of whisky on the reservation, July 21, 1905. Witnesses: John Blackbird and Sam Marksman.
James Chamberland	Reported for introducing 1 pint of whisky on the reservation, Nov. 16, 1905. Witnesses: Edward Haskins and John Marksman.
Mr. and Mrs. Robert Charrette.	Reported for introducing 1 quart of whisky on the reservation, Apr. 11, 1905. Witnesses: Mable Chalker and Philomena Quebec.
Lizzie Cloud	Reported for introducing 1 pint of whisky on the reservation on Aug. 12, 1905. Witnesses: Rose Doolittle and Edward Rufus.
William Couture, jr.	Reported for introducing 1 quart of whisky on the reservation, Feb. 3, 1906. Witnesses: John Blackbird and John Marksman.
Kate Coltz	Reported for introducing 1 quart of whisky on the reservation, Feb. 18, 1906. Witnesses: John S. Greed and Mrs. John S. Greed.
George Cederroot	Reported for introducing 4 quarts of whisky on the reservation, Dec. 21, 1906. Witnesses: Mrs. Maggie Summers, Willie Summers, and Moses Cloud.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Antoine Charrette and John J. Doherty.	Reported for introducing 3 gallons of whisky on the reservation on June 9, 1905. Witnesses: Robert Charrette, Mrs. Robert Charrette, and Edward Wesley.
Alex Charrette	Reported for introducing 1 quart of whisky on the reservation, July 2, 1906. Witnesses: Norbert Sero, James Rae, and Edward Haskins.
George Curtis	Reported for introducing 1 quart of whisky on the reservation, Sept. 1, 1906. Witnesses: Norbert Sero, Edward Haskins, and Henry Holliday.
Charles De Younger	Reported for introducing 1 pint of whisky on the reservation, Sept. 3, 1905. Witnesses: Sam Marksman and Norbert Sero.
Mrs. James Doolittle	Reported for introducing 1½ pints of whisky on the reservation, May 31, 1906. Witnesses: Peter Manypenny and Mrs. Peter Manypenny.
George Day	Reported for introducing 1 pint of whisky on the reservation, July 23, 1905. Witnesses: John Marksman and Sam Marksman.
Maj Denomie	Reported for introducing 1 quart of whisky on the reservation, Jan. 27, 1906. Witnesses: Norbert Sero, John Blackbird, and Henry Holliday.
Edward Day and George Parker.	Reported for introducing 4 barrels of beer on the reservation, Feb. 10, 1906. Witnesses: Norbert Sero, Edward Haskins, John Blackbird, and W. J. Egbert.
Gust Erickson	Reported for introducing 2 quarts of alcohol and 1 quart of whisky on the reservation, July 4, 1905. Witnesses: Sam Marksman, John Marksman, and John Blackbird.
American Express Co.	Reported for introducing 2 gallons of whisky on the reservation, Dec. 1, 1906. Witnesses: Norbert Sero, J. Marksman, and Edward Haskins.
American Express Co.	Reported for introducing 3 gallons of whisky on the reservation on Aug. 22, 1906. Witnesses: Norbert Sero, W. J. Egbert, and Edward Haskins.
American Express	Reported for introducing 2 gallons of whisky on the reservation, Sept. 18, 1906. Witnesses: Norbert Sero, John Marksman, and Edward Haskins.
Angus Frost	Reported for introducing ½ barrel of beer on the reservation, July 2, 1905. Witnesses: Frank King and Angeline Frost.
Angus Frost	Reported for introducing 1½ gallons of whisky on reservation, July 11, 1906. Witnesses: Edward Benson, Mrs. Joe Benson, Mary Vandervunter, Mary Hoole, and Horace Greeley.
Angus Frost	Reported for introducing 1 quart of whisky on the reservation, Aug. 3, 1906. Witnesses: Norbert Sero, John Marksman, and W. J. Griffin.
Angus Frost	Reported for introducing 1 gallon of whisky on the reservation, Sept. 1, 1906. Witnesses: Norbert Sero and Edward Haskins.
Basil Gordon	Reported for introducing 1 gallon of whisky on the reservation, Oct. 7, 1905. Witnesses: John Gordon, Charles Cloud, and Mary Wa-bon-ai-no-din.
Chase Gordon	Reported for introducing 1 quart of whisky on the reservation, Oct. 18, 1906. Witnesses: John Blackbird and John Marksman.
John Gollinger	Reported for introducing 1 pint of whisky on the reservation, Aug. 12, 1906. Witnesses: Norbert Sero and John Marksman.
George Hart	Reported for introducing 1 quart of whisky on the reservation, Jan. 3, 1906. Witnesses: Norbert Sero, Charles Brimmister, and Henry Holliday.
Robert Kennon	Reported for introducing 1 quart of whisky on the reservation, Aug. 27, 1905. Witnesses: John Blackbird and Jonathan Marksman.
Frank Ketchum	Reported for introducing 1 pint of whisky on the reservation, Oct. 2, 1906. Witnesses: Dan Morrison and Dave Marksman.
Frank King	Reported for introducing ½ pint of whisky on the reservation, Oct. 3, 1905. Witnesses: John Marksman and John Blackbird.
Louis Lemeaux	Reported for introducing 1 pint of whisky on the reservation, Mar. 2, 1906. Witnesses: Norbert Sero, James W. Rae, and John Blackbird.
Antoine Lemeaux	Reported for introducing 1 pint of whisky on the reservation, May 27, 1905. Witnesses: John Marksman and John Blackbird.
Joseph La Pointe	Reported for introducing ½ pint of whisky on the reservation, April 23, 1906. Witnesses: Maggie Wilson and Lizzie Bressette.
Joe La Pointe, sr	Reported for introducing ½ pint of whisky on the reservation on Sept. 22, 1905. Witnesses: Sam Marksman, John Marksman, John Blackbird, and Norbert Sero.
John McCarthy	Reported for introducing 1 pint of whisky on the reservation on Feb. 23, 1905, and giving same to John B. Bressette and Peter Soulier, both Indians. Witnesses: John B. Bressette and Peter Soulier.
Dunk McCarthy	Reported for selling 1 pint of whisky to Sam Denomie, jr., and 1 pint of whisky to John Gordon, Indians, Mar. 24, 1905. Witnesses: John Gordon and Sam Denomie, jr.
Joe Memo	Reported for introducing 1 pint of whisky on the reservation, Aug. 9, 1904. Witnesses: Sam Marksman and John Blackbird.
John Martin	Reported for introducing 1 gallon of whisky on the reservation, May 27, 1906. Witnesses: John Blackbird and John Marksman.
Charles Morrison	Reported for introducing 2 barrels of beer on the reservation, Feb. 10, 1906. Witnesses: Norbert Sero, Edward Haskins, and John Blackbird.
George Morrison and Ben Morrison.	Reported for introducing 1 barrel of beer on the reservation, Feb. 10, 1906. Witnesses: Norbert Sero, Edward Haskins, John Blackbird, and W. J. Egbert.
T. J. McMullin	Reported for selling drinks of beer and whisky over the bar to James Defoe and Charles Goslin; also for selling 1 quart of whisky to James Defoe, on Feb. 18, 1905. Both Indians. Witnesses: James Defoe and Charles Goslin and John Cloud.
Lizzie Manypenny	Reported for introducing 1 pint of whisky on the reservation, Mar. 18, 1906. Witnesses: Norbert Sero and John Blackbird.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
George Morrison and Ben Morrison.	Reported for introducing on the reservation and selling to John Twobirds, an Indian, 1 pint of whisky on May 10, 1906; and at divers other times did introduce and sell to John Twobirds whisky in bottles and by the drink. Witnesses: John Twobirds and Joseph Whitebird.
Peter Manypenny	Reported for introducing 1 pint of whisky on the reservation, Aug. 7, 1906. Witnesses: Norbert Sero and Edward Haskins.
John Priest	Reported for introducing 1 pint of whisky on the reservation on Oct. 22, 1905. Witnesses: William Obern and Norbert Sero.
William Ruby	Reported for introducing 1 pint of whisky on the reservation, Mar. 19, 1906, and giving same to Charlotte Current, an Indian girl. Witnesses: Charlotte Current and Joe Fourdays.
Joe Roy	Reported for introducing 1½ quarts of whisky on the reservation; also 1 pint of alcohol, May 5, 1905. Witnesses: Mary Gordin, John Brown, Alex Gordin, and Lucy Gordin.
Mike Rhods	Reported for introducing ½ barrel of beer on the reservation, Feb. 10, 1906. Witnesses: Norbert Sero, Edward Haskins, John Blackbird, and W. J. Egbert.
Joe Rain	Reported for introducing 2 quarts of whisky on the reservation, Feb. 13, 1906. Witnesses: John S. Green and Mrs. John S. Green.
John Roundwind	Reported for introducing 1 quart of whisky on the reservation, Apr. 28, 1906. Witnesses: Norbert Sero and Edward Haskins.
George Stone	Reported for introducing 1 quart of whisky on the reservation, Apr. 24, 1905. Witnesses: John Blackbird and Walter Scott.
Mrs. John Shebiash	Reported for introducing 1 quart of alcohol on the reservation, May 31, 1906. Witnesses: Mrs. Peter Manypenny and Peter Manypenny.
Peter Soulier	Reported for introducing 1 pint of whisky on the reservation, July 28, 1906. Witnesses: Norbert Sero and William Beadit.
John Shebiash	Reported for introducing 1 pint of alcohol on the reservation, Aug. 15, 1906. Witnesses: Jonathan Marksman and John Blackbird.
George Summers	Reported for introducing 1 quart of whisky on the reservation, Aug. 14, 1906. Witnesses: Peter Antoine, Charles Goslin, and Norbert Sero.
Antoine Sailor	Reported for introducing 1 pint of alcohol on the reservation, Jan. 12, 1907. Witnesses: John Marksman and John Doherty.
Thomas Walmer	Reported for introducing 1 pint of whisky on the reservation, Oct. 14, 1905. Witnesses: Edward Haskins and John Marksman.
Joseph Whitebird	Reported for introducing 1 gallon of whisky on the reservation, May 10, 1906. Witnesses: Mrs. John Halfday and Mrs. George Messenger.
Henry Wilson	Reported for introducing 1½ pints of alcohol on the reservation, Aug. 13, 1906. Witnesses: Norbert Sero and Charles Brismaster.
Mike Auge	Reported for introducing 1 quart of whisky on the reservation, Dec. 8, 1906. Witnesses: Edward Haskins and William Neveaux.
James Bede	Reported for introducing 2 quarts of whisky on the reservation, Jan. 31, 1907. Witnesses: Alex Gokee, John Gordon, and Frank Hackey.
James Bede	Reported for selling whisky to Alex Gokee and Robert Couture, Indians, at Ryan's camp on the reservation, Jan. 30, 1907. Witnesses: Alex Gokee and Robert Couture.
Mary Mayotte and Susan Bean.	Reported for introducing 1 gallon of whisky on the reservation, Feb. 8, 1907. Witnesses: Edward Haskins, John Blackbird, and Norbert Sero.
Arnold Burk	Reported for introducing ½ gallon of whisky on the reservation, Feb. 25, 1907. Witnesses: Norbert Sero, Joseph O. Starr, and Edward Haskins.
Leo Bourion	Reported for introducing 1 pint of gin and 1 pint of whisky on the reservation, May 30, 1907. Witnesses: Norbert Sero, John Blackbird, and James Scott.
George McBride	Reported for introducing 1 pint of whisky on the reservation, May 30, 1907. Witnesses: Norbert Sero, John Blackbird, and James Scott.
John Basano, jr.	Reported for introducing 1 pint of whisky on the reservation, June 5, 1907. Witnesses: John Blackbird and Dave Blackbird.
Capt. Bunker	Reported for introducing 1 pint of whisky on the reservation, July 2, 1907. Witnesses: John Bressette and Hattie Cloud.
Joe Bassineau	Reported for introducing 2 gallons of whisky on the reservation, June 6, 1908. Witnesses: Edward Haskins and Norbert Sero.
Robert Boyd	Reported for introducing ½ gallon of whisky on the reservation, July 4, 1908. Witnesses: William Boyd and Jonathan Marksman.
Frank E. Bressette	Reported for introducing 1 pint of whisky on the reservation, July 4, 1908. Witnesses: John Blackbird and Edward Haskins.
Paul Bressette	Reported for introducing 1 pint of whisky on the reservation, Sept. 6, 1908. Witnesses: John Blackbird and Walter Scott.
Charley Bowmaster	Reported for introducing 1 quart of whisky on the reservation, Nov. 10, 1906. Witnesses: John Blackbird, William Neveaux, and Edward Haskins.
Tom Brown	Reported for introducing 1½ pints of alcohol on the reservation, Nov. 24, 1908. Witnesses: Edward Haskins and John Blackbird.
John Bradley	Reported for introducing 1 pint of alcohol on the reservation, Dec. 7, 1908. Witnesses: John Blackbird and William Neveaux.
John Cloud	Reported for introducing 1 quart of brandy on the reservation, Oct. 24, 1906. Witnesses: Norbert Sero, James W. Ras, and Edward Haskins.
Edward Cloud	Reported for introducing 1 pint of whisky on the reservation, Jan. 18, 1907. Witnesses: Norbert Sero, Edward Haskins, and J. M. Meyers.

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Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Antoine Charrette, Louis Savalier, Joseph La Pointe, David Marksman, and Edward Wesley.	Reported for introducing 2 gallons of whisky on the reservation, Mar. 12, 1907. Witnesses: Norbert Sero, Edward Haskins, John Marksman, and Mary Benson.
John Cloud Frost	Reported for introducing 1 pint of whisky on the reservation, Mar. 19, 1907. Witnesses: Norbert Sero and August Fintelman.
Joseph Chingway and Antoine Smatt.	Reported for introducing 2 gallons of whisky on the reservation, and ½ keg beer, June 8, 1907. Witnesses: Norbert Sero, Edward Haskins, and John Blackbird.
Antoine Charrette	Reported for introducing liquor on the reservation and selling, by drinks, whisky to Joseph La Pointe, Dan Jackson, and Louis Savalier, Oct. 22, 1907. Witnesses: Mrs. Peter Manypenny, Dan Jackson, Joe La Pointe, sr., and Louis Savalier.
Antoine Charette	Reported for introducing 2 gallons of whisky on the reservation, Sept. 14, 1907. Witnesses: Frank Greeley, James La Fernis, William Connors, and Cleve Jordon.
Catherine Charrette	Reported for introducing 1 gallon of whisky and 1 pint of alcohol on the reservation, May 16, 1908. Witnesses: Mr. and Mrs. Robert Charrette and Edward Morrisette.
Catherine Charrette	Reported for introducing 2 quarts of whisky on the reservation, May 17, 1908. Witnesses: Mr. and Mrs. Robert Charrette and Edward Morrisette.
Frank Ketchum	Reported for introducing 1½ quarts of whisky on the reservation, June 21, 1908. Witnesses: Edward Haskins, T. L. St. Germaine, and Norbert Sero.
James Cajuns	Reported for introducing 1 pint of alcohol on the reservation, Nov. 15, 1908. Witnesses: John Blackbird and William Neveaux.
Antoine Charrette	Reported for introducing 1½ pints of alcohol on the reservation, Jan. 27, 1909. Witnesses: Norbert Sero and John Blackbird.
Charles Daily	Reported for introducing 1 quart of whisky on the reservation, Feb. 3, 1907. Witnesses: Norbert Sero and Edward Haskins.
John Day	Reported for introducing 1 quart of whisky on the reservation, July 8, 1907. Witnesses: Norbert Sero, John Blackbird, and W. J. Griffin.
John Day	Reported for introducing 1 quart of whisky on the reservation, Aug. 20, 1907. Witnesses: Thomas Reed and Lizzie Reed.
Sam F. Denomie	Reported for introducing 4 pints of hard cider on the reservation, Oct. 20, 1907, and selling same to Robert Kellogg. Witnesses: Norbert Sero, Robert Kellogg, and John Blackbird.
Clark David	Reported for introducing 2 quarts of whisky on the reservation, Dec. 25, 1907. Witnesses: John Blackbird, Maggie D. Green, and Edward Haskins.
John Driscoll	Reported for introducing 1 quart of brandy on the reservation, Nov. 12, 1908. Witnesses: Norbert Sero, Edward Haskins, and William Neveaux.
American Express	Reported for introducing 2 gallons of whisky on the reservation, Sept. 15, 1906. Witnesses: Norbert Sero, John Marksman, and Edward Haskins.
American Express	Reported for introducing 1 gallon of whisky on the reservation, May 6, 1908. Witnesses: Norbert Sero and John Blackbird.
John Feather	Reported for introducing 1 quart of whisky on the reservation, Oct. 31, 1906. Witnesses: Norbert Sero, Edward Haskins, John Marksman, and Mike Conway.
James Ferry	Reported for introducing 1 gallon of whisky on the reservation, Aug. 19, 1908. Witnesses: Angeline Buell and Rose Beauregard.
John Gordon	Reported for introducing 1 quart of whisky on the reservation, Sept. 27, 1908. Witnesses: Norbert Sero and Edward Haskins.
Moses George	Reported for introducing 1 gallon of whisky on the reservation, Nov. 15, 1908. Witnesses: Mary Wa-ba-na-no-din and Antoine Sailor.
Henry Gilbo	Reported for introducing 2 quarts of brandy, 2 quarts of punch, and 1 quart of whisky on the reservation, Nov. 25, 1908. Witnesses: Edward Haskins, William Neveaux, and T. L. St. Germaine.
Antoine Haskins	Reported for introducing 2 quarts of whisky on the reservation, Mar. 4, 1907. Witnesses: William Johnston and Mrs. William Johnston.
John Haskins	Reported for introducing 1 quart of whisky on the reservation, June 24, 1908. Witnesses: John Blackbird and Norbert Sero.
John Harlette	Reported for introducing 1 quart of whisky on the reservation, Nov. 11, 1908. Witnesses: William Neveaux and John Blackbird.
Alben Johnson	Reported for introducing 2 quarts of whisky on the reservation, Nov. 16, 1907. Witnesses: John Blackbird and Norbert Sero.
Aron Johnson	Reported for introducing 1½ gallons of whisky on the reservation, Nov. 9, 1906. Witnesses: John Blackbird, Edward Haskins, Albin Johnson, Helmer Olson, Kinouth Johnson, Anton Johnson, and Eloff Nelson.
Antoine Kaber	Reported for introducing 1 pint of alcohol and 1 pint of whisky on the reservation, Feb. 21, 1907. Witnesses: Norbert Sero and Edward Haskins.
R. Knudsen	Reported for introducing ½ gallon of whisky on reservation, June 10, 1908. Witnesses: P. W. Brad, Norbert Sero, and John Blackbird.
John Lemmark	Reported for introducing 1 pint of whisky on the reservation, Nov. 16, 1907. Witnesses: Norbert Sero and John Blackbird.
Edward La Mose	Reported for introducing 1 quart of whisky on the reservation, Dec. 14, 1907. Witnesses: Hannah Green and Mrs. Peter Manypenny.
Charley Lemeaux	Reported for introducing ½ gallon of whisky on the reservation, Nov. 14, 1908. Witnesses: Mary Houle, Maggie Rufus, Edward Haskins, John Blackbird, William Neveaux and Kate Mayotte.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
Louis Lemieux	Reported for introducing ½ gallon of whisky on the reservation, Nov. 14, 1906. Witnesses: Mary Houle, Maggie Rufus, Edward Haskins, John Blackbird, William Neveaux, and Kate Mayotte.
William McKernan	Reported for introducing 1 quart of whisky on the reservation, Feb. 21, 1907. Witnesses: Edward Haskins and Norbert Sero.
Hughey McGilver	Reported for introducing 1 pint of whisky on the reservation, Dec. 26, 1906. Witnesses: William Neveaux and Edward Haskins.
Peter Manypenny	Reported for introducing 1 quart of whisky on the reservation, Oct. 12, 1906. Witnesses: Norbert Sero, Edward Haskins, and Charles Brigmaster.
Louis Mayotte	Reported for introducing 1 quart of brandy on the reservation, Oct. 24, 1906. Witnesses: Norbert Sero and Edward Haskins.
Thomas Murphy	Reported for introducing ½ pint of whisky on the reservation, Dec. 26, 1906. Witnesses: John Marksman and Norbert Sero.
Joe Moore	Reported for introducing 1 gallon of whisky on the reservation, Mar. 5, 1907. Witnesses: Norbert Sero, Edward Haskins, and C. G. Jordan.
Joe Moore	Reported for introducing 1 quart of whisky on the reservation, Aug. 17, 1907. Witnesses: Edward Haskins, John Blackbird, and Charlotte Current.
Sam Martinson	Reported for introducing 1 quart of whisky on the reservation, July 7, 1907. Witnesses: John Blackbird and Norbert Sero.
Frank E. Murray and William Denomie.	Reported for introducing and selling intoxicating liquor to James Bungo and Nick Dakota, Indians, Oct. 15, 1907. Witnesses: James Bungo and Nick Dakota.
George Morrison and Sam F. Denomie.	Reported for selling 1 quart of hard cider to Robert Kellogg, a white man, on Oct. 20, 1907. Witnesses: Norbert Sero, Robert Kellogg, and Revenue Department examination of cider.
Frank B. Murray	Reported for introducing 1 gallon of whisky on the reservation, July 5, 1907. Witnesses: Joseph Watters, D. P. Riley, M. E. Messenger, William Oberu, Joe La Pointe, James Ryan, Dan Jackson, John Doherty, and John Blackbird.
Nick Martin	Reported for introducing 1 quart of whisky on the reservation, July 18, 1906. Witnesses: Antoine Guyette, John Blackbird, and Norbert Sero.
John Murphy	Reported for introducing 1 pint of whisky on the reservation, Nov. 25, 1906. Witnesses: Edward Haskins and William Neveaux.
George Morrison	Reported for introducing 1 quart of whisky on the reservation, Nov. 24, 1906. Witnesses: Edward Haskins, John Blackbird, and Norbert Sero.
Frank B. Murray	Reported for introducing 1 quart of whisky on the reservation, Nov. 26, 1906. Witnesses: Gust Vincent, Alcient Boutain, Cleve Jordan, Dan Howard, and Robert Kellogg.
John Mauhan	Reported for introducing 1 pint of whisky on the reservation, Dec. 1, 1906. Witnesses: John Blackbird and William Neveaux.
George Morrison	Reported for introducing 1 case of beer on the reservation, Nov. 4, 1906. Witnesses: Cleve Jordan and Charles Sero.
Fred Nitz	Reported for introducing ½ gallon of whisky on the reservation, Feb. 25, 1907. Witnesses: Norbert Sero and Edward Haskins.
Peter Olson	Reported for introducing 1 quart of whisky on the reservation, Dec. 14, 1906. Witnesses: John Blackbird and William Neveaux. This man is an illiterate of foreign birth, did not know the law, and was therefore released by Norbert Sero.
Peter Peterson	Reported for introducing 1 pint of whisky on the reservation, Dec. 27, 1906. Witnesses: John Marksman and Norbert Sero.
Emil Peterson	Reported for introducing 1 quart of whisky on the reservation, Jan. 23, 1907. Witnesses: Fred La Mont and William Asherman.
George Parker	Reported for introducing 1 pint of whisky on the reservation, Aug. 21, 1907. Witnesses: Jonathan Marksman and Catherine Michael.
Ben Perry	Reported for introducing ½ pint of whisky on the reservation, Nov. 9, 1906. Witnesses: William Neveaux and John Blackbird.
George Parker	Reported for introducing 1 gallon of whisky on the reservation, Nov. 8, 1906. Witnesses: Charles Sero and Cleve Jordan.
Frank Rokoski	Reported for introducing 1 pint of whisky on the reservation, Nov. 28, 1906. Witnesses: John Blackbird and Edward Haskins.
Edward Rufus	Reported for introducing ½ pint of whisky on the reservation, Jan. 18, 1907. Witnesses: John Blackbird and Norbert Sero.
Charley Ross	Reported for introducing 1 quart of whisky on the reservation, May 18, 1906. Witnesses: Edward Haskins and John Blackbird.
John Roundwind	Reported for introducing 1 gallon of whisky on the reservation, Sept. 5, 1906. Witnesses: Louis Mayotte, Kate Mayotte, Frank Cadotte, and William Boyd.
Joe Roy	Reported for introducing 1 pint of whisky on the reservation, Oct. 3, 1906. Witnesses: Edward Haskins and William Neveaux.
Jacob Sadenburg	Reported for introducing ½ pint of whisky on the reservation, Feb. 3, 1907. Witnesses: Edward Haskins and Norbert Sero.
Joseph Starr	Reported for introducing 2 gallons of whisky on the reservation, June 23, 1907. Witnesses: John Cloud, Joseph Connors, John E. Green, and Frank Gordon.
George Sky	Reported for introducing 1 pint of alcohol on the reservation, Aug. 15, 1907. Witnesses: George Tleyosh, Frank Simons, and Antoine Jacko.
Edward Smith	Reported for introducing 1 quart of whisky on the reservation, Aug. 24, 1907. Witnesses: John Blackbird and Norbert Sero.
Victor Sunderstrum	Reported for introducing 1 quart of alcohol on the reservation, Nov. 3, 1907. Witnesses: Edward Haskins and John Blackbird.

Schedule of liquor cases reported by Norbert Sero—Continued.

Title of case.	Remarks.
U. S. court, western district of Wisconsin, v.—	
John Sky	Reported for introducing 2 quarts of whisky on the reservation, Aug. 1, 1908. Witnesses: Charley Goslin, Angeline Ma-ji-gu-bow, and Lucy Sky.
Peter Stone	Reported for introducing 1 quart of whisky on the reservation, Nov. 14, 1908. Witnesses: Mr. and Mrs. Joseph Current, Maggie Wilson, Edward Haskins, and William Neveaux.
Andrew Samson	Reported for introducing 1 quart of whisky on the reservation, Dec. 14, 1908. Witnesses: John Blackbird and Edward Haskins. Released for the reason that he was an illiterate of foreign birth and did not know the law.
William Samson	Reported for introducing 1 quart of rock and rye and 1 pint of whisky on the reservation, Jan. 30, 1909. Witnesses: Edward Haskins, T. L. St. Germaine, and Norbert Sero.
Antoine Sailor and George Rufus.	Reported for introducing ½ gallon of whisky on the reservation, Nov. 16, 1908. Witnesses: William Neveaux and Edward Haskins.
Mike Toby	Reported for introducing 1 pint of whisky and ½ pint of alcohol on the reservation, Oct. 7, 1908. Witnesses: William Neveaux and Julius Rabideaux.
Mike Toby	Reported for introducing 1 pint of whisky on the reservation, Nov. 5, 1908. Witnesses: John Blackbird, William Neveaux, and Edward Haskins.
Otto Valean	Reported for introducing 1 pint of whisky on the reservation, Dec. 15, 1908. Witnesses: John Blackbird and William Neveaux. Released for the reason that he was an illiterate of foreign birth and was ignorant of the law.
Emil Vendberd	Reported for introducing 1½ quarts of whisky on the reservation, Dec. 15, 1908. Witnesses: John Blackbird and William Neveaux.
Clarence Mitts	Reported for introducing 1 quart of whisky on the reservation, Mar. 18, 1907. Witnesses: John Marksman and George Day.
George A. Wray	Reported for introducing 1 quart of whisky on the reservation, Nov. 28, 1908. Witnesses: Gust Vincent, Alright Boutain, Cleve Jordan, Dan Howard, and Robert Kellogg.
Martin Young Ko-ski	Reported for introducing 1 quart of whisky on the reservation, Dec. 14, 1908. Witnesses: John Blackbird, William Neveaux, and T. L. St. Germaine.

The CHAIRMAN. Do you care to say anything now, or to-morrow, or at any time that the committee is here. You may use your own judgment about it if you care to make any statement.

Senator LA FOLLETTE. If you desire time to consult your attorney you can have the time, and act on his judgment, together with your judgment, to-morrow.

Mr. SERO. I will do that; yes, sir.

Senator LA FOLLETTE. That will give you an opportunity to think the matter over.

Mr. SERO. Very well.

Norbert Sero was thereupon temporarily excused.

The CHAIRMAN. Do you gentlemen desire to offer any evidence on the matter on those four cases?

Mr. PIERELLE. Yes, sir; I desire to offer the parties.

STATEMENT OF FRANK B. MURRAY.

FRANK B. MURRAY, having been first duly sworn, testified as follows:

The CHAIRMAN. Mr. Pierelle, you may proceed with the examination.

Mr. PIERELLE. Mr. Murray, where do you reside?

Mr. MURRAY. At Ashland.

Mr. PIERELLE. How long have you resided at Ashland?

Mr. MURRAY. About eight months.

Mr. PIERELLE. Where did you reside previous to that time?

Mr. MURRAY. At Odanah.

Mr. PIERELLE. How long have you resided at Odanah?

Mr. MURRAY. I have been here about sixteen years.

Mr. PIERELLE. You are an Indian, are you?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. Of what blood?
Mr. MURRAY. Chippewa.
The CHAIRMAN. What degree of blood are you?
Mr. MURRAY. Half-breed; if my mother tells me right.
Mr. PIERELLE. How old a man are you?
Mr. MURRAY. Fifty-eight.
Mr. PIERELLE. Are you a married man?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. Is your wife living?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. Who else constitutes your family?
Mr. MURRAY. A stepdaughter.
Mr. PIERELLE. A daughter of your wife?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. How long have you resided on the Odanah Reservation, did you say?
Mr. MURRAY. About sixteen years.
Mr. PIERELLE. What business were you engaged in during that time?
Mr. MURRAY. I have been at work here most of the time for the agency, scaling logs.
Mr. PIERELLE. Under whose employ—that is, who hired you?
Mr. MURRAY. It was through the agent.
Mr. PIERELLE. Major Campbell?
Mr. MURRAY. It was Agent Mercer at first, then Scott, and then Campbell.
Mr. PIERELLE. How long did you continue in that employ?
Mr. MURRAY. I have scaled off and on all but the two winters. I ran a camp one winter, between the winters of 1893 and 1894, as foreman, and every winter after that I scaled logs.
Mr. PIERELLE. When did you cease working for the Government?
Mr. MURRAY. I was hired out until last January. I would say I have been in the restaurant business for four years.
Mr. PIERELLE. First, let us settle this. You were in the government employ until last January?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. And in addition to that you have been running a restaurant?
Mr. MURRAY. Yes, sir; a restaurant and hotel.
Mr. PIERELLE. And you are still conducting the restaurant, or your wife is?
Mr. MURRAY. My wife is running the restaurant at the present time.
Mr. PIERELLE. Since your expulsion from the reservation?
Mr. MURRAY. Yes, sir; since my expulsion from the reservation.
Mr. PIERELLE. You conducted the hotel here for some time; that is, for a period of time, did you not?
Mr. MURRAY. For two years; almost two years.
Mr. PIERELLE. Have you ever been indicted by the federal grand jury?
Mr. MURRAY. Yes, sir.
Mr. PIERELLE. How many times?

Mr. MURRAY. Once.

Mr. PIERELLE. And you paid a fine that time, did you?

Mr. MURRAY. Yes, sir.

Mr. PIERELLE. Have you ever been indicted more than once?

Mr. MURRAY. No, sir.

Mr. PIERELLE. At the time you were indicted, did you have the money to pay your fine?

Mr. MURRAY. I did not.

Mr. PIERELLE. How did you get the money?

Mr. MURRAY. I borrowed the money at the Northern National Bank.

Mr. PIERELLE. Upon whose indorsement?

Mr. MURRAY. I gave a note with just S. W. Campbell's indorsement.

Mr. PIERELLE. The Indian agent's indorsement?

Mr. MURRAY. Yes, sir.

Mr. PIERELLE. Have you seen a letter in which he spoke about this matter, addressed to George Morrison?

Mr. MURRAY. Yes, sir; I have seen that.

Mr. PIERELLE. In which he said that Mr. Murray was a gentleman and paid his note, but Morrison was a little slow.

Mr. MURRAY. Yes, sir; I remember that.

Mr. PIERELLE. You are charged, Mr. Murray, with being a chronic gambler and whisky peddler. You may state whether or not you are in the habit of gambling.

Mr. MURRAY. Well, I never was a gambler. I have gambled a little at times, way back, but not lately.

Mr. PIERELLE. How long is it since you gambled?

Mr. MURRAY. Over three years.

Mr. PIERELLE. And in the last three years you have not gambled?

Mr. MURRAY. I have not gambled. I have attended to business and worked as hard as any man could in business.

Mr. PIERELLE. And you have accumulated something?

Mr. MURRAY. While trying to build up my little home and little restaurant next door—it was an ice-cream parlor, candy store, and cigar store, and a few extra roomers; meals at all hours. I would like to say that I got $720 to build a house with, in the first place, from the pine timber I had on the reservation, from the Stearns Lumber Company. I got a building and furniture and a little stock in it now that is worth about $4,800, that I have expended on the reservation.

Mr. PIERELLE. There has been some testimony here to the effect that Special Agent Allen made a report against your house. Did you secure a letter from Mr. Allen denying this report?

Mr. MURRAY. Yes, sir; after I asked him for it.

Mr. PIERELLE. Now, there is also a charge made against you by Farmer Miles that you secured two different allotments and had the benefit of both. You may explain to the committee the facts in connection with that matter.

Mr. MURRAY. I lived on the Lac Courte d'Oreilles Reservation about five years. I had a little money and horses and cattle, and a sleigh to log; they called it a logging contract. I logged for five years over there. While I was there I applied for an 80-acre lot; the Indians agreed that I could have it. They put my name down on the allotment list. At first I had to agree to live there and build a house

and make my home there. I did so, and put up two buildings and a barn. In the spring there was nothing to do for my stock; I would have to go outside with the horses to get work for the summer, and either take them to Chippewa Falls or to Superior and Duluth. I did so three summers. I worked all summer and came back in the fall and took another contract. While I would be away in the summer the Indians were holding council. Every two or three months they would have a council—probably every month—and read those names over. They came to my name, "Where has he gone?" "He has left the reservation." They scratched me off. They did that a couple or three times. I would get back here every fall and go to work. I lived there; my home was there. Finally I contracted with Doby Brothers to sell the pine. They cut timber to the amount of twelve hundred and fifty dollars, and I got the money or got it in supplies. I logged that winter in partnership with another man, and put in 8,000,000 feet of logs. The next summer I went away again with my stock. While I was away they scratched my name off of this list again. There was a special agent by the name of Gardner around. He went down there and scratched me off; canceled my name with a whole lot of others. That I learned afterwards.

The CHAIRMAN. A particular tract had been theretofore alloted to you, had it not?

Mr. MURRAY. I had made the selection and contract. There was no patent or anything of the kind. I made the selection and made a contract, and I guess the contract was approved, although I do not know that it was; anyway, I got that much money out of the logs. That settled it. I could not get anything. That is all I got off the piece of land. I looked around from place to place, and about three years I did not have a cent of money. I struck two or three pretty hard winters and lost $2,000 and $3,000 at a crack and got broke. I went up to Duluth and Superior and hired out to scale logs for the surveyor-general, George F. Ash, of Duluth. He sent me up to Tower. I scaled that winter and gave good satisfaction. I have letters here to show—letters of recommendation. I drifted back the next year down on the Court d'Oreilles Reservation again, and went to scaling logs there that winter. Surveyor-General Ash wanted me up there, but I went back and visited there and the Valley Lumber Company, of Eau Claire, had bought the business. They offered me a pretty fine thing to stay there all winter and scale for them, and I scaled something like seven million that winter. They were little jobs; each Indian would cut in a little batch. It was all over the reservation, and I could not get any more land. I could not get this land. They would not give it to me. I drifted around and got up here. The Stearns Lumber Company were buying here and I came up here and was promised work to scale that winter. They only had two camps and there were two old scalers here, so they gave me a camp to run as foreman.

The CHAIRMAN. You had better get to the allotment part of it.

Mr. MURRAY. The next winter I scaled logs, and after I was here about four or five years I got an allotment here; contracted with the Stearns Lumber Company.

Mr. PIERELLE. In connection with that—and to make that matter short—I show you a letter, dated August 26, 1905, and ask you if that is a copy of a letter you received from the Commissioner of In-

dian Affairs, F. E. Leupp, addressed to S. W. Campbell. Tell me if that is a copy of it.

Mr. MURRAY. That is the copy.

Mr. PIERELLE. The letter is as follows:

OFFICE INDIAN AFFAIRS,
Washington, August 26, 1905.

S. W. CAMPBELL, ESQ.,
United States Indian Agent, La Pointe, Ashland, Wis.

SIR: Under the date of August 3, 1905, you made report upon the case of Frank B. Murray, who, it is charged by certain Indians of the Bad River Reservation, has received an allotment in Lac Courte d'Oreilles Reservation, and also has an allotment on the Bad River Reservation. From your report it appears that he made a selection on the first-named reservation, but never received a patent for the land which he selected there. It is equally clear that he has received benefits from such selection to the extent of $1,252.05. You think that the Indians in presenting the facts in this case are actuated by their desire to cripple Murray in his business at Odanah. The whole transaction was due to you, as the matter was first called to your attention by the office letter of July 19, 1905, transmitting the statement of the Indains. When his selection was approved by you the Indians were silent, and permitted it to come to the office without protest. Murray having received a patent for his land, it does not seem that any action can be taken other than to compel him to refund the amount of $1,252.05, which should be treated as "Indians moneys, proceeds of labor." You will therefore take the step necessary to collect the amount of $1,252.05 from Frank Murray and carry it on your account to the credit of the Lac Courte d'Oreilles Reservation. You will please advise the Indians interested in this matter of the action taken and report to the office as early as circumstances will permit.

Very respectfully, F. E. LEUPP, *Commissioner.*

Is this the only charge that Farmer Miles makes against you of having two allotments, and the benefits of both?

Mr. MURRAY. That is all there is to it, I guess.

Mr. PIERELLE. And this letter explains the solution of that problem?

Mr. MURRAY. I presume it does.

Mr. PIERELLE. Have you had any other benefits from the first-mentioned allotment?

Mr. MURRAY. No, sir.

Mr. PIERELLE. Is your present allotment upon the Bad River Reservation cut; is the timber cut?

Mr. MURRAY. I think they are cutting it now; at least I am so told by the foreman.

Mr. PIERELLE. You have not had any reports from that; official reports, showing that it is cut, have you?

Mr. MURRAY. None at all.

Mr. PIERELLE. What was the estimate on your allotment; do you recall?

Mr. MURRAY. This one here?

Mr. PIERELLE. Yes.

Mr. MURRAY. I never learned. I think I did see an old plat one time where it was marked down at $475,000.

Mr. PIERLLE. In addition to that, your business interest is known as the restaurant?

Mr. MURRAY. Yes, sir.

Mr. PIERLLE. Do you own the lot upon which it is situated?

Mr. MURRAY. I do not.

Mr. PIERLLE. Just the building?

Mr. MURRAY. Just the tribal land, I guess.

Mr. PIERELLE. And at the time you were taken off the reservation you were engaged in the hotel business?

Mr. MURRAY. In the hotel and restaurant business both.

Mr. PIERELLE. What do you say, Mr. Murray, relative to the charge made by Mr. Miles against you of being a very slick operator in crooked work?

Mr. MURRAY. I can not understand that at all.

The CHAIRMAN. Did not Miles say that that rested on the supposition of this double allotment?

Mr. PIERELLE. That is one of the ways in which he explains it. Did you have in your employment a lady by the name of Mrs. or Miss Grooper at one time?

Mr. MURRAY. I did, at three or four different times.

Mr. PIERELLE. While you were running the hotel?

Mr. MURRAY. Yes, sir; at one time in the restaurant.

Mr. PIERELLE. Where were her rooms, relatively to yours and Mrs. Murray's rooms?

Mr. MURRAY. She roomed right adjoining our room.

Mr. PIERELLE. Did you ever hear any complaint before these charges were preferred against you about her, in any way?

Mr. MURRAY. No, sir.

Mr. PIERELLE. Did you have any knowledge that she was a woman of questionable action or conduct?

Mr. MURRAY. No, sir.

Mr. PIERELLE. Did you have any knowledge, Mr. Murray, before we came here to-day of any affidavits or anything of any nature pertaining to what you were charged with, excepting this charge made by Farmer Miles? Did you have any knowledge of what you would be expected to meet when you came to this examination?

Mr. MURRAY. Yes, sir.

Mr. PIERELLE. What knowledge did you have?

Mr. MURRAY. I heard at different times that they had five or six men down at Ashland making affidavits against me about something or other, I do not know just what.

Mr. PIERELLE. You did not know what you were expected to meet in the affidavits, or anything about it?

Mr. MURRAY. No, sir.

Mr. PIERELLE. I want to state to the committee that we had never had any knowledge of these facts, of what we would be expected to meet; and consequently it has taken more or less time in the examination, because we did not know what we would be expected to meet. Now, Mr. Murray, I show you various letters and writings. Are these letters of recommendation that you received from different employers and from different representative people in the community of Ashland and Odanah and other places in Wisconsin?

Mr. MURRAY. Yes, sir.

The CHAIRMAN. Those letters simply go to his capacity and character as a scaler and workman, do they not?

Mr. PIERELLE. No, sir; they go also to his general reputation and conduct in the community, especially the conduct of his hotel.

The CHAIRMAN. That is all right. He said he had scaled for Ash. I do not see the importance of them.

Mr. MURRAY. I have letters covering my life of twenty years in there.

Mr. PIERELLE. I simply desire to put these in.

The CHAIRMAN. If any of them relate to his reputation here in Odanah, there is no objection to their being a part of the record.

Mr. PIERELLE. Very well; I will read them.

The first is from Rev. John Gibson, pastor of the First Congregational Church of Odanah, Wis., and is as follows:

MAY 8, 1909.

To whom it may concern:

This is to certify that I have known Mr. and Mrs. Murray, the bearers of this note, for nearly a year as the keepers of the Murray hotel at Odanah, Ashland County, Wis.

As far as I know, they have run a respectable house and are deserving people. I have during the above period been in the hotel many times and have often met Mr. and Mrs. Murray.

Yours, respectfully, JOHN GIBSON.

Here is a letter from the Chippewa Lumber and Boom Company, as follows:

APRIL 29, 1909.

To whom it may concern:

Mr. Frank Murray, of Odanah, Wis., was one of our raft pilots in the old days of rafting lumber on this river, and he always enjoyed a first-class reputation for honesty, industry, and sobriety. He was considered thoroughly trustworthy in every respect, and had the confidence and esteem of all with whom he came in contact.

Respectfully, WILLIAM IRVINE, *Manager.*

A letter from Sister M. Catherine Buckley, as follows:

ST. MARY'S INDUSTRIAL BOARDING SCHOOL,
Odanah, Wis., May 8, 1909.

To whom it may concern:

Mr. and Mrs. Frank Murray have for some years past been running the Morrison hotel on the reservation. Business has made it necessary for us to call there in several instances, and we have never seen anything to indicate that it was not a respectable house.

SISTER M. CATHERINE BUCKLEY.

A letter from James A. Howarth, jr., forest assistant, United States Forest Service:

This is to certify as follows: From November 1, 1906, till July 1, 1907, I made my headquarters at Frank Murray's restaurant in Odanah and spent two or more nights there nearly every week.

From July 1 till April 1, the following year (1908), I lived in Ashland, Wis., but was in Odanah frequently and stopped at the Hotel Morrison (then recently leased by Mr. Murray) probably a half a dozen times over night. Since April 1, 1908, I have not been to Odanah, but have occasionally met others who have recently been there and inquired always after Mr. Murray.

I never saw, suspected, or heard of anything to make me doubt that the restaurant and hotel were both conducted as strictly moral places.

May 15, 1909.

JAMES A. HOWARTH, JR.,
Forest Assistant, United States Forest Service.

A letter from L. K. Baker, president of the J. S. Stearns Lumber Company, as follows:

ODANAH, WIS., *May 5, 1909.*

To whom it may concern:

I have known the bearer, F. B. Murray, for twelve or fourteen years. A good share of his time he has scaled for us under government contracts. His work was entirely satisfactory to us, and, as far as we know, to all parties concerned. For the past three or four years he has been running a restaurant, and a good share of that time what is known as the "Morrison Hotel." In this connection we have had constant business dealings with Mr. Murray, and they have been entirely satisfactory, and, as far as I know, the hotel has borne a good reputation under his management.

Yours, truly, L. K. BAKER.

A letter from Dr. J. M. Meyers, physician and surgeon, as follows:

ODANAH, WIS., *May 6, 1909.*

To whom it may concern:

I have had my sleeping rooms, office, and waiting room here in the hotel during the past five years, and have also "boarded," taken my meals, here during that time. This includes the time that Mr. and Mrs. Murray had charge, and during that time they always endeavored to run a first-class hotel in every respect. I have never heard of or known of their harboring women of a questionable character even in a single instance, and from what I know of both Mr. and Mrs. Murray I do not believed for one moment either of them would do such a thing knowingly.

Very respectfully, J. M. MEYERS.

I think I will offer the balance of these letters in evidence, if there is no objection, without taking the time to read them.

The CHAIRMAN. Very well.

The letters offered by Mr. Pierelle are as follows:

A letter from Theodore F. Young, government scale inspector, Bad River Reservation, Wis., as follows:

ASHLAND, WIS., *April 26, 1909.*

To whom it may concern:

The bearer, Mr. Frank B. Murray, has been employed as sealer on the Bad River Indian Reservation in Wisconsin for the past fourteen years.

During the past four years he has sealed under my inspection, and I can heartily recommend him to anyone in need of a first-class sealer, as his work has given entire satisfaction; in fact, not one word of complaint has ever been made by anyone, which I consider a very high compliment, especially where the work is done on an Indian reservation.

THEODORE F. YOUNG,
Government Scale Inspector,
Bad River Indian Reservation, Wis.

A letter from H. D. Ever, a dealer in wholesale fruits and produce, as follows:

ASHLAND, WIS., *February 25, 1908.*

To whom it may concern:

This is to certify that I have known Mr. F. B. Murray for several years—have had considerable dealings with him in business, selling him quite largely for his fruit and confectionery store, and I have always found him upright and honorable in his dealings and have looked on him as a safe, honest, business man.

Respectfully, H. D. EVER.

A letter from Otto Johnson, proprietor of the Hotel Chequamegon, Ashland, Wis., as follows:

ASHLAND, WIS., *March 2, 1908.*

To whom it may concern:

The bearer, Mr. Frank Murray, is one of the best respected citizens of Ashland County, being well known to me for a number of years, and as such have always regarded Mr. Murray as a clean, honest, and industrious business man. I could safely recommend Mr. Murray to the highest standard in any business dealings or socially.

Respectfully, OTTO JOHNSON.

A letter from George F. Ash, surveyor-general, fifth district, as follows:

DULUTH, MINN.

To whom it may concern:

The bearer, F. B. Murray, has sealed logs for me and gave good satisfaction to all parties concerned, and I can cheerfully recommend him for that business.

GEORGE F. ASH.

A letter from F. S. Dhooge, as follows:

ASHLAND, WIS., *March 7, 1908.*

To whom it may concern:

This is to certify that I, Frank S. Dhooge, have known F. B. Murray, of Odanah, for the past four years. I have had several business transactions with him, and he has always paid his accounts promptly and has been a gentleman in every way. I have heard only the very best of his character.

Yours, truly,

F. S. DHOOGE.

A letter from George S. Rogers, as follows:

WEST SUPERIOR, WIS., *December 27, 1894.*

FRANK B. MURRAY, *Ashland, Wis.*

DEAR SIR: Your letter of the 26th instant is before me, and I take pleasure in recommending you as a scaler, knowing you to be eminently qualified to scale for a fair-sized camp, and with good experience. I know of no reason why you should have any trouble finding a job if you are as good a man now as when you scaled for me. Hoping your lines may be cast in pleasant places and that the year 1895 may be a prosperous one, I will remain,

Yours, truly,

GEORGE S. ROGERS.

A letter from W. W. Potter, as follows:

CHIPPEWA FALLS, WIS., *December 27, 1894.*

To whom it may concern:

The bearer, Frank Murray, is a competent scaler. I have known him for the last eighteen years, and can heartily recommend him to parties requiring the services of a scaler.

W. W. POTTER.

A letter from W. A. Mercer, United States Indian agent at La Pointe, as follows:

MARCH 14, 1896.

FRANK MURRAY,
Government Scaler, Bohlin Camp.

SIR: Hereafter all scalers at the close of the season's work upon any allotment which they have been scaling will make a careful estimate of all growing timber on the allotment, giving the kind, quantity, and description of the land, and submit the same to this office over their signature.

Respectfully,

W. A. MERCER,
Lieut., U. S. Army, U. S. Indian Agent.

A letter from Guinand, jewelers, as follows:

ASHLAND, WIS., *March 4, 1908.*

To whom this may be prescribed:

This will certify that we have known and have had business dealings with Mr. Frank Murray, of Odanah, Wis., for over eighteen years. We have always found him a gentleman and a man of his word in all his dealings with us.

Cordially, yours,

A. GUINAND
(For Guinand Brothers).

A letter from William G. Walker, as follows:

ODANAH, WIS., *May 4, 1909.*

MR. FRANK B. MURRAY, *Ashland, Wis.*

DEAR SIR: In reply to yours of this date I would say that I have known you for the past twelve years, and most of that period you have been employed as scaler in the reservation, and your work was satisfactory to all parties concerned. When you managed the hotel in this village you had some of the best people in the village as guests. I do not know or understand why you were removed from your home and property at this place, and think a great injustice has been done you, as I have lived here over thirty years and was in charge of the reservation over twenty years. I take a great interest in citizens of Indian blood.

Very truly,

WILLIAM G. WALKER.

A letter from E. M. Cramer, as follows:

ASHLAND, WIS., *February 26, 1908.*

To whom it may concern:

This will certify that I have been well acquainted with Mr. Frank Murray for more than ten years, and have during this time been well informed as to his associates, and since his marriage I have been well acquainted with his wife and daughter. During all of this time he and his family have been highly respected in the community in which they live and in the families away from home which they meet. Mr. Murray has conducted a confectionery store at Odanah for some time, and we have always found him honest, industrious, and, above all else, carried a high moral influence both in and out of his place of business, and the high caste of Mr. Murray—being of Indian extraction—has been the admiration of his business associates and his friends on numerous occasions, to my personal knowledge.

It is my opinion that any community will profit along the lines of morality and good citizenship if it were made up more largely with men and women of the character of Mr. and Mrs. Frank Murray.

Yours, sincerely,

E. M. CRAMER.

A letter from Rev. Thomas C. Thomas, as follows:

ODANAH, WIS., *March 6, 1908.*

To whom it may concern:

This is to certify that I have known Mr. Frank R. Murray for many years. I can bear a testimony to his good moral character and an honest and upright citizen. Faithful and industrious in business. Both Mr. and Mrs. Murray have been intimate neighbors to us, and we always find them charitable and respectable. I commend Mr. Murray to any good person, that he is a gentleman, trustworthy, and an honest man.

Yours, truly,

THOMAS C. THOMAS.

A letter from C. Wesley Johnson, pastor Church of Christ, Ashland, Wis., as follows:

ASHLAND, WIS., *March 1, 1908.*

To whom it may concern:

I have known Mr. Frank Murray for a year and a half and while pastor of the Congregational Church of Odanah, Wis., I boarded with him at his restaurant. Also, since he took the hotel at Odanah, wife and myself have boarded with him. Have at all times found that he conducted a thoroughly respectable house and insisted that both help and patrons should so deport themselves as to give his restaurant and hotel a reputation that none need be ashamed of.

Very respectfully,

C. WESLEY JOHNSON.

A letter from Mark Burns, as follows:

To whom it may concern:

Mrs. Burns and myself boarded at the Murray Hotel, of which Mr. Frank Murray was proprietor, for two months during the winters of 1908 and 1909, and while there found everything satisfactory. Both Mr. and Mrs. Murray are fine people and did everything in their power to make their guests comfortable and to make their house a pleasant stopping place. The girls employed by Mr. and Mrs. Murray were very quiet, ladylike young women.

Mrs. Frank Murray is at present conducting a restaurant and confectionery store at Odanah, Wis., and anyone that has an opportunity of visiting Odanah in the future and wish to call on Mrs. Murray will find her place of business conducted in first-class shape, and you will find her a very courteous, pleasing woman to meet, and Mr. Murray is highly respected in the community in which he lives.

MARK BURNS.

A letter from W. M. Tomkins, as follows:

ASHLAND, WIS., *March 6, 1908.*

Hon. R. D. MARSHALL, *Madison, Wis.*

DEAR JUDGE: The bearer, Mr. Frank Murray, does not need an introduction to you, as you have known of each other for years. It is some years since he met

you, and I desire to say that he stands well among the business men here and is considered responsible and clean.

Any favors you can do him will not be misplaced and will be appreciated by him, as well as by

Yours, respectfully, W. M. TOMKINS.

A letter from Henry de La Freniere, as follows:

ASHLAND, WIS., *February 24, 1908.*

MR. FRANK MURRAY, *Odanah, Wis.*

To whom it may concern:

Mr. Frank Murray, of Odanah, Wis., has been personally acquainted with me for many years, and during the last three years I have had much business transacted, in the line of cigars, to which I have given him unlimited credit. Mr. Frank Murray for the last three years that I know has been running a restaurant, selling a full line of confectionery, soft drinks, tobacco, and cigars, and is at the present time running the Morrison Hotel. In all these years Mr. Murray has been a competent business man, sober and successful, and I would at any time extend him good references.

Respectfully submitted.

HENRY DE LA FRENIERE,
President Pioneer Cigar and Tobacco Company.

A letter from George G. Macdonald, as follows:

ASHLAND, WIS., *February 25, 1908.*

To whom it may concern:

This certifies that I have know Frank B. Murray, of Odanah, Wis., for at least three years last past. That during that time he has kept a restaurant, confectionery and ice cream parlors at Odanah. That I have been at his place of business at different times. He keeps a clean, good, and in all ways a respectable place. Mr. Murray is a good citizen and a good fellow.

Yours, respectfully,

GEORGE G. MACDONALD.

A letter from Fred Boheim, as follows:

ASHLAND, WIS., *March 4, 1908.*

To whom it may concern:

That I have known F. B. Murray for the last seven years and have found him to be honest and upright in all his business dealings. In fact, have known both Mr. and Mrs. Murray for the last seven years, and their character being such morally that I wouldn't hesitate to associate with them nor hesitate to have my family associate with them, as we have done before and hope to do in the future.

Respectfully,

FRED BOHEIM,
Manager and Proprietor of Ashland Bottling Works.

Mr. MURRAY. There are letters among those, as you observe, that run back nearly thirty years, covering every year up to the present time.

Mr. PIERELLE. I also desire to offer this petition, which is signed by the county officials of the county of Ashland and some of the business men. That was presented to the Commissioner of Indian Affairs.

The CHAIRMAN. I do not see any necessity of encumbering the record with these things, but of course you can put them in if you desire to.

Senator BROWN. I think it had better go in the record, Mr. Chairman.

The CHAIRMAN. If you desire to put it in, I do not see that we should keep it out, Mr. Pierelle.

Mr. PIERELLE. I thank you, Mr. Chairman.

(The petition is as follows:)

To the honorable ASSISTANT COMMISSIONER OF INDIAN AFFAIRS:

We, the undersigned, officials of the city and county of Ashland, and professional and business men residing in the city of Ashland, hereby desire to protest to you against the order removing Frank Murray from the Odanah Reservation, as we believe he is a type of the successful Indian business man that the United States should be protecting and upholding instead of injuring.

Mr. Murray has for several years been conducting the Murray Hotel at Odanah, the leading hotel at that place, and the hundreds of Ashland people who have stopped there from time to time know that it has been conducted in a clean, first-class manner, reflecting credit upon the business ability and character of Mr. Murray and his wife, who is a woman respected and esteemed by every one who enjoys her acquaintance.

Mr. and Mrs. Murray have a daughter that they are educating by sending her to Northland College, the only institution of higher learning in the northern half of this State.

Mr. Murray has not only conducted his hotel, but he has shown himself industrious in every way, for each winter during the past twelve years he has been engaged as a scaler in the logging operations on the Bad River Reservation, and he has been considered just and honest enough in such work as to secure the highest testimonials of the officials who are in touch with his work as scaler.

Mr. Murray has proven to be a successful business man and an industrious workman, and he certainly can not be considered a type of an individual who is dangerous to the peace and safety of the Indians.

There are scores of Indians, whose drunken, dissolute habits are well known to our people and to the police courts, that have been a disgrace to the reservation. By your order you permit such persons as these to remain on the reservation, but drive therefrom Mr. Murray, who is recognized by the business interests of this community as a worthy man in every way.

We believe that you have been misled in this matter by reports of persons whose motive is not to do justice to the Indians, and we feel that your action in arbitrarily driving this man away from his home, compelling him to sell his business at a sacrifice, and do all this without giving him a chance to be heard in his own defense or to call upon his neighbors and friends, who know his worth, for their testimonials, is, we believe, not the kind of Americanism and fair dealing that the Indians should be taught to believe this Government stands for.

Knowing Mr. Murray as we do, believing in him as a worthy citizen and one who is a credit to the industrious and successful class of Indians, we believe that it is your duty in the interests of justice to revoke the order that you have made against this man on one-sided reports, that certainly should not go so far as to deprive any man of his home and his neighborhood friends, even though he be an Indian ward of the Government.

Burt Williams, mayor city of Ashland since 1901; E. J. Stahl, city clerk, city of Ashland; W. J. Nohl, city treasurer, city of Ashland; A. D. McDonah, assessor, city of Ashland; W. T. Blair, chief of police, city of Ashland; Andrew Magnuson, assistant chief, city of Ashland; John Canovan, president fire and police commission, city of Ashland; George H. McCloud, judge of municipal court, Ashland County; Jalmas Johnson, clerk municipal court, Ashland County; C. L. Kleinstelber, sheriff, Ashland County; Patrick Normady, undersheriff, Ashland County; Victor T. Pierelle, district attorney, Ashland County; Theodore R. Yankee, county clerk, Ashland County; Thomas Upthegrove, clerk of court, Ashland County; A. Guinand, proprietor largest jewelry store, Ashland, Wis.; Sam. Angvick, proprietor largest furniture store, Ashland, Wis.; J. C. Schwager, proprietor largest clothing store, Ashland, Wis.

Mr. PIERELLE. Mr. Murray, what do you say relative to the sale of any liquor to Stanley Mayday.

Mr. MURRAY. I did not make a business of selling him any whisky, or anybody else. I did use to have a little bit of whisky for myself at times, but not at all times. I was up and down between here and

Ashland two or three times a week in connection with my business, and have always taken a little whisky for twenty-three years. Previous to that time I never took a drop until I was 35 years old, but I was not healthy. The doctor ordered me to take some whisky. I told him I did not drink any whisky. He said: "You had better take a little whisky; take four or five or six drinks a day—small drinks." I weighed then 135 pounds.

Mr. PIERELLE. Did you sell any whisky to Stanley Mayday, or any liquor?

Mr. MURRAY. No, sir; I did not sell him any.

Mr. PIERELLE. You may have given him some.

Mr. MURRAY. I do not remember of ever giving him anything to drink. Stanley Mayday is not a drinker. I have never seen him drink anything. He lived with me about three years.

Mr. PIERELLE. You had some trouble with him, did you not; that is, you garnisheed him?

Mr. MURRAY. He got behind in his board bill and I garnisheed him. They took advantage of that—the officer did.

The CHAIRMAN. Mr. Johnson, to-day, I think, stated that it had been suggested to you at different times to make a statement or declaration of your willingness and purpose to conform to the law and regulations, which, I understood him to say, up to this time, you had declined to make.

Mr. MURRAY. The way he got that off, I could not see it. He wanted me to come back and behave myself. I do not know that I have been doing wrong only that one time when I was indicted. I have behaved myself as well as a man could.

The CHAIRMAN. Then what was your objection to saying that you would behave?

Mr. MURRAY. There would be no objection; I will behave wherever I am. I expect to do that.

The CHAIRMAN. Would there be any objection to a statement of that kind in view of the difficulties of the past?

Mr. MURRAY. Why, I have no objection. I will agree to behave myself, certainly.

Senator PAGE. Just one question. I infer from what you have just said that you do not want to confess by any statement that you have been doing wrong.

Mr. MURRAY. No; that is what I mean.

Senator PAGE. Now, you could make a statement that would conform to the laws and regulations, and, as they say, behave yourself, but say at the end of that statement that you did not want that construed as any confession that you had not already done, in the past, exactly that. You understand me. I mean qualifying that with a suggestion that you did not wish to have that promise construed as a confession of previous guilt?

Mr. MURRAY. I pretty nearly understand that. Will you allow me to think the thing over until to-morrow morning?

The CHAIRMAN. Certainly; we do not expect to do anything about it now anyway, but want to get an expression from you.

Mr. PIERELLE. I do not think he thoroughly understands it. The committee wants to know, Mr. Murray, that if you were permitted to go back to the reservation without any confession of guilt on your part of any kind, whether you would be willing to inform the com-

mittee and the department that you, as an Indian or as a citizen, expect to conform to the laws and rules and regulations of the department and of the State.

Senator PAGE. And will do so?

Mr. PIERELLE. And will do so.

Mr. MURRAY. I certainly will.

(The witness was thereupon excused.)

STATEMENT OF BENJAMIN A. MORRISON.

BENJAMIN A. MORRISON, having been first duly sworn by the chairman, testified as follows:

Mr. PIERRELEE. Where do you reside?

Mr. MORRISON. At Ashland, Wis.

Mr. PIERRELEE. How long have you resided at Ashland, Wis.?

Mr. MORRISON. Since the 29th day of January.

Mr. PIERRELEE. That is from the date of your removal?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. Where did you reside before that time?

Mr. MORRISON. At Odanah.

Mr. PIERRELEE. How long have you resided there?

Mr. MORRISON. It will be fourteen years this coming October.

Mr. PIERRELEE. What business were you engaged in?

Mr. MORRISON. Well, when I first came here I worked for the Stearns Lumber Company—I mean as a common laborer—and then in 1902 I built the Morrison Hotel with my brother.

Mr. PIERRELEE. And then what business were you engaged in after that?

Mr. MORRISON. In 1904 I sold out my interest in the hotel, and in 1905, the 1st of August, I went into the confectionery and pool business with another brother, known as the firm of Benjamin and George Morrison.

Mr. PIERRELEE. Continue your statement of your business.

Mr. MORRISON. I conducted that up to the next year, January 23, 1906, and I sold out there and went into the clothing business. This time I took in as partner C. E. Morrison, and I remain there to-day, C. E. Morrison & Bro., clothing and gents' furnishings.

Mr. PIERRELEE. How long did that business continue?

Mr. MORRISON. It still continues to-day.

Mr. PIERRELEE. Are you still interested in that business?

Mr. MORRISON. Yes.

Mr. PIERRELEE. How much of a business have you there—about how much of a stock do you carry?

Mr. MORRISON. I don't know at the present time.

The CHAIRMAN. Generally.

Mr. MORRISON. I should judge the stock alone is worth near $10,000.

Mr. PIERRELEE. You have an allotment on the Odanah Reservation?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. Your timber has been cut?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. But you still own the land?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. Do your father and mother reside here?

Mr. MORRISON. They do.

Mr. PIERRELEE. And your brothers?

Mr. MORRISON. They all reside here.

Mr. PIERRELEE. How many are there in your family?

Mr. MORRISON. Five brothers and one sister.

Mr. PIERRELEE. Your wife is the sister of Norbert Sero?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. Now, it is charged by Mr. Johnson, the special officer, that on the 29th day of January, 1909, he raided an establishment run by you and seized and destroyed 40 gallons of wine. Did you have any such in your possession?

Mr. MORRISON. I have had nothing to do with that place since January 23, 1906.

Mr. PIERRELEE. It is the fact that you were about to open up a confectionery store on the day that they visited your place?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. And Mr. Sero came to your place and got the keys for the purpose of inspecting the place?

Mr. MORRISON. He came to the clothing store I should judge about 9 or 9.30, when I was unpacking goods. He came into the store and asked me if I owned that building known as the Tarbox Mercantile building.

Mr. PIERRELEE. Had you recently purchased that building?

Mr. MORRISON. On the 13th day of October, 1908, from the J. S. Stearns Lumber Company.

Mr. PIERRELEE. Did you obtain the consent or approval of the Indian agent, Major Campbell, to this?

Mr. MORRISON. He had orders from the department that I should turn a part of this into cash and a part for the building.

Mr. PIERRELEE. You were opening up a confectionery store there?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. You had some articles for drink, did you?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. What was it?

Mr. MORRISON. The first order amounted to $15; I bought at the Ashland Bottling Works, which fills soft drinks.

Mr. PIERRELEE. Did Mr. Campbell know what business you were going into in that building?

Mr. MORRISON. Yes, sir; he did.

Mr. PIERRELEE. When Mr. Brents and Mr. Sero and the other gentlemen came in there, they made some trouble, did they not?

Mr. MORRISON. Why, yes.

Mr. PIERRELEE. They came and examined the articles that you had there for sale?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. What did they do in the way of examining your liquid articles?

Mr. MORRISON. Well, this pop was laying on the floor, in fact, the other was laying on the shelf, on the back part—the back part of the building there—and they were tapping, and Mr. Brents came along and got a glass and wanted to taste that. He did. He took a little out of each glass and drank it; and there was one lying on the

floor that wasn't tapped, marked "sweet apple cider," and he wanted to know what was in that, and I told him it was sweet apple cider. It was marked that on the keg; and if he desired, I would tap it for him, and he said that was not necessary; so I made the remark—I told him that he wanted to quarrel with me about it, and I told him he was drunk and didn't know his business.

Mr. PIERRELEE. What happened then?

Mr. MORRISON. He pulled out a gun and called me a few foul names.

Mr. PIERRELEE. What did he do with the gun?

Mr. MORRISON. He whipped out the gun and struck at my head, and in doing that I threw my arm up and he kind of struck me here [illustrating], and shortly after that he didn't say any more, and after he got done inspecting I asked him if he would walk out, because I would like to close the building up and go back to my work. Shortly after that he talked to me and asked me if he didn't treat me like a gentleman, and I told him I didn't think it was much of a gentlemanly act to hit me with a gun without any reason. He went on and stated that he had a right to do so, being a United States officer; that I had attacked him, which I did not.

Mr. PIERRELEE. And you subsequently made complaint against him in the municipal court of Ashland County?

Mr. MORRISON. I told him I would have him up before the judge on this, and he told me that he didn't care for judges.

Mr. PIERRELEE. You did make a complaint, and he was found guilty of assault and battery?

Mr. MORRISON. That afternoon I swore out a warrant against him for assault and battery, and he was tried and convicted.

Mr. PIERRELEE. And then he appealed his case to the second court?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. And subsequently paid his fine?

Mr. MORRISON. I understand he has dropped the appeal and paid in his fine.

Mr. PIERRELEE. Did you have any gambling devices in there?

Mr. MORRISON. Nothing whatever. Before that I rented that building to George Parker. I don't know how George Morrison got mixed up in it. He didn't have any interest in the place. He was simply working there, as near as I can understand. I rented this place to George Parker for the purpose of conducting a pool hall there. I understand in November sometime he was closed down by the order of the commissioner. That is, his lease expired and his rent ran out, and I ordered him to move his tables out the day I went there to start business for myself.

Mr. PIERRELEE. Was there a table in the back room that has been described here by Mr. Johnson?

Mr. MORRISON. Yes, sir; there was an old kitchen table left there for him. Being an unmarried man, he fixed it up for his living room. When he moved his stuff out he left this old table there—the old kitchen table—and a few old chairs that had been disfigured by being burnt on the bottom.

Mr. PIERRELEE. Was the place used as a gambling place there?

Mr. MORRISON. No, sir; it was not.

Mr. PIERRELEE. While you owned it?

Mr. MORRISON. No, sir.

Mr. PIERRELEE. Did you expect to open it up as a gambling joint?

Mr. MORRISON. I did not.

Mr. PIERRELEE. Were there some chips there, as described by Mr. Johnson?

Mr. MORRISON. Mr. Johnson described it as being nearly 1,000 poker chips.

Mr. PIERRELEE. He charges that there were five gross.

Mr. MORRISON. I will tell you the actual number. Four hundred poker chips made out of paper. I bought them, along with some cards and a dicebox, from the Ashland Bottling Works, and placed them there to sell or to use, if the boys came in there to play cards, and to keep track.

Mr. PIERRELEE. Had they ever been used?

Mr. MORRISON. No, sir.

Mr. PIERRELEE. They were in the original package?

Mr. MORRISON. They were until Mr. Sero came there and took them out of their boxes and tore the paper off and scattered them over the floor and table.

Mr. PIERRELEE. You have been indicted for introducing liquor on the reservation?

Mr. MORRISON. I was indicted once.

Mr. PIERRELEE. Have you ever paid any fine or penalty?

Mr. MORRISON. Not one dollar.

Mr. PIERRELEE. What became of the indictment against you?

Mr. MORRISON. The indictment—shortly after the grand jury sat at Superior I was arrested by Marshal Pute here at our store, and I immediately went to Ashland and gave a bond for my appearance at La Crosse or Madison, wherever the court would sit, and employed an attorney to fight it out, and this was put over from time to time until 1908, March 10, I was notified——

Senator LA FOLLETTE. When were you arrested?

Mr. MORRISON. I was arrested on August 16, I think, 1906.

Senator LA FOLLETTE. 1906?

Mr. MORRISON. Yes, sir; and I appeared at Madison with my attorney, and before my case was reached I was called into the adjoining room, in the court, and Major Campbell was in there and several others, and then the United States attorney come into the room and they called in Mr. Sero, and they wanted to know how many indictments were against me. My attorney, Mr. Tompkins, was alive at that time, and he stated that there were three indictments against me.

Senator LA FOLLETTE. Who stated that?

Mr. MORRISON. Norbert Sero. And it simmered down to one, one actual indictment.

Mr. HOLCOMBE. How many counts?

Mr. MORRISON. They had three there, and it come down to one actual indictment that stood against me.

The CHAIRMAN. Do you know what "count" means?

Mr. MORRISON. No, sir.

The CHAIRMAN. It means a separate charge.

Mr. PIERRELEE. I have the court record here in regard to that.

The CHAIRMAN. What is it?

Mr. PIERRELEE. One count.

Mr. MORRISON. I was told then—they asked me what I was going to do. I simply told them I did not think I was guilty, and I wished to have this matter decided in the court. Mr. Campbell had a little

talk with me and he advised me to go home and be good, and I was discharged.

Senator LA FOLLETTE. You weren't tried?

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. You didn't plead guilty?

Mr. MORRISON. No, sir.

Mr. PIERRELEE. The record shows in the clerk's office that you entered a plea of guilty. Did you enter a plea of guilty?

Mr. MORRISON. I never was arraigned in court or entered any plea.

Mr. PIERRELEE. Your brother, upon the same occasion, did pay a fine, did he not?

Mr. MORRISON. I think he did. I am quite positive that he did.

Mr. PIERRELEE. There has been some charge here that you have been an agitator among the Indians. What have you got to say about that?

Mr. MORRISON. I am pretty near unable to answer that.

Mr. PIERRELEE. Why?

Mr. MORRISON. I know of no actual part I have taken in any council or in any meeting in regard to agitating questions.

Mr. PIERRELEE. Have you been most of the time confining yourself to your business duties and business relations?

Mr. MORRISON. Yes, sir. That took all my time to do that.

Mr. PIERRELEE. You did employ an attorney, did you not, to look after your interests in this matter, when you were removed?

Mr. MORRISON. Yes, sir; I did.

Mr. PIERRELEE. And you requested the department to furnish you with copies of the charges made against you?

Mr. MORRISON. I did.

Mr. PIERRELEE. And what information did you gain from the department relative to the charges that were made—anything except this reputed telegram and a personal report on the telegram that Mr. Johnson had sent in?

Mr. MORRISON. Yes, sir. I recollect that is what it was, because we finally got some charges which are here, I think.

Mr. PIERRELEE. And that is the only knowledge you have had concerning what you would be expected to meet if you ever got an opportunity to present your side of the case?

Mr. MORRISON. That is all.

The CHAIRMAN. How much Indian blood is there in you?

Mr. MORRISON. My father is a half-breed and my mother is quarter breed.

Mr. PIERRELEE. Where were you educated, Mr. Morrison?

Mr. MORRISON. Well, my first schooling was at Iron River. We used to live out there at Iron River. I attended the public schools there, and shortly, when we moved here, I think, I attended the Sisters for a short period of time, and after that I attended the government school at Flandreau, S. Dak., Charles F. Price, superintendent.

Mr. PIERRELEE. Did you graduate there?

Mr. MORRISON. I did.

Mr. PIERRELEE. After you had received notice from the department as to what you were charged with, did you get some corrections of the same from Special Officer Johnson?

Mr. MORRISON. I did; yes, sir.

Mr. PIERRELEE. I will ask you if you or your attorney received this letter from S. W. Campbell [handing paper to witness]?

Mr. MORRISON (after examining). That is the letter.

Mr. PIERRELEE. I would like to read this:

DEPARTMENT OF THE INTERIOR,
INDIAN SCHOOL SERVICE, LA POINTE INDIAN AGENCY,
Ashland, Wis., March 11, 1909.

Mr. T. PIERRELEE,
Attorney at Law, Ashland, Wis.

SIR: I spoke to you yesterday evening in reference to copies of a letter forwarded to me by C. S. O. William E. Johnson. I forward you a copy of this letter, and it is a correction which places Chief Officer Johnson in a better light.

In forwarding these papers to you for your benefit, it is not essentially necessary that you should have a copy of it given to the paper, as I do not wish to have these matters published at large, although I do not care much, but I do not think agitating these questions in the papers and having them commented upon aids and assists the work any, as the newspaper scarcely ever gets it as it should be and it is more or less misrepresented, but with regard to myself I do not care what is published.

I mean to be square and fair with all, and I mean to do what I think is the better for the Indians while I am holding this office, although misrepresentations in papers do not always better the condition of things, and for that reason, if you will just please keep the information that I furnish you to yourself, it would better serve the purpose I am aiming at.

Respectfully,
S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

Mr. PERRELEE. At a subsequent time did you cause a communication to be addressed to Mr. Campbell, asking for specific items of charges that he had against you or that were lodged in the department against you?

Mr. MORRISON. Yes; I did.

Mr. PIERRELEE. Did you receive a reply from him stating that he had nothing further or more specific, and could furnish you no further charges or copies of the telegram, or the commissioners' extract from the telegram upon which you were removed?

Mr. MORRISON. I think that is all.

Mr. HOLCOMBE. What date was that you wrote to Mr. Campbell and asked for these charges. Was it after you went to Washington?

Mr. MORRISON. It was long before. A few days after I was removed from the reservation.

Mr. HOLCOMBE. You saw those charges at Washington, did you not?

Mr. MORRISON. No, sir; I did not see anything only the extract.

Mr. HOLCOMBE. You had an attorney at Washington, did you not?

Mr. MORRISON. Yes, sir; I had Mr. Richardson.

Mr. HOLCOMBE. And he saw the charges and examined the records?

Mr. MORRISON. I think he did. He had permission to do so.

Mr. HOLCOMBE. And prepared a statement for you?

Mr. MORRISON. Yes, sir; he did.

Mr. PIERRELEE. Now, Mr. Morrison, at that time, and up to the present time, did you have any knowledge of any of these affidavits of these parties who would be called as witnesses in the trial of this case?

Mr. MORRISON. I did not.

Mr. PIERRELEE. Have you anything further to state, Mr. Morrison, that you think the committee ought to know relative to these matters?

I will ask you a few more questions. The evening that Mr. Sero claims that he was held up, what were you doing—what connection did you have with the same?

Mr. MORRISON. I didn't even see the hold up. I was working in the clothing store.

Mr. PIERRELEE. Did you go out after?

Mr. MORRISON. I heard him laughing and talking out in front there shortly after it occurred, and I walked out of the store and went to the corner and Mr. Sero was walking down the street.

Mr. PIERRELEE. Did you sell Mr. John Basana, jr., on the 20th day of November, any grape juice or any other kind of liquor?

Mr. MORRISON. Not as I know of. I don't remember. I might have been there at the time, though.

Mr. PIERRELEE. Did you sell any to John Sky, jr., on that day or about that time?

Mr. MORRISON. I don't remember.

Mr. PIERRELEE. When you purchased liquors or grape juice (so called), did you purchase it with the understanding and the request to the parties from whom you purchased it that it was such as would be nonalcoholic and such as would be permitted to be sold on the reservation?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. It has been testified here that you and George Morrison and Charles Corwin were playing poker on the evening of the 20th of December, 1908, when John Blackbird came in there.

Mr. MORRISON. It was customary for me, after I got through working at the clothing store, to go uptown and play a game of pool or a game of cards before I went home. On that night I may have been playing. It may be that as I went by I sat down and played a game of pinochle or cribbage or some other game for cigars.

Mr. PIERRELEE. Did you play for money?

Mr. MORRISON. No, sir.

Mr. PIERRELEE. There is a statement here and some evidence here that Mr. Haskins and Norbert Sero and Mr. Egbert made an examination of the place of business owned by you and George Morrison, in which they found four or five gallon jugs containing sufficient whisky to satisfy them that the jugs had contained whisky.

Mr. MORRISON. I recall the day they came up there and searched the place.

Mr. PIERRELEE. What was done?

Mr. MORRISON. Mr. Egbert was farmer at the time and Mr. Sero assistant. Mr. Egbert, Sero, Haskins, Blackbird, and Marksman—I think that is all—went up there that day and looked through the place and dug into the ice house and they finally went out in the back yard, where we had some fifteen or twenty jugs which had contained sirups to mix into this preparation used for making soda waters and mixing ice cream, and they took these up—every jug, I think—and they had them up, smelling them to see what they contained.

Mr. PIERRELEE. What did they do with the jugs?

Mr. MORRISON. They left them there.

Mr. PIERRELEE. Did you, on the 16th day of May, 1900, at your place of business, sell a pint of whisky to John Twobirds?

Mr. MORRISON. I did not.

The CHAIRMAN. At that time or at any other time?

Mr. MORRISON. No; I never sold him any whisky.

Mr. PIERRELEE. Did you ever sell to anyone any whisky upon the reservation?

Mr. MORRISON. No; not to my knowledge, that I know of.

Mr. PIERRELEE. You may state, Mr. Morrison, whether you and Mrs. Zake occupied any room in Murray's restaurant during the month of December, 1907.

Mr. MORRISON. No; I did not.

Mr. PIERRELEE. That is all, unless there is some statement you desire to make.

Mr. MORRISON. I don't know of any statement I would care to make. Everything has been asked me, I think.

Mr. PIERRELEE. Mr. Morrison, if the proper officials should permit you to return to the reservation, to your home and to your property interests, would you be willing to inform this committee, and do you inform this committee, that you will obey the law and that you will, without making any confession of any form of guilt, abide by the laws, rules, and regulations of the department?

Mr. MORRISON. Yes, sir; I am. I always have and I am willing to make a statement to the committee to that effect.

The CHAIRMAN. Would you be willing to make that kind of statement to the department?

Mr. MORRISON. They did present an agreement to me once to sign.

The CHAIRMAN. What was the nature of that agreement?

Mr. MORRISON. It simply stated that I could return to the reservation to my business if I signed that agreement, and it was something to the effect that I would abide by the rules and regulations of the department and the State, and I considered it, and I refused; but it was for the reason that I thought this may be a matter or something to hang over me when I did return.

Mr. PIERRELEE. You thought it would be a confession?

Mr. MORRISON. I expected it would be an admission on my part that I had done wrong, and therefore I refused to sign it.

Mr. PIERRELEE. You want to have this committee understand that you claim you did no wrong?

Mr. MORRISON. Yes, sir.

Mr. PIERRELEE. And the department?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. Would you, if the proper authorities were disposed to do so, make such a statement to them? Of course it would have to be signed, because it would have to be in writing. That is the only way you could indicate to the Commissioner of Indian Affairs. Now, here is the petition which I understand from Mr. Holcombe is in substance what was prepared for Mr. George Parker.

Mr. PIERRELEE (interrupting). I understood that this agreement or petition, whatever it was, stated that in the future you would agree to abide by the laws, rules, and regulations, but it carried an inference that in the past you had not done so.

Mr. MORRISON. That is the way I understood it.

Mr. PIERRELEE. And for that reason you refused to sign any instrument of that kind?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. Call your next witness.

Mr. DILLON. I will call Mr. Doherty.

STATEMENT OF JOHN J. DOHERTY.

JOHN J. DOHERTY, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. DILLON. Your name is John J. Doherty?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. You are a member of the Bad River tribe of Indians?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. What degree of Indian blood is there in you?

Mr. DOHERTY. My mother is a half-breed and I understand my father was a white man.

Mr. DILLON. How old are you?

Mr. DOHERTY. Thirty-three.

Mr. DILLON. Married or single?

Mr. DOHERTY. Married.

Mr. DILLON. Wife living?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. Any children?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. How many?

Mr. DOHERTY. Four.

Mr. DILLON. What is the oldest?

Mr. DOHERTY. Ten or eleven, something like that.

Mr. DILLON. What is the youngest?

Mr. DOHERTY. About four.

Mr. DILLON. You have resided on the reservation how long?

Mr. DOHERTY. About twenty years or so, such a matter.

Mr. DILLON. Have you any property here?

Mr. DOHERTY. I have an allotment.

Mr. DILLON. And were you put off the reservation at the time these other men were, last winter?

Mr. DOHERTY. Yes, sir; shortly after.

Mr. DILLON. Is this copy which you have given to me the only copy of the charges you have ever received from the department?

Mr. DOHERTY. That is all.

Mr. DILLON. Did you know of any other charges or complaints made against you other than in this document?

Mr. DOHERTY. No more than the information I received from the clerk of the United States circuit court at Madison.

Mr. DILLON. This is the only document you received from the Indian Office?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. In regard to the charges which caused your removal?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. What did you do here?

Mr. DOHERTY. The last six years I have been in the insurance business, fire insurance, selling a little land to both Indians and whites. The last four or five years I have not sold any to the Indians, because it was objectionable.

Mr. DILLON. You had an allotment?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. Have any members of your family allotments?

Mr. DOHERTY. My wife and one child.

Mr. DILLON. Have you at any time borrowed money from ignorant Indians and not paid it back?

Mr. DOHERTY. There is only one Indian I know that had any money, and he wasn't no ignorant Indian. I borrowed $400 and gave security. My wife borrowed the money and gave the security on our farm.

Mr. DILLON. Has that been paid?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. What was his name?

Mr. DOHERTY. Edward Day.

Mr. DILLON. It is charged here that you are a political demagogue. Did you agitate politics here on the reservation?

Mr. DOHERTY. I have always agitated La Follettism here.

Mr. DILLON. You were charged, Mr. Doherty, with obtaining some money from the Indian Department for the purchase of a horse and buggy. That seems to be one of the charges made against you?

Mr. DOHERTY. Yes.

Mr. DILLON. Tell us about that. What was there to that?

Mr. DOHERTY. Well, my girl she was talented for music, and it was understood here that the Indian agent would not allow any more purchases of pianos, but at the time I made the application for the purchase of the horse and buggy it was my intention at the time, living out on the farm 3½ miles from any school, it was our intention to live there for the winter, and I had purchased a piano on the installment plan and I had run behind a couple of months, and I changed my mind; in fact, we changed our minds about living on the place, and it seems that the money was forthcoming in that way, and as there was no other way to obtain this instrument, I deliberately took a chance to secure the money in that way.

Mr. DILLON. By telling the agent you wanted to buy a horse?

Mr. DOHERTY. No; we had made application faithfully in the first place.

Mr. DILLON. And afterwards you changed your mind?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. How many times have you been indicted by the grand jury for selling or bringing liquor on the reservation?

Mr. DOHERTY. Only once.

Mr. DILLON. How long ago was that?

Mr. DOHERTY. That is about four years ago.

Mr. DILLON. You were instrumental in or represented or were a sort of go-between for Mr. Tompkins and a large number of Indians who at one time did get money from the Government?

Mr. DOHERTY. Yes, sir; Mr. Tompkins was being employed, and he asked me if I would assist him. He could not handle it alone.

Mr. DILLON. You got a lot of claims for him and brought them in there, didn't you?

Mr. DOHERTY. I acted as his representative at the time; yes, sir.

Mr. DILLON. Have you ever had the complaints made to you or any orders given to you to desist or refrain from doing things here on the reservation; any wrong things you had been doing?

Mr. DOHERTY. In what way?

Mr. DILLON. In any way. Did the officer ever threaten to put you off or call your attention to violating any of the rules?

Mr. DOHERTY. Yes; I was locked up in the jail for four hours one afternoon on account of my circulating a petition I was to present to the town board.

Mr. DILLON. What was the petition?

Mr. DOHERTY. Against the appointment of Norbert Sero as constable.

Mr. DILLON. That was when he was constable for the town?

Mr. DOHERTY. Yes; the lower end. One spring election they put up some white man to run for the position, and he finally beat Mr. Sero in the election, and he had ten days to qualify in; but at that time Patterson, the farmer here, approached this man that was elected and told him that he was nothing but an employee here for the Stearns Lumber Company and had no business to take part in politics, and if he attempted to qualify he would have him removed from the reservation. This scared the man, and he went away, and I seen the people and I got up a petition, a petition to the town board, to appoint another man besides Sero. There was only the two of them that ran. They arrested me on the order, I understand, from Major Campbell that if I didn't surrender that petition to the authorities—that is, to Patterson—that I should be brought up to the Indian agent at Ashland.

Mr. DILLON. Did you surrender it?

Mr. DOHERTY. I did not.

Mr. DILLON. What became of it?

Mr. DOHERTY. I presented it to the board. I don't know what influence was brought to bear, but they did not see fit to pay any attention to it. I had over 200 names on it, all voters, white men in this town.

Mr. DILLON. And Mr. Sero was appointed?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. There is some charge in regard to your holding Sero up on the street corner.

Mr. DOHERTY. I had heard several times at Ashland that Sero was in the habit of going into one particular saloon and leaving a grip and getting liquor put into it, by friends of mine at Ashland that had positive reasons to believe that he carried it. Also from Frank Murray and Ben Morrison; they also told me that they had drank with him several times in town.

Mr. DILLON. What was your object in attacking him that night?

Mr. DOHERTY. Because I thought the man was bringing the liquor here.

Mr. DILLON. And you wanted to get the liquor for evidence against him?

Mr. DOHERTY. Yes; I went to Ashland, and I saw a friend of mine, and I asked him if he would not go in there and see what was put in that grip. He went in with a friend of mine and stood at the bar and seen some liquor put into the grip. He says he thought there was two bottles of beer and two pints of whisky. He come up to the depot that night and told me, "Now, there is liquor in it; you will make no mistake." He is a friend of mine. He says, "You will make no mistake." I came down here that night and headed him off, met him in front of that building alone, and I asked him—told him that I wanted to search that grip, that I thought there was liquor in it.

Mr. DILLON. What did he do?

Mr. DOHERTY. He stood back and threw the grip on the platform, on the sidewalk, and struck at me and missed me.

Mr. DILLON. Did he pull a gun?

Mr. DOHERTY. A fellow behind there ran and grabbed the grip, and he pulled out a revolver and pointed at him and made him drop it and held me at bay.

Mr. DILLON. Where is your family now?

Mr. DOHERTY. They are all here.

Mr. DILLON. Living here at Odanah?

Mr. DOHERTY. Some are at Ashland. Busted up, you might say.

Mr. DILLON. You came back on the reservation two or three times after you were put off, didn't you?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. Did you do that of your own accord or under advice from some one?

Mr. DOHERTY. On my own accord, because we have been living on a piece of taxable property adjoining the reservation.

Mr. DILLON. You mean adjoining the railroad?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. And you thought you could get from the railroad to your property before they could get you?

Mr. DOHERTY. At the time I was a deputy sheriff, and I thought I had some right, anyway. In one particular instance I thought I had some duty at the time.

Senator LA FOLLETTE. You say you were a deputy sheriff, regularly appointed?

Mr. DOHERTY. Yes, sir.

Senator LA FOLLETTE. Of this county?

Mr. DOHERTY. Yes, sir.

Senator LA FOLLETTE. Appointed by the sheriff?

Mr. DOHERTY. Yes, sir; with bonds and everything on file.

Mr. HOLCOMBE. Do you understand that a deputy county sheriff has any duties to perform inside a government Indian reservation?

Mr. DOHERTY. I understand if he has any duties to perform he has a right to come on the reservation.

Mr. HOLCOMBE. Do you understand he has any duties that can be performed inside a government reservation?

Mr. DOHERTY. If his superior officer gives them to him, he has.

Mr. HOLCOMBE. Can his superior officer give him anything to perform on a government reservation?

Mr. DILLON. I don't suppose there is any question about that.

Mr. HOLCOMBE. I am asking for information now [addressing the witness]. Have you ever served any papers inside this reservation?

Mr. DOHERTY. Not since my appointment.

Mr. HOLCOMBE. Do you know of any papers being served on this reservation by a county officer?

Mr. DOHERTY. Not specifically; I do not.

Senator LA FOLLETTE. Where were you educated?

Mr. DOHERTY. In the common schools.

Senator LA FOLLETTE. Here on the reservation?

Mr. DOHERTY. Over at Bayfield, Ashland, and also here. I finished up here, you might say. I didn't graduate or anything. My last years were here in this school.

Senator LA FOLLETTE. In the government school?

Mr. DOHERTY. No; it was the Catholic school.

Senator LA FOLLETTE. Then you attended such schools at the other places, in Ashland and Bayfield?

Mr. DOHERTY. Yes, sir.

Mr. DILLON. That is all.

STATEMENT OF GEORGE J. MORRISON.

GEORGE J. MORRISON, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. DILLON. Where are you living now?

Mr. MORRISON. At Ashland.

Mr. DILLON. Are you a married man?

Mr. MORRISON. Yes, sir.

Mr. DILLON. Have you a family?

Mr. MORRISON. Yes, sir.

Mr. DILLON. How many children have you?

Mr. MORRISON. I have four living.

Mr. DILLON. You were ordered off the reservation when these other parties were?

Mr. MORRISON. Yes, sir.

Mr. DILLON. And went off and stayed off?

Mr. MORRISON. Yes, sir.

Mr. DILLON. How long have you lived on the reservation?

Mr. MORRISON. About fourteen years this coming October, I think.

Mr. DILLON. What did you do while on the reservation?

Mr. MORRISON. I worked here up until I got in a little confectionery store.

Mr. DILLON. How long were you in the confectionery store?

Mr. MORRISON. I was in there about five years.

The CHAIRMAN. Have you and your brother received any portion or all of your timber money?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. All of it?

Mr. MORRISON. Yes, sir; that is, of our own individual money.

Mr. DILLON. You had an allotment?

Mr. MORRISON. Yes, sir.

Mr. DILLON. Did your wife?

Mr. MORRISON. Yes, sir; my wife has got an allotment.

Mr. DILLON. She has an allotment yet?

Mr. MORRISON. Yes, sir.

Mr. DILLON. Have the children any allotments?

Mr. MORRISON. I have got my children on the list that is now pending.

Mr. DILLON. Did you ever have any copy of the charges given you showing why you were expelled from this reservation, any more than this [exhibiting paper to witness]?

Mr. MORRISON. That is the only one I ever got.

Mr. DILLON. Did you ever have any copy of an affidavit showing you would have certain things to meet here when you came here for your hearing?

Mr. MORRISON. No, sir.

Mr. DILLON. You have been indicted by the grand jury several times for bringing liquor on the reservation, haven't you?

Mr. MORRISON. Once, I guess, that I know of.

Mr. DILLON. More than once, isn't there?

Mr. MORRISON. Once or twice.

Mr. DILLON. And you paid the fine?

Mr. MORRISON. Yes, sir.

Mr. DILLON. Did you keep whisky for sale and sell it here on the reservation?

Mr. MORRISON. No, sir.

Mr. DILLON. Isn't it a very common thing here, Mr. Morrison, when this evening train comes down from Ashland every evening about 7.30 for a large number of Indians to come down on it?

Mr. MORRISON. Yes, sir.

Mr. DILLON. What condition are they generally in?

Mr. MORRISON. Well, most of them are drunk.

Mr. DILLON. And the place that you were running over there, they used to come there and come around there?

Mr. MORRISON. They always came up to my place and stayed there until I closed up; most of them did.

Mr. DILLON. Did you ever have any whisky in a keg over there?

Mr. MORRISON. No, sir.

Mr. DILLON. I will say to the committee, in this man's case here, I have never seen or had specific charges against him except that he is an undesirable citizen. There are no specific charges made in the copy given, any more than violating the internal-revenue law in bringing liquor upon the reservation. I don't know of anything else. He was simply put off for the reason mostly that he was a drinking man himself, drank considerable liquor when he went to Ashland, a good deal like a great many of them. He would come here drunk. That is true, in part. He is a drinking man and has drunk a good deal in the past.

The CHAIRMAN. Have you ever brought any liquor here with you?

Mr. MORRISON. No, sir.

The CHAIRMAN. Have you ever bought any?

Mr. MORRISON. When I was around town in Ashland.

The CHAIRMAN. No; but here?

Mr. MORRISON. No, sir.

The CHAIRMAN. Never have had any here?

Mr. MORRISON. No, sir.

The CHAIRMAN. You were in the habit of drinking more or less?

Mr. MORRISON. The boys used to bring some around more or less and I used to have some drinks with them—white men and Indians. They always came up to my little store where I was. I had a pool room there.

The CHAIRMAN. Do you mean to say you never kept any liquor there for your own use?

Mr. MORRISON. No, sir; I never used any up there myself, only what different ones would bring along.

Senator LA FOLLETTE. You were indicted for what, Mr. Morrison?

Mr. MORRISON. Well, as near as I could find out, it was selling cider, apple cider. That is what they told me down there at Madison.

Senator LA FOLLETTE. Well, it was for selling intoxicating drinks, wasn't it?

Mr. MORRISON. That is what they had me down there for.

Senator LA FOLLETTE. Well, did you keep cider that was intoxicating?

Mr. MORRISON. Well, the cider might have got hard after I got it here. I bought it all for sweet apple cider.

Mr. HOLCOMBE. Weren't you indicted shortly after you were put off this reservation for bringing liquor on the reservation?

Mr. MORRISON. Shortly after I went away from here?

Mr. HOLCOMBE. Yes.

Mr. MORRISON. I didn't come back here.

Mr. HOLCOMBE. For an offense committed just before you went away?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. Did you plead guilty to that offense?

Mr. MORRISON. That has not been tried yet.

Senator LA FOLLETTE. Will you state whether or not it is the fact that the one indictment that you did plead guilty to is the one relating to the cider—is that the fact?

Mr. MORRISON. That is the only one I know of.

Mr. HOLCOMBE. Haven't you paid several fines?

Mr. MORRISON. That is the only fine I paid there. The first time I was ever down there.

Senator LA FOLLETTE. How much were you fined in that case?

Mr. MORRISON. One hundred dollars.

Mr. HOLCOMBE. But you admit that it was the practice for Indians who came from Ashland drunk to go to your place, and it was a resort there for them?

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. And you have taken liquor from them after they have come there, and have drunk it with them?

Mr. MORRISON. Yes, sir; a great many of them.

Senator LA FOLLETTE. Did they leave their liquor there in bottles in your place?

Mr. MORRISON. Well, no; they most generally had it in their pockets.

Senator LA FOLLETTE. I mean in your charge?

Mr. MORRISON. No.

Senator LA FOLLETTE. Were there any cases of that sort?

Mr. MORRISON. Not that I know of; no.

Mr. HOLCOMBE. You heard Twobirds or one of the Birds, I don't know which it was, testify that he loaned one of the men 50 cents and afterwards he went to your place right at the corner of the room there and took a drink with him?

Mr. MORRISON. I don't remember whether he ever came there or not. I remember that they had trouble that night—some time in the morning.

Senator LA FOLLETTE. When you have been in Ashland and been drinking, have you ever, in any case, carried a bottle with you about Ashland?

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. Or have one in your pocket when you started home?

Mr. MORRISON. Unless you mean right at home—down there at Ashland.

Senator LA FOLLETTE. I mean at Ashland while you were still living on the reservation.

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. And visited Ashland for a time.

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. So that, if I understand you, you say that you have not in any instance brought whisky upon this reservation?

Mr. MORRISON. No, sir. In this last indictment now they claim—that has not been tried yet; I don't know how that is going.

Senator LA FOLLETTE. You know whether you have brought liquor on the reservation?

Mr. MORRISON. Yes, sir; I would think I did.

Mr. HOLCOMBE. Have you ever given any money to Indians who have gone to Ashland to bring whisky back to you?

Mr. MORRISON. No, sir.

Mr. HOLCOMBE. Then the whisky that they gave you was just a treat on their part?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. Did you hear the testimony of one of the policemen here with respect to gambling for money? I think it was in your pool room.

Mr. MORRISON. I heard it.

Senator LA FOLLETTE. Is that true or untrue?

Mr. MORRISON. I remember when he came in there; I was there at the time, standing behind the little bar waiting on some fellows. He came around and sit around for a minute or two. They were probably playing cards; they always played there every evening.

Senator LA FOLLETTE. At that time or another, with your knowledge and consent, was there gambling in that place?

Mr. MORRISON. No, sir.

Mr. DILLON. The policemen came in and out of your place quite regularly and looked in it?

Mr. MORRISON. Yes, sir; they came there and searched and went all through the place time and again, all of them.

Mr. DILLON. You never tried to prevent them from making a thorough search of the place for liquor?

Mr. MORRISON. No, sir; I always told them to go right ahead.

Senator LA FOLLETTE. Did the Indian farmer here or the superintendent, Mr. Campbell, ever complain to you that you were conducting a place there that was prejudicial to the interests of the reservation or the people on it?

Mr. MORRISON. They never said anything to me.

Senator LA FOLLETTE. They never criticised your conduct of your place at all?

Mr. MORRISON. No, sir; not that I know of.

Senator LA FOLLETTE. In this same connection, while I think of it, I would like to ask Mr. Benjamin A. Morrison whether the superintendent, Mr. Campbell, or the farmer in charge, either the present one or his predecessors, complained to you at any time of the business which you were engaged in here and the way in which you conducted it, or of your conduct?

Mr. BENJAMIN A. MORRISON. Neither the farmer nor the Indian agent ever complained as to how I conducted my business ever since I have been in business on the reservation.

Senator LA FOLLETTE. Either that you were violating any regulations of the department or that you were conducting a business here that was injurious to the community?

Mr. BENJAMIN A. MORRISON. No, sir; they never did.

Mr. HOLCOMBE. You mean the confectionery business as well as the clothing business?

Senator LA FOLLETTE. I mean any business.

Mr. BENJAMIN A. MORRISON. The three businesses I conducted was the hotel, the place known as the "Morrison Hotel," the confectionery business from 1905.

Senator LA FOLLETTE. You sold soft drinks in the confectionery?

Mr. BENJAMIN A. MORRISON. Yes, sir; I did.

Senator LA FOLLETTE. Notwithstanding the statements of the policemen and others who have testified here in this proceeding, I understand you to say that neither the farmer here nor the superintendent in charge ever came to you and complained of or criticised you with reference to any of these matters.

Mr. BENJAMIN A. MORRISON. No; they never did; not to my knowledge.

Senator LA FOLLETTE. And that, so far as the superintendent and the farmer are concerned, your first intimation of their disapproval was the order to quit the reservation?

Mr. BENJAMIN A. MORRISON. That is it.

The CHAIRMAN. Is there anything further?

Mr. DILLON. No, sir.

The CHAIRMAN. Is Daniel Morrison here?

Senator LA FOLLETTE. I would like to ask, in connection with the questions I put a moment ago, one or two more of Mr. Benjamin Morrison.

STATEMENT OF BENJAMIN A. MORRISON—Continued.

BENJAMIN A. MORRISON resumed the stand and testified as follows:

Senator LA FOLLETTE. Will you state to the committee, Mr. Morrison, whether Superintendent Campbell or the farmer complained to you or criticised you for disturbing in any way the good order and peace of this community?

Mr. BENJAMIN A. MORRISON. They never; neither one of them never did.

Senator LA FOLLETTE. I mean prior to the time when the order was served upon you to leave the reservation.

Mr. BENJAMIN A. MORRISON. No, sir; not since I made my residence on the reservation.

Senator LA FOLLETTE. You met them frequently, did you?

Mr. BENJAMIN A. MORRISON. I met the farmer actually every day in a business way.

Senator LA FOLLETTE. And the superintendent, Mr. Campbell, visited here from time to time?

Mr. BENJAMIN A. MORRISON. Yes, sir; I recollect that he has been here at different times.

Senator LA FOLLETTE. But you have not been called before them, or they have not called upon you at your place of business and complained that you, through agitation or by your counsels, were interfering with the peace and good order of the community?

Mr. BENJAMIN A. MORRISON. No, sir; Major Campbell did call upon our store here while I was present with my brother. I think it will be two years ago this summer. He brought Major McLaughlin. He brought him in the store and introduced him, and they looked around the store and went out.

Senator LA FOLLETTE. Now, I would like to recall Mr. George Morrison.

STATEMENT OF GEORGE J. MORRISON—Continued.

GEORGE J. MORRISON resumed the stand and testified as follows:

Senator LA FOLLETTE. I will ask you to make answers to the same questions. You have them in mind?

Mr. MORRISON. Yes, sir.

Senator LA FOLLETTE. What is the fact about your having been warned or criticised, except the time after you were removed?

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. That is all.

Mr. BENJAMIN A. MORRISON. I do remember on one occasion that Mr. Campbell and our farmer here did come up to our place at the confectionery and pool business and tell us to clean up the back yard. And that was all the report we ever had.

Senator LA FOLLETTE. Did you clean it up?

Mr. BENJAMIN A. MORRISON. Yes, sir; we did.

Senator LA FOLLETTE. Now, I want to ask Mr. Doherty the same questions.

STATEMENT OF JOHN J. DOHERTY—Continued.

JOHN J. DOHERTY resumed the stand and testified as follows:

Senator LA FOLLETTE. I want to ask you whether you were called before the farmer or before the superintendent at any time here on the reservation and criticised for your conduct here?

Mr. DOHERTY. The only time was in circulating that petition.

Senator LA FOLLETTE. You have already testified to that. Aside from that?

Mr. DOHERTY. Down at Madison there they put the proposition to me if I would plead guilty to the indictment they were getting there that they would let me off with a fine. I told them I could not, because I was not guilty. Mr. Campbell touched me on the back and said, "We want to bury the hatchet." I told him I had no hatchet to bury, that they had better bury their own hatchet. At another time he told me there at Ashland, in his office, that I had done two things to him that he reprimanded me to the authorities at Washington very strongly. I asked him what those things were, and he says he didn't want to go back any more over the old grounds. "I intend," he says, "to look in the future." That is all the talk I had with him.

Senator LA FOLLETTE. Did he tell you what those two things were?

Mr. DOHERTY. No; I asked him, but he would not tell me what they were.

Senator LA FOLLETTE. Had you been informed of two complaints or of those two matters, as to what they were, prior to that time?

Mr. DOHERTY. No, sir.

Senator LA FOLLETTE. Had you known that he had forwarded some criticism of your conduct to the department at Washington?

Mr. DOHERTY. No; not before. I had an idea what it was all the time.

Senator LA FOLLETTE. Then you had not been given, by the superintendent or the farmer, any warning or reprimand as to your conduct here, aside from the circulation of this petition?

Mr. DOHERTY. No more than what I have stated just now.

The CHAIRMAN. What did you think it was?

Mr. DOHERTY. It was my activity in trying to show up some graft matter in connection with the police department.

The CHAIRMAN. What graft matter was that?

Senator LA FOLLETTE. I think perhaps you had better not go into that, as he has stated to me as a member of the committee that he had a number of witnesses that he wanted to furnish the committee with. It will take some little time.

The CHAIRMAN. Very well.

Mr. PIERRELEE. Before I rest, your honors, I desire to ask leave to present to the committee the substance of an Indian council proceeding here, at which Bascom Johnson was present, representing the department, in which the Indian chiefs and the council petitioned the Government, or the commissioner, to restore Benny Morrison and Frank Murray to their homes here on the reservation; that in the judgment of the Indian council they were not violators, as they had been characterized, and were not detrimental to the peace and welfare of the community in which they resided.

The CHAIRMAN. Very well; you can file it with the reporter.

(Thereupon, at 11 o'clock p. m., the committee adjourned until tomorrow morning, September 25, 1909, at 9 o'clock.)

SUBCOMMITTEE OF THE COMMITTEE ON INDIAN AFFAIRS,
UNITED STATES SENATE,
Odanah, Wis., September 25, 1909—9 o'clock a. m.

(The subcommittee met pursuant to adjournment at 9 o'clock a. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor, Indian Service; S. W. Campbell, esq., United States Indian agent; William T. Cox, esq., assistant forester, Agricultural Department; V. T. Pierelle and M. E. Dillon, esqs., appearing as attorneys for Morrison and Murray.

ADDITIONAL STATEMENT OF T. C. THOMAS.

The CHAIRMAN. Mr. Thomas, is there anything you desire to submit to the committee?

Mr. THOMAS. I desire to submit this paper, Mr. Chairman. It is a paper which was specially prepared for the senatorial investigation. It is with regard to my contract. There is still due me $2,100.

The CHAIRMAN. Do you want this to go in the record?

Mr. THOMAS. If you desire such things to go into the record; yes, sir. I would like to have you look into it.

The CHAIRMAN. It will be inserted in the record.

(The paper referred to is as follows:)

ODANAH, WIS., *September 23, 1909.*

SENATORIAL INVESTIGATION COMMITTEE,
Odanah, Wis.

GENTLEMEN: I made application for an allotment on the Bad River Reservation at a council held in the village of Odanah February 17, 1897, which was accepted by a unanimous vote of said council. This application was not forwarded for approval to the Indian Department at Washington, D. C., until the fall of 1900.

The timber on my selection was cut in the winter of 1900 and 1901. I went to Washington as a delegate in the interest of the Bad River band of Indians in February, 1901, to ascertain if the price for pine paid the members of the tribe could not be increased, for the reason that the market had advanced rapidly since the making of the contracts. Upon my arrival at Washington I inquired of the Indian Commissioner whether my application had been approved by him, to which he replied that it had not. I then informed the commissioner that the timber on 40 acres of my selection had been cut. The commissioner then declared that if I could prove this he would close down the operations of the Stearns Lumber Company at Odanah, Wis. Upon my return from Washington a committee of the Bad River band of Indians was appointed to investigate the lands in question, and it was found upon said investigation that my statement to the commissioner was true, that the 40 had been cut by the J. S. Stearns Lumber Company prior to the approval of my application by the department.

Subsequently I entered into a contract with the J. S. Stearns Lumber Company for the sale of the timber upon my selection under the form of the old contract, which specified $4 per thousand feet for pine. This contract was forwarded to the department at Washington and, due to the rapid rise in the price of lumber, was not returned to the agency at Ashland, Wis., until some two years later. When this contract returned there had been inserted in lieu of the old price of $4 per thousand for white pine the market price of $8, and the contract was signed by J. S. Stearns. There is due and owing me as a difference between the price under the old contract and the new one, according to the government scale in the office of the La Pointe Agency, the sum of $3,100. This difference I have not received.

My contention is that the original contract, if it may be called such, was not a true contract for the reason that by its terms it provided that it had to be approved by the commissioner. This approval was not given until May 23, 1903, which was two years subsequent to the drawing of the contract at $4 per thousand for white pine. Upon my receipt of the patent, together with the new contract which had attached a slip showing the new price of $8 per thousand for white pine, I wrote to the agent of the La Pointe Agency and to the commissioner at Washington, stating my case. The agent informed me by letter that he had taken the matter up with the commissioner at Washington, and the commissioner informed me by letter that the matter had been referred to the agent of the La Pointe Agency. I then interviewed the Indian agent, and he instructed me to call on Mr. L. K. Baker, the representative of the J. S. Stearns Lumber Company at Odanah. Since then I have been unable to get any satisfaction from Mr. Baker, and maintain that the J. S. Stearns Lumber Company owe me a balance of $3,100.

Yours, respectfully, T. C. THOMAS.

Mr. THOMAS. This is another paper which shows that my children have been ignored by the council:

ODANAH, WIS., *September 23, 1909.*

SENATORIAL INVESTIGATION COMMITTEE,
Odanah, Wis.

GENTLEMEN: My claim to being a member of the Bad River Indian tribe has been disputed, and I wish to lay before your honorable committee my side of the contention.

My grandfather and grandmother were born members of the Bad River Indian tribe. My father is a direct descendant of the tribe. My mother was a member of the Sault Ste. Marie (Mich.) band of Indians. I was raised in Munising, Mich., and not upon a reservation. My father always told us that we were members of the Bad River tribe and should some day return to our home in

this section of Wisconsin. I have never lived upon a reservation or received an allotment other than upon the Bad River Indian Reservation. I came to the Bad River Indian Reservation from L'Anse, Mich., in November, 1896. Upon my arrival at Odanah, Wis., I was recognized by my relatives and was advised to make a selection and application for an allotment on the Bad River Indian Reservation. I made an application before the general council February 17, 1897. The application was approved by the department and I have received my patent therefor. This is a complete recognition that I am a member of the tribe.

I have had three children who have been eligible to allotments on this reservation, one having since died, none of whom has been recognized as members of the tribe, although I have made repeated applications on their behalf. Their names and ages are as follows: Eugenia B. Thomas, born December 3, 1892; Clarinda L. Thomas, born in 1896; John E. Thomas, born in 1901.

In February, 1901, while I was in Washington, D. C., as interpreter for the chiefs of the band, a council was held to place those eligible to allotment upon a list. Upon my return from Washington I found that the list had been completed, but that my two children, Eugenia B. and Clarinda L., had been omitted. At several times thereafter I attempted to make a filing and selection, but was always ignored by the resident farmer.

Subsequently I appeared before the committee, March 8, 1904, and demanded that the children be placed upon the list. My demand was rejected, and upon requesting them to give a reason for the rejection, I was told by one of the members of the committee that I had made the remark that Odanah was "a dirty place," and another member said that I was a member of the Ottawa tribe of Indians and that my children were not entitled to be placed on the list.

Subsequently I made a filing at Odanah, Wis., August 24, 1905, of which the original is hereto attached and is signed by William J. Egbert, then Indian farmer.

Since August 24, 1905, I have made no attempt to have my children placed upon the list.

My contention is that my children are members of the Bad River Indian tribe, and therefore entitled to allotments, and that these facts are worthy the consideration of your honorable committee.

Yours, respectfully, T. C. THOMAS.

(This is a receipt from the government farmer:)

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Odanah, Wis., August 24, 1905.

Received of T. C. Thomas the following description of land upon which he has this day filed for the benefit of his children, Eugenia B. Thomas and Clarinda L. Thomas, viz, NE. ¼ of NE. ¼ and SE. ¼ of NE. ¼ section 28, township 47, range 2 west; also the SW. ¼ of NW. ¼ and SW. ¼ of SW. ¼ section 12, township 47, range 3 west.

WILLIAM J. EGBERT,
Govt. Farmer.

The CHAIRMAN. Have you received your timber money right along; have you any timber money?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Has it been paid over to you?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Is there any other that is being held by them now?

Mr. THOMAS. No, sir; I do not think there is. It is about the first 40 that I cut. That is the contention I am making there. I was paid under the old schedule price.

The CHAIRMAN. Major Campbell, do you know whether this man's money has been turned over to him or not?

Mr. CAMPBELL. Yes, sir; all of it. All that represents what has been cut. It is claimed that there is a little yet to be cut.

The CHAIRMAN. You say that the contract provided for $4 a thousand?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. And afterwards the Government changed the contract with Stearns and made it $8?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. And the Government would be owing you the difference, if that was the case?

Mr. THOMAS. Not the Government, but the J. S. Stearns Lumber Company.

The CHAIRMAN. But they pay the Government. If the Government has got more than $4 a thousand for the lumber, then it is the Government who owes you. Major Campbell, do you know anything about that matter?

Mr. CAMPBELL. I think I do. It has all been reported; it is an old case.

The CHAIRMAN. Was the price $4 or $8?

Mr. CAMPBELL. He was on a small list of four, and they made a contract with the Stearns Lumber Company, did you not, Thomas, for $4?

Mr. THOMAS. More than $4.

The CHAIRMAN. At first it was $4?

Mr. CAMPBELL. He was poor and asked to have some of his timber cut. Being a minister, at his own request it was cut. Was it not cut at your request?

Mr. THOMAS. No, sir; I did not request it to be cut, but I requested you to be allotted.

The CHAIRMAN. Can you tell without your books, Major Campbell, whether it went for $4 or $8?

Mr. CAMPBELL. A part of it that he requested be cut went to $4, and when that was paid into the office I then made an application to have it paid over to him in a lump sum. Then when the balance was cut on the larger allotment list that was included with this $4 and made their contracts for $8. Now he claims that this difference should be paid to him. That is the sum and substance of it.

Mr. THOMAS. What was that slip attached for and signed—the agreement being made at $8 a thousand?

Mr. CAMPBELL. That is up to the commissioner.

Mr. THOMAS. My contract came back just the same as the others.

The CHAIRMAN. Can you state without recourse to your book, Major Campbell—that is, is it a matter that is in your mind, whether he was paid all that was received?

Mr. CAMPBELL. All that he received from the Stearns Lumber Company—every cent.

The CHAIRMAN. Is any member of the business committee present—have you a business committee here?

Major CAMPBELL. No, sir; not here.

Mr. OBERN. There is a committee of five, but I am not on the business committee. I have been on the allotting committee.

The CHAIRMAN. You were recognized by this Bad River band soon after you came to Michigan, were you not?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. And you obtained an allotment?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. You had three children?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. And one is dead?

Mr. THOMAS. Yes, sir.

The CHAIRMAN. Have any of those children been recognized by the band?

Mr. THOMAS. No, sir.

The CHAIRMAN. Do you know what reason the committee or council gave for not receiving your children?

Mr. THOMAS. This man here said I was an Ottawa Indian, and another man said that I had made the remark that Odanah was a dirty place, and that is the reason why I could not get an allotment for my children.

The CHAIRMAN. Where were you born?

Mr. THOMAS. I was born at a place called Na-om-kong, between Sault Ste. Marie and Grand Island.

The CHAIRMAN. Do you know where your father was born?

Mr. THOMAS. He was born here in La Pointe, somewhere around Odanah.

The CHAIRMAN. Do you know where your mother was born?

Mr. THOMAS. My mother was born at a place called Bay Mills, in Michigan.

The CHAIRMAN. How old were you when you came to Bad River, or Odanah?

Mr. THOMAS. I came here fourteen years ago this fall.

The CHAIRMAN. You were grown up, were you not?

Mr. THOMAS. Oh, yes, sir.

The CHAIRMAN. Your father did not come back with you, did he?

Mr. THOMAS. My father died on Munising, Mich.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF WILLIAM OBERN.

The CHAIRMAN. Mr. Obern, have you ever been at any meeting when the question of enrolling Mr. T. C. Thomas's children came up?

Mr. OBERN. I was.

The CHAIRMAN. Do you know the reason they gave for not admitting the children to enrollment?

Mr. OBERN. The reasons that he gave, or mentioned, I think, were the reasons found to be held against his children, with the exception of Ottawa—I mean the part where he claims that I objected on account of his being an Ottawa. I do not know that I said that he was an Ottawa or that those were my reasons. Each applicant was questioned, and, if I am not mistaken, Mr. Thomas or some one else testified that his parents had been enrolled on the Na-om-kong Reservation, and in looking up the Na-om-kong Reservation we found it to be in lower Michigan, or that immediate neighborhood; but where he said he was born is not in Lake Superior; it is in some of the straits there.

Mr. THOMAS. Munising is on Lake Superior.

Mr. OBERN. What I was concerned about more than anything else was the fact that you said something about belonging to Na-om-kong Reservation, and Na-om-kong not being on Lake Superior, but in Wisconsin, I explained myself in this way: "I do not see how we can

have people enrolled who are on any lower Michigan reservation," and that governed me in my vote about the children.

The CHAIRMAN. And the council refused?

Mr. OBERN. Yes, sir; of course, as he says, there were others who made objection. But I believe if I were to sit on the committee now and reconsider the matter in view of what he says now—I did not understand him to say that his father was born here at that time—I might vote differently. I think you omitted to say that, did you not?

Mr. THOMAS. No, sir; you did not ask me that question.

The CHAIRMAN. What was your father's name?

Mr. THOMAS. His name was Qua-qua-cob-nah-be-na-yosh.

The CHAIRMAN. Did he have any sisters or brothers that you know of that were ever allotted on the Bad River Reservation?

Mr. THOMAS. No, sir; this was before the allotting commenced.

The CHAIRMAN. Did all the sisters and brothers go down to Michigan with him?

Mr. THOMAS. I do not think he had any sisters.

The CHAIRMAN. Well, brothers?

Mr. THOMAS. He had cousins here; the Greens here are cousins of his. I do not think he had any sisters or brothers.

The CHAIRMAN. Are there any of the Greens in the room?

Mr. THOMAS. David Green is a close relative of ours.

The CHAIRMAN. Are any of the Greens here in the room?

Mr. THOMAS. Frank Green is here. He might testify.

STATEMENT OF FRANK GREEN.

FRANK GREEN, having first been duly sworn, testified as follows:

The CHAIRMAN. You live here at Odanah?

Mr. GREEN. Yes, sir.

The CHAIRMAN. You are a member of the Bad River band?

Mr. GREEN. Yes, sir.

The CHAIRMAN. Do you know Mr. Thomas?

Mr. GREEN. Yes, sir.

The CHAIRMAN. Are you any relation to him?

Mr. GREEN. I think I am.

The CHAIRMAN. What relation?

Mr. GREEN. Probably a third cousin.

The CHAIRMAN. Do you know that his father was a Bad River Indian?

Mr. GREEN. I could not say that. I heard my father say that his father went away from this reservation; from this place here, at La Pointe.

The CHAIRMAN. Then it is currently understood and reported, in your family, that his father was a member of this band?

Mr. GREEN. Yes; I think so.

(The witness was thereupon excused.)

The CHAIRMAN. Now, Mr. Thomas, we will take this matter and put it in the record. This committee can not put you on these rolls. Even if we could put other Wisconsin Chippewas on we could not put you on. You have undoubtedly to get this through the council, if you get it at all.

(The witness was thereupon excused.)

Mr. PEERELES. I have one more petition which I asked leave yesterday to read, and I call special attention to that portion of it which relates to Bennie Morrison and Frank Murray. It is as follows:

ODANAH, WIS., *July 1, 1909.*

The Hon. COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEAR COMMISSIONER: We, your servants and wards, as we have been obliged to consider ourselves, having heretofore at a council of the Indians petitioned you for the privilege of the four chiefs, their interpreter, and their attorney of coming to Washington to talk over all matters connected with the Bad River band of Indians, and giving you truthful and honest information regarding the same and asking of you certain rights that we claim to have which are ignored, and this petition having been in your possession some two months, together with a bona-fide petition or subscription of a large band of the Indians who are willing to have their moneys taken to defray the expenses of this trip, and not having heard any reply to our said petition and subscription, now here most earnestly appeal to you and ask your attention to two different propositions.

First. Please have our petition and the subscription list (which petition asks if we may come to see you at Washington with our attorney and interpreter) acted upon at once, either granted or rejected, that we may know whether we can have the rights that the early colonists asked of the English Government.

Second. Please consider this, our proposition regarding the two Indians, Bennie Morrison and Frank Murray. We, your chiefs and members of the business committee of the band of Chippewa Indians at Odanah, Wis., have always believed, not only from tradition, but from practice in the times of our fathers, and at the present time that we should be sober, upright judges of the difficulties and questions arising upon our reservation.

In former years, when an officer like a farmer or policeman was appointed the person selected was always approved of by the business committee and the chiefs. Later years we have been ignored; our requests have been put aside without being answered, until the time has arrived under the present control of our little reservation that the Indian agent is supreme, and that his farmer and assistant farmer are the dictators of our every move, even to almost telling us, as did our mothers when we were children, when we should go out to play; when we shall go out to work; what we shall wear; and what we shall eat; and, in fact, nearly everything we shall do. We object to this and insist upon it that this conduct on the part of the officers and agents of the Government tends to make the Indian a weak, inefficient being instead of a stronger and better business man. We have learned for years to recognize the agents sent from Washington, called special agents or special attorneys or special officers, and we have tried for many years to have our statements, meetings, and decisions reach the Indian Office, but have learned many of these so-called "officers, agents, or attorneys" make their own reports, and our representations never reach the office.

On the 28th of this month one Mr. Bascom Johnson paid a little heed to our requests; before that we learned that this man was a special attorney, and he was looking up the rights in part, and we emphasize the language "in part," of Bennie Morrison and Frank Murray. We learned that Mr. Johnson was going from house to house, where the assistant government Indian farmer, Norbert Sero, was sending him, to find out all the gossiping rumors they could regarding Morrison and Murray. Finally, Mr. Johnson came to one or more of the undersigned chiefs, and we suggested to him that we call a council of the Indians at our council hall, and that he come there and talk with the Indians in a body regarding these two men, Morrison and Murray.

Mr. Johnson finally consented to do this; that the undersigned chiefs and some other hundred or more Indians gathered at the council hall to see what the ignorant Indians called "big man," because they had heard there was a man from Washington.

When we met there our venerable chief in age, Chief James Blackbird, did the talking in the Indian language; our neighbor and friend, Mr. Frank Blatchford, did the interpreting, and Mr. Johnson talked in the English language. He informed us that some one, which we could not help but believe was this man, Assistant Indian Farmer Sero, had made reports that Bennie Morrison and Frank Murray were gamblers or had gambled; were inciting disturbances and riotous conduct by asking the Indians to ignore the directions and dictations of the Indian agent; had introduced liquor upon the reservation in violation

of the laws, and were otherwise disturbers of what should and would be a good settled community of Indians.

We met these charges backed up by all of the Indians of the council. We know Bennie Morrison and Frank Murray. They are our friends, they are your friends, they are everybody's friends. We love them for the life and association we have had with them, and we emphatically deny any charge made such as was reported by Mr. Bascom Johnson, because, living with these men day by day, we know these charges to be false, slanderous, and, we believe, purposedly told by one single Indian whom we all ask now, as we have asked heretofore, shall be removed from the position of assistant government Indian farmer, namely, Norbert Sero.

Some years ago gambling was allowed upon our reservation. At that time some of us, as well as Frank Murray, Bennie Morrison, and nine-tenths of the males of the Indians of Odanah, used to in a small way shake dice and play cards for fun and even for money, but since the rule was promulgated that no gambling should be had upon the reservation we know that neither Frank Murray or Bennie Morrison, either at Odanah or elsewhere, have never been engaged in gambling. We also know that the statements made that these men had stirred up strife or trouble, or had in any way, except to oppose this man we all dislike, Sero, from violating any of the rules or directions of the department is absolutely false and unfounded, but we knew that some years ago both of these men and at least 500 others before and since that time have been arrested for bringing liquor upon the reservation; that the courts have dealt with them and that ends that.

This statement we make is the unanimous sentiments and the voice of the general council held at the council house in the village of Odanah, Bad River Reservation, on Monday, June 28, 1909, at 2 o'clock p. m.

The council further concluded that these men, together with three others, namely, George Parker, George Morrison, and John Doherty, were removed from our reservation without any cause. We deny that these men have been disturbers of the peace or of the welfare of the Indians. We deny that they have incited the Indians to insurrection against the Indian agent or commissioner of Indian Affairs, or the rules and regulations of the Indian Bureau.

We emphatically told Special Attorney Johnson that we had never had a chance to pass judgment against the charges of our brothers and members. We know that these men have never had a chance to have a hearing, and that the council and assembly asked him to report to the Commissioner of Indian Affairs what we now say to you in letter.

That we want these men to return to this reservation, which is their home, and we without exception will receive them, and we feel confident their coming will be opposed only by the man we ask the commissioner to remove, at least from the position of dictator over us and dictator over our affairs, namely, Norbert Sero. He is a carpetbagger on the reservation. He was not born or raised here. He has no right here except as an appointee of the Indian Office, and we ask him to be removed and all of these five men restored to their rights and home upon the reservation, and your chiefs, promising obedience to the rules and regulations of the Indian Department, now here subscribe their names.

JAMES BLACKBIRD.
JAMES DOOLITTLE.
GEORGE MESSINGER.
MOSES WHITE.

Mr. PIERELLE. That is all, Mr. Chairman, that I care to submit.

Mr. DILLON. Mr. Chairman, there is just one phase of this case that has been heard, and I desire to put in some rebuttal testimony by one witness.

The CHAIRMAN. Very well, you may proceed.

STATEMENT OF MRS. EUNICE SERO.

Mrs. EUNICE SERO, having first been duly sworn, testified as follows:

Mr. DILLON. Mrs. Sero, you are the wife of Norbert Sero?

Mrs. SERO. Yes, sir.

Mr. DILLON. And you live here on the reservation?

Mrs. SERO. Yes, sir.

Mr. DILLON. You heard the testimony of Mr. Sero in relation to being held up here one night by John Doherty and your brother and some others?

Mrs. SERO. Yes, sir.

Mr. DILLON. Do you recall that night?

Mrs. SERO. I do.

Mr. DILLON. You and Mr. Sero were living together at that time, were you not?

Mrs. SERO. Yes, sir.

Mr. DILLON. How far is your home from the corner here where that alleged holdup is said to have taken place?

Mrs. SERO. It is about a block, I guess.

Mr. DILLON. Where was Mr. Sero coming from that night?

Mrs. SERO. From Ashland.

Mr. DILLON. Do you know whether he had a grip with him that night?

Mrs. SERO. He did.

Mr. DILLON. Do you know what he had in it?

Mrs. SERO. I did after he got home; yes, sir.

Mr. DILLON. What did he have?

Mrs. SERO. He had about a dozen collars and two pairs of cuffs, and a quart of whisky, and two quarts or one quart of wine, I do not remember just which it was.

Mr. DILLON. How long have you been married?

Mrs. SERO. About six years.

Mr. DILLON. You may state whether or not Mr. Sero at that time had been in the practice of keeping whisky and wine at his home on the reservation?

Mrs. SERO. All the time.

Mrs. DILLON. Has that liquor been drank in a social way at the home?

Mrs. SERO. By a number of people.

Mr. DILLON. Did Mr. Sero drink it?

Mrs. SERO. Yes, sir.

Mr. DILLON. Can you name any others?

Mrs. SERO. One of the United States marshals, I know in particular of two—one was Mr. Jonas and the other was Mr. Lewiston, and he had a number of friends over there. He has had Charley Jordan and Mr. Britton, that I know of myself.

Mr. DILLON. And they drank liquor with him?

Mrs. SERO. They drank liquor with him at the house.

Mr. DILLON. Have you known at different times yourself of his drinking liquor on this reservation?

Mrs. SERO. Lots and lots of times.

The CHAIRMAN. You and he are not living together now, are you?

Mrs. SERO. No, sir; we are not.

The CHAIRMAN. How long since you ceased living together?

Mrs. SERO. It will be a year in October.

The CHAIRMAN. Since you have separated have you informed any of the government officials of his custom of having had liquor?

Mrs. SERO. Yes, sir; I told Mr. Pugh about it. He was at the house.

The CHAIRMAN. Who is he?

Mrs. SERO. He is a deputy United States marshal.

The CHAIRMAN. Any other officials?

Mrs. SERO. I told Mr. Campbell about it at the time he came to remove my brother from the reservation, and I think that gentleman sitting at the corner there, Mr. Johnson.

The CHAIRMAN. That your husband had been in the habit——

Mrs. SERO. Of fetching more liquor here than any other Indian on the reservation?

Mr. HOLCOMBE. Do you know of any other Indian on the reservation who brought liquor here?

Mrs. SERO. I really do not know of anybody, but I have seen a lot of them drunk.

Mr. HOLCOMBE. You have just stated that Mr. Sero brought more on the reservation than any Indian that you knew of?

Mrs. SERO. I know it because I lived with him.

Mr. HOLCOMBE. How do you make the comparison?

Mrs. SERO. It just seemed that way. He goes to Ashland nearly every day.

Mr. HOLCOMBE. Does anybody else go to Ashland nearly every day?

Mrs. SERO. I really could not say; I did not pay any attention to anybody else; just Mr. Sero.

Mr. HOLCOMBE. When did this holdup occur?

Mrs. SERO. I really do not know the day of the month; it was on that evening train from Ashland about twenty minutes to 8 o'clock, I believe.

Mr. HOLCOMBE. Three months ago?

Mrs. SERO. Oh, no; I really do not know what the date was.

Mr. HOLCOMBE. Was it six months ago?

Mrs. SERO. It was longer than that.

Mr. HOLCOMBE. Was it a year ago?

Mrs. SERO. I think it was about a year ago.

Mr. HOLCOMBE. Do you remember the time of the year?

Mrs. SERO. It was in the winter time—along in the fall or winter. I do not just remember.

Mr. HOLCOMBE. Was it in October?

Mrs. SERO. I really could not say the day of the month. I could not tell you.

Mr. HOLCOMBE. What relation are you to Ben Morrison?

Mrs. SERO. He is my brother.

Mr. HOLCOMBE. All of the Morrisons here are brothers, I believe.

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. When was this suit for divorce first filed?

Mrs. SERO. I will have to refer you to the lawyers.

Mr. HOLCOMBE. You filed a suit for divorce, did you not?

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. When was that?

Mrs. SERO. I do not know when it was.

Mr. HOLCOMBE. Was it before or afterwards?

Mrs. SERO. It was long before anything of that kind.

Mr. HOLCOMBE. Was it before this holdup?

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. Were you living with him after that?

Mrs. SERO. Yes, sir; I was living with him after that.

The CHAIRMAN. About when did you leave him or separate from him?

Mrs. SERO. This last time you mean?

Mr. DILLON. Mr. Chairman, it was the 27th of October of last year.

The CHAIRMAN. October, 1908?

Mr. DILLON. Yes, sir.

The CHAIRMAN. How long was that before your brother and this other man were removed?

Mrs. SERO. It was about a year, I guess.

Senator LA FOLLETTE. When did you first begin having trouble with your husband?

Mrs. SERO. The second year or so after we were married.

Senator LA FOLLETTE. How long ago was that?

Mrs. SERO. About five years ago.

Senator LA FOLLETTE. That you were married?

Mrs. SERO. No, sir; about six years ago we were married.

Senator LA FOLLETTE. What was the cause of the trouble?

Mrs. SERO. He was mean to me; he was never at home, except once in a while.

Senator LA FOLLETTE. What were his habits at that time with respect to drinking?

Mrs. SERO. He drank continually all the time in secret.

Senator LA FOLLETTE. Was he then an officer of this reservation?

Mrs. SERO. Yes, sir; he was.

Senator LA FOLLETTE. Do you know where he procured his liquor?

Mrs. SERO. In Ashland, I believe.

Senator LA FOLLETTE. Do you know at what place he procured it in Ashland?

Mrs. SERO. I know of a couple of places.

Senator LA FOLLETTE. You stated that you told Mr. Johnson here, the inspector, about your husband bringing liquor on the reservation?

Mrs. SERO. Yes, sir.

Senator LA FOLLETTE. Where was Mr. Johnson when you had this conversation with him?

Mrs. SERO. He was at our house that night; at my father's place.

Senator LA FOLLETTE. Were you then living with your brother?

Mrs. SERO. No, sir; I was not.

Senator LA FOLLETTE. Had you separated from your husband before your brother was removed from the reservation?

Mrs. SERO. Yes, sir.

Senator LA FOLLETTE. And you made this communication to Mr. Johnson shortly after your brother was removed from the reservation?

Mrs. SERO. Yes, sir; just the evening while he was getting ready to go.

Senator LA FOLLETTE. When they had served the order on him?

Mrs. SERO. Yes, sir.

Senator LA FOLLETTE. State just what occurred in that conversation.

Mrs. SERO. Mr. Johnson never said a word; he just sat there and listened. I talked with Mr. Campbell.

Senator LA FOLLETTE. Who was present in the room when you told these two gentlemen?

Mrs. SERO. This gentleman right there and my father, Mr. Morrison.

Senator LA FOLLETTE. And who else?

Mrs. SERO. My mother, Mrs. Morrison, and a young girl who was living with us, named Lizzie Sawyers.

Senator LA FOLLETTE. Is she here?

Mrs. SERO. She is working around here some place; I do not know where she is. I do not know whether she is in this building now or not.

Senator LA FOLLETTE. Have you seen her in the room in attendance upon these hearings, yesterday or at any other time?

Mrs. SERO. No, sir; I have not.

Senator LA FOLLETTE. How long did Superintendent Campbell and Mr. Johnson remain at your house there on that evening?

Mrs. SERO. I guess it took my brother a half an hour or so to get ready, maybe a little over a half an hour.

Senator LA FOLLETTE. And they stayed there during that time?

Mrs. SERO. Yes, sir; they stayed there during that time.

Senator LA FOLLETTE. Now, state just what you said to them and what they said to you with respect to your husband's having brought liquor onto the reservation; just begin at the beginning of it and give the entire conversation, just as well as you are able to remember it, Mrs. Sero, in a connected way.

Mrs. SERO. It was along about 11 o'clock. My brother had gone to bed, and we were all ready for bed when there was a loud rap at the door. I said to my mother, "Somebody is rapping; you had better go to the door." She said, "No; you go." I went and asked who was there, and the man said, "It is Mr. Campbell, the Indian agent." I said, "All right," and went back and told my father, and he came out and opened the door for them and asked them what they wanted, and he said, "Benny Morrison is removed from the reservation, and we want to take him away with us to-night." We waked Ben up, and he came out and wanted to know what they wanted, and Mr. Campbell said he was to be removed from the reservation. So while he was getting ready my father gave Mr. Campbell a chair, and Mr. Johnson was standing, and he pulled out a pair of handcuffs—I guess they were about that long [indicating]. He pulled his cuff back.

Senator LA FOLLETTE. Mr. Johnson did?

Mrs. SERO. Yes, sir; and I said, "My brother is no criminal; he will walk out of here like a gentleman," and he made no answer, but just laughed. I said, "I will have something to say. Instead of moving Mr. Morrison away from the reservation, I think Mr. Sero ought to be removed from the reservation." Mr. Campbell said, "Why is that?" and I told him about what happened, about the road-house affair—Mr. Sero and Mrs. Morrison—and I told him how Mr. Sero brought liquor on the reservation time and time again——

Senator LA FOLLETTE. Instead of summing up what you told them in that way, state just the words that you used to them as far as you can remember, in the order in which the conversation occurred.

Mrs. SERO. I told him how Mr. Sero had abused me and called me out at 2 o'clock in the morning with my nightdress on, and how he came out drunk lots of times and abused me and broke things in the house, and had United States officers there drinking whisky and beer,

and lots of times he stayed there through the night when they were about half drunk.

Senator LA FOLLETTE. What did Mr. Campbell or Mr. Johnson say?

Mrs. SERO. Mr. Johnson did not say anything, but Mr. Campbell said I should have told it before. I said I was shielding my husband; I was married to him, and I did not think I ought to tell anything that occurred in that house. He did not say anything, I do not believe. I guess that was all there was to that. My brother was ready—he said he was ready to go.

Senator LA FOLLETTE. Now, what you said to those two officials occurred in what room of the house?

Mrs. SERO. Right in the dining room.

Senator LA FOLLETTE. And in the presence of whom?

Mrs. SERO. My father, Mr. John Morrison, my mother, and Lizzie Sawyers.

Senator LA FOLLETTE. Was she present all the time?

Mrs. SERO. Yes, sir.

Senator LA FOLLETTE. Was your brother, Ben Morrison, present during any part of the time?

Mrs. SERO. He could hear; his bedroom is right off from the dining room, and while he was dressing I was telling those people what I knew. When my brother went away my mother began to cry and told Mr. Campbell to be good to him, and he said he would; so when my father went to unlock the door, Sero was standing at the door with his ear up against the door, standing right near. He was listening, and when we opened the door he stepped away from the door, and I went to the window and opened the curtains and saw Mr. Sero going ahead of Johnson and my brother and Mr. Campbell. That is all I know that happened that night.

Senator LA FOLLETTE. I wish you would tell the committee, Mrs. Sero, how frequently this bringing of liquor onto the reservation occurred.

Mrs. SERO. Well, I really could not name the number of times that Mr. Sero had business to go to Ashland, or he would claim that, anyhow—that he had to go to Ashland, and he always had a little grip with him, and he always brought whisky and wine home, and a number of times he has driven to Ashland, where he has bought dozens of bottles of beer, and he has often asked me to take some, but I never indulge in beer or anything like that, so I have never taken any from him.

Senator LA FOLLETTE. I think you named some of the people who had drunk liquor in your home during this time, but I will ask you to name again all that you remember.

Mrs. SERO. Well, there was this Mr. Lewiston, one of the marshals, and Mr. Jonas, and Charles Jordan.

Senator LA FOLLETTE. When you saw Mr. Lewiston and Mr. Jonas drinking there, state who was present, if anybody.

Mrs. SERO. Just myself and Mr. Sero and these marshals, one of them—they were not both there at the same time.

Senator LA FOLLETTE. They were not there both at the same time?

Mrs. SERO. No, sir; it was at different times. They never came together.

Senator LA FOLLETTE. Was either of them there more than once?

Mrs. SERO. Yes, sir; they were. Mr. Jonas has been to our house several times to meals, and has often slept there with us.

Senator LA FOLLETTE. State whether either of them ever drank at your house—I mean drank liquor or wines of any kind more than once.

Mrs. SERO. Not that I remember. Mr. Jonas, I think, it was, two or three times; Mr. Lewiston only once that I remember.

Senator LA FOLLETTE. How long ago was that?

Mrs. SERO. It was about three years ago.

Senator LA FOLLETTE. Now, you have named Mr. Lewiston and Mr. Jonas. Was there anybody else?

Mrs. SERO. Mr. Jordan, the justice of the peace here now.

Senator LA FOLLETTE. How frequently was he at the house, and how often did you see him drink there?

Mrs. SERO. He has been there several times, but there was only once that I recollect that Mr. Jordan drank liquor at the house.

Senator LA FOLLETTE. State when that was, as near as you can recollect.

Mrs. SERO. It was the time that Mr. Sero was awfully sick. He said he got pounded—he did not say that to me. He was very sick, anyway, and Mr. Jordan came over and shaved him. He asked him to pay him, but he would not take anything, and he told me to get some whisky, and he treated him, and he gave him a quart bottle to take home.

Senator LA FOLLETTE. Where did you find the whisky?

Mrs. SERO. It was right in the sideboard.

Senator LA FOLLETTE. How much was there there at that time?

Mrs. SERO. He had a couple of jugs that he had brought from the office, that he said he had taken away from some Indian there—I do not know who it was—and I took the quart bottle of whisky out of the jug, and the good whisky he took out of the jug that he had in the sideboard and gave it to Mr. Jordan to drink.

Senator LA FOLLETTE. That is, the quantity that he drank in the room was taken out of the bottle?

Mrs. SERO. Yes, sir; it was taken out of a bottle.

Senator LA FOLLETTE. You say you filled, at your husband's direction, a quart bottle out of the jug?

Mrs. SERO. Yes, sir; out of the jug.

Senator LA FOLLETTE. And gave it to Mr. Jordan?

Mrs. SERO. Yes, sir; I gave it to him and he gave it to Mr. Jordan.

Senator LA FOLLETTE. I think you have located that time as well as you could. It was some time when your husband was sick, you say?

Mrs. SERO. It was the time he was so sick.

Senator LA FOLLETTE. Sick as the result of what?

Mrs. SERO. He got pounded. He told me he strained himself and he said that some one pounded him.

Senator LA FOLLETTE. Some one had pounded him?

Mrs. SERO. Yes, sir; because he was going to search them on the railroad track. I really do not know how the story is.

Senator LA FOLLETTE. Who besides Mr. Lewiston, Mr. Jonas, and Mr. Jordan have you seen drink liquor in your home while your husband was present?

Mrs. SERO. That is all there, but he had Mr. Britton come up a couple of times, and he asked him around to the woodshed where he had some liquor in jugs that he had put away.

Senator LA FOLLETTE. He had some liquor on the premises in the woodshed?

Mrs. SERO. Yes, sir; that he took away from the Indians that was not very good. He said he would not use it for himself.

Senator LA FOLLETTE. Who did you say he took around to the woodshed?

Mrs. SERO. Mr. Britton.

Senator LA FOLLETTE. Who is he?

Mrs. SERO. I do not know. He is employed here in the Stearns Lumber Company.

Senator LA FOLLETTE. Is he employed here now?

Mrs. SERO. Yes, sir; I think he is, so far as I know.

Senator LA FOLLETTE. When was that?

Mrs. SERO. I really could not tell you what time it was. It was during the time I was living with Mr. Sero, but I could not give you any definite time.

Senator LA FOLLETTE. Do you remember whether it was before or after those other men had been there, of whom you have testified?

Mrs. SERO. This was after.

Senator LA FOLLETTE. It was after that?

Mrs. SERO. Yes, sir.

Senator LA FOLLETTE. Was there anyone else that you remember who came down there?

Mrs. SERO. I know that Mr. Obern has been there. He has made Mr. Obern a "hot sling" while he was going to take some himself.

Senator LA FOLLETTE. What Mr. Obern was that?

Mrs. SERO. This Mr. Obern who is right here now.

Senator LA FOLLETTE. About when was that?

Mrs. SERO. It was one time when Mr. Sero just happened to be drinking—I do not remember just when.

Senator LA FOLLETTE. One time when he happened to be drinking?

Mrs. SERO. He was making a hot sling for himself.

Senator LA FOLLETTE. Besides those that you have named, state any others who drank there whom you can remember at this time.

Mrs. SERO. Well, he has had several there, but I have not been there. I have heard that after I have been away.

Senator LA FOLLETTE. From whom have you heard it, from anybody whom we can call as a witness who knew it of their own personal knowledge?

Mrs. SERO. I think so; but those people are not here. She was a neighbor of mine. They have all gone away now. They will not be here for maybe a month or so yet, or two or three weeks anyway.

Senator LA FOLLETTE. Do you know where they are?

Mrs. SERO. Yes, sir. They are down in Penitoga now.

Senator LA FOLLETTE. Where is that?

Mrs. SERO. It is in Michigan.

Senator LA FOLLETTE. They are not in this State then?

Mrs. SERO. No, sir.

Senator LA FOLLETTE. Are you able to recall any other instances when you were present?

Mrs. SERO. No, sir; I do not believe I really could, to tell the truth about it.

Senator LA FOLLETTE. If you should remember any others later on whom you are positive were there, you can inform the committee.

Mrs. SERO. Very well.

Mr. HOLCOMBE. About what time was this that your husband was pounded?

Mrs. SERO. It was in the winter some time; I do not know which winter—along in the fall.

Mr. HOLCOMBE. Which winter do you mean?

Mrs. SERO. I do not know the date or the month.

Mr. HOLCOMBE. Was it last winter?

Mrs. SERO. No, sir; it was not last winter; it was about three years ago that he had Mr. Jordan there also.

Mr. HOLCOMBE. Has he had anybody there since?

Mrs. SERO. I have not been living with him for about a year, so I do not know.

Mr. HOLCOMBE. You lived with him for about two years after that, did you?

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. During that two years, do you know of anybody being in the house and drinking?

Mrs. SERO. I do not know of anybody that I saw.

Mr. HOLCOMBE. Do you know whether he had any liquor in the house during those two years?

Mrs. SERO. Do you mean when I was with him?

Mr. HOLCOMBE. Yes.

Mrs. SERO. Yes, sir; he had it right along.

Mr. HOLCOMBE. Was he accustomed, prior to the time that he was pounded, to having gentlemen come there and drink pretty regularly?

Mrs. SERO. Well, I could not say as to that either. He never brought anybody there—just those that I have named.

Mr. HOLCOMBE. Those that came there, was he in the habit of treating them?

Mrs. SERO. He always did.

Mr. HOLCOMBE. He stopped it about three years ago, did he?

Mrs. SERO. I do not know whether he stopped or not; he kept on drinking himself as far as I know.

Mr. HOLCOMBE. You lived with him two years after the pounding, did you not?

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. You were in position to observe as much after that as you were before, were you not?

Mrs. SERO. Yes, sir.

Mr. HOLCOMBE. Well, did you observe any drinking in the house?

Mrs. SERO. He always had it for himself. He always drank.

Mr. HOLCOMBE. Did he have anybody visiting him after those two years, who were drinking.

Mrs. SERO. That I can not say.

Mr. HOLCOMBE. So your memory is better, then, as to what happened more than three years ago than it is with regard to the last two years?

Mrs. SERO. I do not know that it is any better; I do not recollect of anybody being there.

Mr. HOLCOMBE. What I want to get at is whether it is your memory, or a change in habit on his part. Was he drinking as frequently after he was pounded on the railroad as before?

Mrs. SERO. It was just about the same.

Mr. HOLCOMBE. Were not the visitors as frequent at his house as they were before?

Mrs. SERO. Mr. Jordan never had any business at that house in particular that I know of just at that time that he came there when Mr. Sero was sick. He always did the business he had to do in the office.

Mr. HOLCOMBE. You said he brought some whisky home one time from the office?

Mrs. SERO. He did.

Mr. HOLCOMBE. Was that whisky in bottles?

Mrs. SERO. No, sir; it was in jugs.

Mr. HOLCOMBE. How much of it was there?

Mrs. SERO. He had four jugs that I remember of; two at one time and two at another. Then he had three or four sealed bottles.

Mr. HOLCOMBE. Do you know where they came from?

Mrs. SERO. He told me he took them away from Indians who got off the train, in searching them.

Mr. HOLCOMBE. Is it not a fact that at the time your brother was arrested, that the conversation that you had with Mr. Campbell in the presence of Mr. Johnson amounted to this: "I can tell you as much about my husband; he is the man that ought to be taken off; he has done more than my brother has ever done?" Did you say anything about drinking liquor at that time?

Mrs. SERO. Yes, sir; I did.

Mr. HOLCOMBE. You swear to that, do you?

Mrs. SERO. Yes, sir; I swear to it.

Mr. HOLCOMBE. And you mentioned the dates at which your husband had drank whisky in that house?

Mrs. SERO. Yes, sir; I do not know that I told him right there that Mr. Jordan and they were there, but I told how he had brought the whisky on the reservation.

Mr. HOLCOMBE. How did you tell them he had brought it?

Mrs. SERO. I told them that he had that little grip; and every time he went he always had it filled with whisky—about two or three of those sealed bottles, or three or four bottles of beer.

Mr. HOLCOMBE. You told them that?

Mrs. SERO. I told him that while he sat there. Perhaps he was not listening to me, but I was talking to him anyhow.

Mr. HOLCOMBE. Talking to whom?

Mrs. SERO. Mr. Campbell.

Mr. HOLCOMBE. He made some remark to you, did he not? You said he was listening.

Mrs. SERO. He just sat there listening. All he said was, "Why did you not tell that before."

Mr. HOLCOMBE. Did not Mr. Johnson say anything?

Mrs. SERO. Mr. Johnson never said a word. He just sat and looked.

Mr. HOLCOMBE. I would like to fix that pounding date. The date that Mr. Sero was pounded on the railroad, or was ruptured or strained.

Mrs. SERO. He can probably tell it himself.

Mr. HOLCOMBE. What day was that, Mr. Sero?

Mr. SERO. I never was pounded on the railroad.

The CHAIRMAN. Or anywhere else?

Mr. SERO. And nowhere else.

Senator LA FOLLETTE. Did you claim that you were pounded?

Mr. SERO. No, sir.

Senator LA FOLLETTE. Are you ruptured?

Mr. SERO. No, sir; never was.

Senator LA FOLLETTE. Did you have a sick spell and call Jordan in to shave you?

Mr. SERO. Yes, sir.

Senator LA FOLLETTE. When was that?

Mr. SERO. About three years ago, I think.

Senator LA FOLLETTE. What time of the season—what season of the year was it?

Mr. SERO. In the fall.

Senator LA FOLLETTE. You think it was three years this fall?

Mr. SERO. I think it will be about three years this fall.

Mr. HOLCOMBE. Mrs. Sero, what did you understand Mr. Sero to mean when he told you that he had been pounded?

Mrs. SERO. He did not tell me that. He told me it was just sickness, caused on himself. But I saw the complaint somewhere, or statement of people where they said that he was pounded by somebody. I asked him, and he said it was no such thing. He said he was just sick, that was all.

Mr. HOLCOMBE. How did he look?

Mrs. SERO. He had hemorrhage of the stomach.

Mr. HOLCOMBE. You were attending to your husband at that time, were you, during his sickness?

Mrs. SERO. Yes, sir; I was.

Mr. HOLCOMBE. Were there any bruises on his body?

Mrs. SERO. There was not a thing; he was just pale and vomited blood; that was all.

Mr. HOLCOMBE. And since that time, you can not recall the name of any person who has drank in the house with him?

Mrs. SERO. Not anyone to my own knowledge; no, sir.

Mr. HOLCOMBE. Have you heard from anybody else?

Mrs. SERO. Yes, sir; I have heard of some people going in there and drinking.

Mr. HOLCOMBE. While you were with him?

Mrs. SERO. No, sir; not while I was there. It was after I had left.

Mr. HOLCOMBE. But you heard of this drinking?

Mrs SERO. Yes, sir.

Mr. HOLCOMBE. But after he was pounded, and while you were living with him, you do not know of anybody else coming there and drinking?

Mrs. SERO. I did not see anybody. Different people came there, but I do not know whether they drank or not. That is all I can say.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF WILLIAM OBERN.

WILLIAM OBERN, having been recalled, testified as follows:

Mr. HOLCOMBE. You heard the testimony of the last witness, Mrs. Sero, did you not?

Mr. OBERN. I did.

Mr. HOLCOMBE. Did you ever drink at Mr. Sero's house?

Mr. OBERN. I did drink at Sero's house.

Mr. HOLCOMBE. What did you drink?

Mr. OBERN. I really could not say what it was; it was a mixture, a hot drink.

Mr. HOLCOMBE. Did it have any whisky in it?

Mr. OBERN. I could not say positively.

Mr. HOLCOMBE. Could you tell from the effect of it whether it was intoxicating?

Mr. OBERN. I did not feel any of the effects of it any more than that it was warming and made good circulation of the blood, and so forth.

Mr. HOLCOMBE. It was not soothing sirup, was it?

Senator LA FOLLETTE. You know the taste of liquor, do you not?

Mr. OBERN. I know the taste of liquor, but in mixed drinks, when it was hot, it would not be justice to Mr. Sero now to say that it was whisky.

The CHAIRMAN. Was it whisky or brandy or rum?

Mr. OBERN. I think it was hot whisky; I think it was. It was supposed to be.

Senator LA FOLLETTE. What was said about it? How did you come to drink it?

Mr. OBERN. We went in there; I think we had been out practicing with rifles down the bay, and it was cold, and we straggled in there, I suppose, before I got to my place, and we were cold and chilly.

Senator LA FOLLETTE. Did he invite you to take something?

Mr. OBERN. He had mixed up something, and came and handed me a glass with the drink in it.

Senator LA FOLLETTE. What did he say about it?

Mr. OBERN. He said, "Won't you have a drink?" I said, "Yes."

Mr. HOLCOMBE. You are an Indian, are you?

Mr. OBERN. Yes, sir.

Mr. HOLCOMBE. That is all.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF GEORGE MORRISON.

GEORGE MORRISON, having been recalled, testified as follows:

Mr. HOLCOMBE. Mr. Morrison, in your testimony last evening you said that you had been indicted only once, and you had been convicted only once.

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. Is that true?

Mr. MORRISON. That is what they told me there when I was there.

Mr. HOLCOMBE. Well, do you not know? Don't you know that that is not true?

Mr. MORRISON. It may have been more than once; I do not know.

Mr. HOLCOMBE. Don't you know that what you said last night is not true? That is what I want to know.

Mr. MORRISON. I said I was indicted twice.

Mr. HOLCOMBE. How many times were you convicted?

Mr. MORRISON. Once that I know of.

Mr. HOLCOMBE. How many times have you been fined?

Mr. MORRISON. Once.

Mr. HOLCOMBE. How many times have you been sentenced to prison?

Mr. MORRISON. Just that one time. I did not go to jail; they suspended my sentence and made me pay a fine.

Mr. HOLCOMBE. Were you not indicted on June 26, 1906?

Mr. MORRISON. That is the time I remember of; yes, sir.

Mr. HOLCOMBE. And on March 12, 1908, did you not plead guilty and pay a fine of $100?

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. And were you not sentenced to sixty days in jail?

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. Was that part of the same sentence?

Mr. HOLCOMBE. Yes, sir; the same sentence—$100 fine and sentenced to jail for sixty days, and the jail sentence suspended.

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. Were you not indicted again on October 9, 1907?

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. And did you not plead guilty and pay a fine of $100?

Mr. MORRISON. No, sir.

Mr. HOLCOMBE. And sentenced to sixty days in jail, and that sentence was also suspended?

Mr. MORRISON. I paid a fine just once.

Mr. HOLCOMBE. That is to the best of your recollection, or is it to your absolute knowledge?

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. You swear that you only paid one fine?

Mr. MORRISON. Yes, sir.

Mr. HOLCOMBE. And you were not again indicted on February 17, 1908, together with Sam Denomie?

Mr. MORRISON. No, sir; I do not know anything about that. They never brought anything like that to me.

Mr. HOLCOMBE. And were you not again indicted on February 6, 1909?

Mr. MORRISON. Not that I know of.

Mr. HOLCOMBE. And was not a warrant issued for you on February 8th?

Mr. MORRISON. What year?

Mr. HOLCOMBE. 1909—this year.

Mr. MORRISON. Yes, sir; there was.

Mr. DILLON. That is the one he said was still pending.

Mr. MORRISON. Yes, sir; I am under bond over there.

Mr. HOLCOMBE. Which fine was it that you think was paid, or that you know was paid, and when was it?

Mr. MORRISON. That was a year ago this spring, March 19.

Mr. HOLCOMBE. Was it the time you and Ben were indicted together?

Mr. MORRISON. Yes, sir; that is the time.

Mr. HOLCOMBE. Were you indicted after that?

Mr. MORRISON. This last spring; yes, sir.

Mr. HOLCOMBE. You were not indicted three times after that, were you?

Mr. MORRISON. No, sir.

(The witness was thereupon excused.)

Mr. DILLON. I will state to the committee, in regard to this indictment, that my experience is, and the system that is used at Madison before the grand jury, is this: They will have three or four or a half a dozen witnesses brought before them and indict any number of men that they have any charges against. Some they will take to Madison, and some, at the next term of the court, to La Crosse; some to Eau Claire, and some to Superior, and some of those indictments hang on for two or three years over some of those names. That is the system that has always been in vogue here.

Mr. HOLCOMBE. What is the system with regard to fine and sentence?

Mr. DILLON. This man said that he never paid but one fine; he does not care what the record shows; he never paid out of his money but one fine in the federal court.

Mr. HOLCOMBE. Have you not a judgment docket down there?

Mr. DILLON. I do not know about the judgment docket, but he stated that he had only been called upon once to pay a fine, and a judgment is pending. I do not know what the court record shows. There may be records there that show thousands of indictments.

Senator LA FOLLETTE. Are they sometimes indicted without arrest following at all?

Mr. DILLON. They will not know that they are indicted, so they will be here a long time before they are arrested; and when I was in Mr. Tompkin's office there they would take up a dozen or a half a dozen and bring them to Madison and try them and bind them over, and take a half a dozen more and bring them to Superior and try them. They would not know that they had been indicted until they appeared before the United States commissioner or appeared before the court.

Senator LA FOLLETTE. Are they sometimes indicted and not arrested?

Mr. DILLON. I do not know how long it may be, but there are indictments hanging there that are two or three years old, without arrests being made.

Senator LA FOLLETTE. Are the Indians being informed of it?

Mr. DILLON. Yes, sir. I think with a great many of their indictments they have never done anything at all. They go down and dismiss them in batches. Sometimes there are twenty-five or thirty at Superior here—there have been in the last two years. Those men did not know that they were indicted. They dismissed the actions. That has been the practice. Here is a receipt for the fine that he said he paid, and it is the only fine he ever did pay.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF WILLIAM E. JOHNSON.

WILLIAM E. JOHNSON, having been recalled, testified as follows:

Mr. HOLCOMBE. Mr. Johnson, you have heard the testimony of Mrs. Sero, here?

Mr. JOHNSON. Yes, sir.

Mr. HOLCOMBE. Did she ever say to Mr. Campbell in your presence that she knew that Mr. Sero had brought liquor there, and did she recite the number of times or mention the fact?

Mr. JOHNSON. No, sir.

Mr. HOLCOMBE. Can you recall what she did say on the night that you made the arrest of her brother?

Mr. JOHNSON. She was in a very nervous state of mind, and she talked wildly and incoherently. She did say that Norbert was a worse man than her brother, and she did not know why I should put Norbert off the reservation, and she said she was going to expose him and going to expose several United States marshals. That was the substance of what she said, as I recollect.

Mr. HOLCOMBE. Did she say how she was going to expose them?

Mr. JOHNSON. She did not.

Mr. HOLCOMBE. Did she say what they had been guilty of that deserved the summary punishment of removal?

Mr. JOHNSON. She did not make any specific allegations; I am sure she never made reference to introducing whisky or Norbert being drunk or beating her and breaking up the furniture and things of that sort. I am positive she made no reference to those specific things. She did talk very wildly and was very much excited that night, and Mr. Campbell tried to quiet her. That was the night that Benny was taken from the reservation. She was very much wrought up about it.

Senator LA FOLLETTE. What did you say when she said that Mr. Sero was a man who ought to be removed from the reservation?

Mr. JOHNSON. I did not say anything.

Senator LA FOLLETTE. You did not ask her what her complaint was against him?

Mr. JOHNSON. No, sir.

Senator LA FOLLETTE. You were here to investigate, Mr. Johnson, were you not?

Mr. JOHNSON. She was talking wildly.

Senator LA FOLLETTE. You have stated several times that she was talking wildly. Now, I am trying to find out what the conversation was. You were here to investigate, were you not, Mr. Johnson, the condition on this reservation?

Mr. JOHNSON. Yes, sir.

Senator LA FOLLETTE. And when she stated to you that Sero ought to be removed from this reservation, you did not make any inquiries to find out the grounds of her complaint?

Mr. JOHNSON. No, sir.

Senator LA FOLLETTE. Was it because you did not want to learn anything about Mr. Sero?

Mr. JOHNSON. No, sir; she was in semihysterics; she was very nearly hysterical and I did not think she was in a condition to talk at all and was not responsible for what she said. It was a sort of outburst of wrath.

Senator LA FOLLETTE. Why did you not go back when she was in a quiet frame of mind and find out what the facts were?

Mr. JOHNSON. It did not occur to me as being a serious matter.

Senator LA FOLLETTE. It did not occur to you that you ought to investigate that matter?

Mr. JOHNSON. No, sir.

(The witness was thereupon excused.)

STATEMENT OF C. O. JORDAN.

C. O. JORDAN, having been first duly sworn, testified as follows:

The CHAIRMAN. You may inquire of this witness, Mr. Holcombe.

Mr. HOLCOMBE. Mr. Jordan, do you remember the time that Mr. Sero was sick at his house and you went there to shave him?

Mr. JORDAN. I remember of going to shave him at his house one time several years ago.

Mr. HOLCOMBE. How many years ago?

Mr. JORDAN. I can not say positively, but it was over six years ago.

Mr. HOLCOMBE. It was over six years ago?

Mr. JORDAN. Yes, sir; if I remember rightly; I can not tell exactly, but I do remember it, and it was before 1905, because I have not worked at the barber business since then—just off and on. It was either 1904 or 1905.

Mr. HOLCOMBE. What was the trouble with Mr. Sero at that time, if you know?

Mr. JORDAN. I do not know; of course, I understood that he had hemorrhage of the lungs—he was bleeding at the lungs.

Mr. HOLCOMBE. At the time you were there, did he offer you any whisky?

Mr. JORDAN. No, sir.

Mr. HOLCOMBE. Did he give you any whisky?

Mr. JORDAN. No, sir.

Mr. HOLCOMBE. Did you take any whisky from the house with you?

Mr. JORDAN. No, sir.

Mr. HOLCOMBE. Did you enjoy a "hot sling?"

Mr. JORDAN. Never.

Mr. DILLON. That was Obern.

Mr. HOLCOMBE. I just wanted to find out whether he got anything. Did you see any whisky there?

Mr. JORDAN. I did not; there was some medicine or bottles sitting there, but I did not make any inquiries.

Mr. HOLCOMBE. Did you go out in the woodshed?

Mr. JORDAN. I did not.

Mr. HOLCOMBE. Have you ever known of any whisky being at Sero's house?

Mr. JORDAN. Not to my knowledge. I never was in his house but twice.

Mr. HOLCOMBE. What other time were you there?

Mr. JORDAN. I could not tell you exactly, but I called there; I was looking for domestic help, and it seems to me I had to wait there for Mr. Sero to come, so I walked in and sat down in the front room a few minutes.

Mr. HOLCOMBE. Did you get anything to drink while you were there at that time?

Mr. JORDAN. No, sir. I was only there ten or fifteen minutes when I shaved him.

Mr. HOLCOMBE. Did he pay you for your services in shaving him?

Mr. JORDAN. I could not say; I do not remember as to that. He has always been a very good customer in the shop. Possibly I did not charge him; I may have done it for accommodation.

Mr. HOLCOMBE. Were you here when Mrs. Sero was testifying?

Mr. JORDAN. No, sir.

Mr. HOLCOMBE. She testified that Mr. Sero did not pay you, but treated you; that he gave you a drink of whisky out of a bottle of good whisky, and afterwards filled a bottle from one of the jugs. Is that true?

Mr. JORDAN. Not to my knowledge. I do not know anything about it.

Mr. HOLCOMBE. Did you take any whisky from that house with you?

Mr. JORDAN. I did not.

Mr. DILLON. You are a justice of the peace here also, are you not?

Mr. JORDAN. Yes, sir.

Mr. DILLON. You are the Jordan whose name appears on this affidavit that Mrs. Charlotte Morrison made, are you? You are the Jordan whose name is on that affidavit as swearing her?

Mr. JORDAN. Which affidavit is that?

Mr. DILLON. The affidavit that she made at her father's house here on the 25th of August, I believe. You are the Jordan who signed that jurat—"subscribed and sworn to before me," etc. You signed your name "Jordan" on that, did you not?

Mr. JORDAN. I have taken an affidavit, yes, sir; but I do not know which one you are talking about. I take affidavits here every day.

Mr. DILLON. You took the affidavit up there, did you not?

Mr. JORDAN. I took an affidavit; yes, sir.

Mr. DILLON. How long ago?

Mr. JORDAN. I do not just remember; it was some time in August, I guess.

Mr. DILLON. You drove out there to her father's house from here, did you not?

Mr. JORDAN. No, sir; I did not.

Mr. DILLON. Who were you with?

Mr. JORDAN. I was with William Droullard.

Mr. DILLON. How did you get out there?

Mr. JORDAN. We drove out.

Mr. DILLON. Where did you get that affidavit that you took out there?

Mr. JORDAN. Mr. Sero handed it to me.

Mr. DILLON. You are a particular friend of Mr. Sero's, are you not?

Mr. JORDAN. I do not know; I have no ill will against him in any way specially. He never did me any injustice in any way.

Mr. DILLON. Did he pay you for that job?

Mr. JORDAN. He offered to pay my mileage, if I could spare the time to go there.

Mr. DILLON. Did he pay you?

Mr. JORDAN. He did.

Mr. DILLON. Who was this other man that was with you?

Mr. JORDAN. Mr. Droullard.

Mr. DILLON. He is an uncle of Mrs. Morrison's, is he not?

Mr. JORDAN. I do not know; I could not tell you.

Mr. DILLON. Did Sero tell you what he wanted the affidavit for?

Mr. JORDAN. Well, yes, sir; he explained it to me. He said that he wished to sign it, and asked me if I could go out there; they were living out there, and could not come in very well. I told him I could not spare the time that day. He said if I could get the time, if I did not object to taking the affidavit, he would like to have me do it; that in case they did come in they would call for me, but if I got time he would like to have me go out.

Mr. DILLON. Did he tell you how he knew that Mrs. Morrison wanted to sign this affidavit? Did he say anything about that?

Mr. JORDAN. It seems to me that he did.

Mr. DILLON. Do you recall what was said?

Mr. JORDAN. If I remember right, I believe he said this attorney, St. Germain, was out there talking it over with her, and got her evidence about what she wanted to say, and made it up. That is my impression. I would not say positively, but I think that is about the understanding he gave me of how he knew.

Mr. DILLON. Have you taken any other steps or done any other work in helping Sero in his trouble?

Mr. JORDAN. No, sir.

Mr. DILLON. This is the only thing that you know of?

Mr. JORDAN. That is the only thing I know of.

(The witness was thereupon excused.)

Mr. DILLON. I wish now to offer in evidence a transcript of a proceeding in the court, showing the system that I have detailed to the committee.

The CHAIRMAN. I think the committee understands that.

Mr. DILLON. It corroborates what I have said.

The CHAIRMAN. Very well; you may put it in.

Mr. DILLON. It shows the dragging on of the trial of Ben Morrison for two years.

The paper is as follows:

UNITED STATES OF AMERICA, *Western District of Wisconsin, ss:*

I, F. W. Oakley, clerk of the district court of the United States of America for the western district of Wisconsin, do hereby certify that I have compared the writings annexed to this certificate with the originals now in my custody and they are true copies of their respective originals, and are correct transcripts therefrom and of the whole thereof, now on file and remaining of record in my office.

In testimony whereof I have hereunto set my hand and duly affixed the seal of the said court, at the city of Madison, in the said western district of Wisconsin, this 8th day of March, in the year of our Lord 1909, and of the independence of the United States the one hundred and thirty-third.

(SEAL.) F. W. OAKLEY, *Clerk.*
By F. D. REED, *Deputy.*

COPY OF DOCKET ENTRIES, VOL. E, PAGE 229.

United States *v.* George and Benjamin Morrison. 229 E. Crim. Viol. sec. 2139.

June 23, 1906: This day came the grand jury and presented a true bill of indictment against the defendants for introducing liquor onto Indian reservation, to wit, Bad River Indian Reservation. (Vio. sec. 2139.)

June 26: Order for warrant to issue. Same issued and delivered to marshal for service.

August 11: Filed warrant. I hereby certify and return that on the 8th day of August, 1906, by virtue of the within writ, I did arrest the within named Geo. & Benjamin Morrison and now have them in custody. Chas. Lewiston, marshal. By W. T. Pugh, deputy.

Same day defendants taken before U. S. Comm'r Tomkins and released on bond.

July 16, 1907: This day came the United States attorney and came the defendants, and on motion was duly arraigned and each did enter a plea of not guilty. Under U. S. Comm'r bond.

March 12, 1908: This day came the defendants before the court and asked leave to withdraw their former plea of not guilty. Leave being granted, defendants withdrew their plea of not guilty and entered a plea of guilty as found in said indictment. On motion, it is ordered by the court that the defendants pay a fine of $100 and be imprisoned in the Dane County jail at Madison for 60 days. Same day sentence suspended by the court during good behavior.

District court of the United States of America for the western district of Wisconsin, at a regular term of the district court of the United States of America for the western district of Wisconsin, begun and held at the city of Superior, within and for the district aforesaid, on the 19th day of June, in the year of our Lord one thousand nine hundred and six.

WESTERN DISTRICT OF WISCONSIN, *ss:*

The grand jurors of the United States of America within and for the district aforesaid, upon their oath, present: That George Morrison and Benjamin Morrison, late of Odanah, in the county of Ashland, in said western district of Wisconsin, heretofore, to wit, on the 16th day of May, in the year of our Lord one thousand nine hundred and six, at said Odanah, in the county of Ashland, and within said western district of Wisconsin, did introduce into the Indian country, to wit, the Bad River Indian Reservation, certain ardent and spirituous liquors, namely, one pint of whisky, contrary to the form of the statute in such case made and provided, and against the peace and dignity of the said United States of America.

WILLIAM G. WHEELER,
HENRY H. MORGAN,
United States Attorneys, Western District of Wisconsin.

No. 229 E. United States district court, western district of Wisconsin. The United States *v.* George Morrison and Benjamin Morrison. Indictment for introducing liquor onto Bad River Reservation. Vio. sec. 2139, U. S. R. S. A true bill. W. F. Harper, foreman grand jury. Filed June 23, 1906. F. W. Oakley, clerk. Wm. G. Wheeler and H. H. Morgan, U. S. attorneys.

STATEMENT OF JOHN MORRISON.

JOHN MORRISON, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

JOHN MORRISON. I live here at Odanah.

The CHAIRMAN. Do you remember the time that Mr. Johnson and Mr. Campbell came to your house to get your son when they removed him from the reservation.

JOHN MORRISON. Yes, sir; I do not know the particular date.

The CHAIRMAN. But you remember the occasion?

JOHN MORRISON. I had the date, but I can not tell the particular date, because I was at the doctor's that day, in Ashland.

The CHAIRMAN. Who were in the house that evening when the superintendent and inspector came?

JOHN MORRISON. There was Benny and myself and wife and daughter and Lizzie Sawyers.

The CHAIRMAN. Did you hear any talk between your daughter and Mr. Campbell and Mr. Johnson?

JOHN MORRISON. Well, I heard a good deal of talk by my daughter.

The CHAIRMAN. What about?

JOHN MORRISON. Well, it was something about whisky, and what Norbert had done—bringing whisky on the reservation—and he was the one that ought to be removed in place of Benny, or something like that.

The CHAIRMAN. Could you repeat any of her talk?

JOHN MORRISON. Well, I thought that was the talk, the way she said it there. She said Norbert was the one that ought to be removed for bringing whisky here on the reservation.

The CHAIRMAN. What did they say, either of them?

JOHN MORRISON. Mr. Johnson did not talk at all; he only laughed, and it was a good deal so with Mr. Campbell; he did not talk very much, he only laughed over it; that is all. He said, like this, "Well, why did you not report this before?" She said she was shielding her husband then and would not say anything or report anything, and furthermore she said it was hardly any use.

The CHAIRMAN. It was hardly any use?

JOHN MORRISON. Yes, sir; or something like that, and I told her then, "You might say a little too much for yourself; you had better keep still; it is no use talking here," and so, of course, there was not very much going on; that is, there was no conversation that I know of, just one word this way and the other like that, only I can state also what I said.

Senator LA FOLLETTE. State it.

JOHN MORRISON. I said, "Mr. Campbell, you know what you have been doing." He did not say anything, but only laughed over it. I said, "You have been upholding the meanest Indian on the reservation; this Indian never lived here; he came from abroad, and he was the meanest Indian that ever walked on this reservation." They did not say anything at all.

The CHAIRMAN. Where did he come from, if you know?

JOHN MORRISON. I heard that he came from Flambeau, and then I learned after that he was from Menominee, or down below here somewhere, Rice Lake, somewhere near that.

(The witness was thereupon excused.)

STATEMENT OF LIZZIE SAWYERS.

LIZZIE SAWYERS, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

LIZZIE SAWYERS. In Odanah.

The CHAIRMAN. How long have you lived here?

LIZZIE SAWYERS. It will be two years in January.

The CHAIRMAN. Where did you come from?

LIZZIE SAWYERS. I came from Bayfield.

The CHAIRMAN. Do you know Mr. Morrison, who has just testified?

LIZZIE SAWYERS. I do.

The CHAIRMAN. Do you remember the time when the superintendent and inspector came to take Bennie off the reservation?

LIZZIE SAWYERS. I do.

The CHAIRMAN. Were you at Mr. Morrison's house that night?

LIZZIE SAWYERS. I was.

The CHAIRMAN. Had you gone to bed when they came?

LIZZIE SAWYERS. I had.

The CHAIRMAN. Did you get up?

LIZZIE SAWYERS. I did.

The CHAIRMAN. Were you sleeping downstairs?

LIZZIE SAWYERS. Yes, sir.

The CHAIRMAN. Did you hear the talk that occurred there before Ben left?

LIZZIE SAWYERS. I did.

The CHAIRMAN. Did you hear Mr. Morrison say anything to Superintendent Campbell or Inspector Johnson?

LIZZIE SAWYERS. Mrs. Morrison told Mr. Campbell to take good care of her son.

The CHAIRMAN. That was the old lady?

LIZZIE SAWYERS. Yes, sir.

The CHAIRMAN. I mean Mrs. Sero.

LIZZIE SAWYERS. Mrs. Sero told Mr. Campbell and Mr. Johnson that she thought Norbert Sero was the one who ought to be removed from the reservation instead of Ben, because he had brought liquor on the reservation and had given it to all the officers excepting this Mr. Pugh. Mr. Campbell asked her why she did not report this long ago, and she said that she thought that it was her husband, and she did not feel as if she should report him.

Senator LA FOLLETTE. Have you talked with Mrs. Sero about this matter since?

LIZZIE SAWYERS. Why, I simply spoke to her this morning; that was all. I just asked her what I was called here for, and she told me what I was called here for. She did not tell me any particular reasons or anything; she just told me it was on account of their removing Bennie from the house.

Senator LA FOLLETTE. Were you ever called down to the office here, the police office or farmer's office, by Mr. Sero at any time?

LIZZIE SAWYERS. I was in jail over there; yes, sir.

Senator LA FOLLETTE. The jail office?

LIZZIE SAWYERS. Yes, sir; I was.

Senator LA FOLLETTE. How came you to go there?

LIZZIE SAWYERS. Mr. Sero was out by the gate, and I went out and spoke to him.

Senator LA FOLLETTE. You went out from where?

LIZZIE SAWYERS. From George Morrison's house, and he asked me if I would not go in the jail. I told him I did not like to. He said, "I will give you one of Mrs. Sero's suits"—he had promised me a suit before that.

Senator LA FOLLETTE. A suit of clothing?

LIZZIE SAWYERS. Yes, sir; he had Mrs. Sero's clothes in the office.

Senator LA FOLLETTE. When was this?

LIZZIE SAWYERS. It was quite a while ago; I do not remember just the date.

Senator LA FOLLETTE. Was it after they had separated?

LIZZIE SAWYERS. Yes, sir; it was. I told him I did not want any of her things, and he then—I do not remember just exactly what was said—but then he said something, and I said I did not want to go in the jail, and he said something else, and I thought maybe it would be best for me to go in before anything more was said. So I

went in and sat there, I suppose ten or fifteen minutes, talking, and I came out, but before I came out he tried to kiss me, and I would not kiss him.

Senator LA FOLLETTE. Was there anything said in there about drinking, or liquor? Was any liquor offered to you, or beer or anything of that kind—I do not know what the fact is.

LIZZIE SAWYERS. No, sir; I do not believe there was any beer offered to me. I do not know of any that was offered to me.

Senator LA FOLLETTE. Was anybody else in the jail at that time?

LIZZIE SAWYERS. He told me afterwards that this Thomas St. Germain was in there, but I did not see him.

Senator LA FOLLETTE. What room were you in?

LIZZIE SAWYERS. In the office there.

Senator LA FOLLETTE. There is an office in the jail building, is there?

LIZZIE SAWYERS. Yes, sir.

Senator LA FOLLETTE. Was there anybody else in the office room besides you and Mr. Sero?

LIZZIE SAWYERS. Not that I know of: I did not see anybody.

Senator LA FOLLETTE. What was Mrs. Sero's condition the night that Bennie was removed from the reservation, at the time that this conversation occurred which you have just related, down at the house there—that is, Mr. Morrison's house—what was her condition with respect to being excited or not—I mean when she talked with Mr. Campbell and Mr. Johnson and stated those things to them?

LIZZIE SAWYERS. She did not seem to be excited.

Senator LA FOLLETTE. Was she hysterical?

LIZZIE SAWYERS. Yes, sir.

Senator LA FOLLETTE. Do you know what I mean by hysterical?

LIZZIE SAWYERS. The same as usual.

Senator LA FOLLETTE. Was she the same as usual?

LIZZIE SAWYERS. Yes, sir.

Senator LA FOLLETTE. Was she crying or talking in a loud tone of voice?

LIZZIE SAWYERS. No, sir; she was talking loud enough so they could all hear her. If anybody was standing outside, they could hear her.

Senator LA FOLLETTE. You do not know what the word "hysterical" means, do you?

LIZZIE SAWYERS. Not that I know of. I have not gone to school long enough.

Senator LA FOLLETTE. How old are you?

LIZZIE SAWYERS. Eighteen.

Senator BROWN. Are you 18 now?

LIZZIE SAWYERS. Eighteen my last birthday.

Senator BROWN. What blood are you?

LIZZIE SAWYERS. I am Irish and French.

Senator BROWN. How long have you lived in this community?

LIZZIE SAWYERS. In Wisconsin?

Senator BROWN. No; in this town.

LIZZIE SAWYERS. It will be two years next January.

Mr. HOLCOMBE. You say you had retired the night that Ben Morrison was taken?

LIZZIE SAWYERS. Yes, sir; I had.

Mr. HOLCOMBE. What room were you in?

LIZZIE SAWYERS. There were three bedrooms downstairs, and I slept with Mrs. Sero off from Bennie's room. There were two bedrooms together.

Mr. HOLCOMBE. What room was Mr. Campbell in?

LIZZIE SAWYERS. In the dining room.

Mr. HOLCOMBE. Did that adjoin your bedroom?

LIZZIE SAWYERS. No, sir; it adjoins the kitchen and front room.

Mr. HOLCOMBE. You could hear them talking in that room, could you?

LIZZIE SAWYERS. I was standing in the archway—in the arch door between the dining room and the front room when they came in and rapped at the door.

Mr. HOLCOMBE. Did you go up and dress then?

LIZZIE SAWYERS. Yes, sir; I got up and dressed myself.

Mr. HOLCOMBE. And went into the room?

LIZZIE SAWYERS. Yes, sir.

Mr. HOLCOMBE. So you were there when this conversation took place?

LIZZIE SAWYERS. I was; yes, sir.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF DAN MORRISON.

DAN MORRISON, having been recalled, testified as follows:

The CHAIRMAN. I understand that you want to come before the committee again with a statement. You have been sworn?

DAN MORRISON. Yes, sir.

The CHAIRMAN. The committee is advised that you want to come before it to make some statement. You may proceed.

DAN MORRISON. Well, I would ask, or request, a certain length of time, if it does not take up too much time, to actually state the facts of my troubles as they exist, and as I know them from the confession of my wife and from other facts that I can show to you by calling on witnesses.

The CHAIRMAN. Well, the committee want to get any facts that bear upon the condition of affairs. The trouble between you and Sero, except so far as it does bear on the condition of affairs in this reservation and this community, of course is no part of our investigation. Now, with that suggestion, the committee will be glad to hear you.

DAN MORRISON. All right. In the year 1901 I was married to Charlotte M. Carpenter, a young lady of this village, of Indian blood, and up until January 28, or I should say up until January 8, 1908, there was no particular thing that led me to believe that there was any trouble existing between myself and family; but up to January 8, 1908, I was under contract for the sisters up here to put in 150 cords of wood. I was working at that time, doing that for my living, and coming home that evening I found a girl, I should judge about 7 years of age, or between 6 and 7, or a little older, preparing supper for me. She said mamma had gone away. I did not say anything, but I found a note on the table addressed to me, and in this note it said to me, "I have gone to Ashland. Do not tell anybody about it."

Not having any reason to believe that there was anything wrong, I simply waited until the 7.26 train came from Ashland, expecting to meet my wife, and she did not appear, and did not come until the following morning on the morning train. When I went to the depot I met her, and noticed this man Sero get off that same train, and my wife also. Not blaming her, or anything of that kind, she went home and prepared my breakfast. I ate it and went back to my work. This ran along with suspicion on my mind, but I had reasons to believe that my wife was absolutely right, and nothing took place. Up until January 28, 1908, my wife had told several people here that she wanted to take in a show in Ashland, and advised me of it. Not having any money at that time, with the exception of a dollar or two—$30 in coupons—and she having no money, still she asked me to take her to that show. As a man with a family I had no reason to dispute her, for the fact was that she never did go anywhere.

I said, "You can have that privilege," and she went, but did not return until the next morning. That night about 9 o'clock, I judge, my sister came over to the house and then Lizzie Sawyer—Lizzie Sawyer was working for my folks at that time. My sister said to me, "Dan, don't you know that your wife has arranged a trip with Sero—to go out on a sporting trip?" I took my sister, as large as she is, by the arms and pushed her out of the house. I said, "That is a lie." After that I cooled down and said, "If you have anything to say to me, say it," and she came back in the house. I could not believe, under my own personal knowledge, that anything could exist that was wrong, but the consequences were that I had a notion to go; but, thinking it would be possible that I would catch my wife with this man and there would be such rash action, perhaps, that there would be great danger, I remained at home and asked my sister if she could take any constable, or any person in authority, to go and get the facts. It was 25 miles, and it was 11 o'clock that night before my sister left the house, and Lizzie Sawyer. I had a very young baby that was nursing from the mother, and it needed a parent's care. I do not suppose I slept over two hours that night. I sat there taking care of the child, and the morning train came in and my wife came back. I did not say anything to her; I met her at the depot and walked home with her. I told her that I had heard those rumors, but as I had heard nothing definite I would not believe it. This was on a Thursday. I quit my operation for the Sisters. I did not accuse her of anything, but stayed at home Friday, Saturday, and Sunday, and made an understanding—whether Saturday or Sunday, I do not know which—but I was simply going on my own accord to Ashland and really find out what took place. I simply said, "You remain here and take care of the children," and she did.

I went to Ashland and spent two days with an officer and with different friends of mine, and I found out that this man Sero had paid her money to make this trip and bought her ticket to the show and hired a rig—a covered rig—and took this woman out to a road house. He is the first man who has ever led a poor innocent woman to a place of ill fame. But even at that, I looked it up thoroughly, and I came home. During this time my attention was attracted to a neighboring house. This was, you understand, on a Monday. I

think on Saturday night after this occurred my attention was attracted to a neighbor's house. As I looked through the window I saw my wife sitting down on the lounge and Mr. Sero sitting there too, having a conversation there; he was asking her if she would not make a statement that she went up there for testimony and for nothing else, and she asked me about it, and I said, "As long as this thing has occurred, use your own judgment." When I came back from Ashland on Tuesday night, my wife had gone up to Ashland to Mr. Shay's office and made a statement, not knowing the facts of what she had seen, and made the statement that this man made her believe that she went up there for testimony to that place of ill fame, and not for a good time; and she signed it, absolutely ignorant. There are dates there that they will never prove, made out by Mr. Shay.

The CHAIRMAN. Was that the same time that the deputy inspector went there?

DAN MORRISON. Yes, sir. I came back home and approached my old father and mother, and said to them, "The people have accused me of something that is not so," and I felt that bad that I used bad language to my father and mother, to think that the people would accuse me of such a thing that I was absolutely ignorant of. When I got back from Ashland the following Tuesday and found that the facts led up to this, I said to my wife, "I am not going to abuse you; I never lifted my hand to you, and I am not going to now. I ask you only this much: You can stick with one party—which one?" When I said this she laid down and told me the entire transaction, in which I have never been able to offer one word to assist me in this trouble. I have simply taken the stand and stood pat. She related things—not only the fact of January 8, but others. This man charges me with a game of conspiracy. He took her off and went to a place of ill fame and stayed with her all night. Regardless of this, I looked at like this: That this woman is not educated; that I married her very young; that she is simply in a state or condition, for this man has led her to believe that he will help her in all her trouble, and she has stuck by that until the trouble came to light. After her confession she said, "Where can I go to make this statement?" I said, "There is a district attorney, there is a municipal court, and there is a circuit judge." She did not know what a district attorney or a municipal judge was; in fact, she did not know what a court-house was. She went before Judge McCloud, of Ashland, and made a statement in the presence of a shorthand writer, and there is exactly the story of this affair, including the trip of January 8.

On this evidence I swore out a warrant for his arrest, and the case came to the municipal court and was tried and then carried to the circuit court, where, before a jury of our twelve business men of Ashland County, they convicted the man after a five days' trial in fifteen minutes.

During this trouble other things approached, and she told me the entire transaction from 1905 up to January 8, or January 28, 1908. Four years after I was married that man Sero, when I was making hay for my father-in-law, approached that house, and it took him eighteen long months to gain her, but finally the act of adultery was permitted. Mr. Marksman and Mr. Doolittle, our chiefs, will swear

to the facts—how this man approached my house in my absence. This man has made the utmost inducement to this poor ignorant woman. He has taken her into that farmer's office where the act of adultery has been permitted; he offered her to taste a bottle of whisky so she could go down to Madison and offer herself as a witness in regard to liquor being introduced on the reservation, simply to have a good time, which she knew enough to refuse. He has locked her up in that farmer's office and gone to the jail to get her some beer, which she refused and would not drink. He has given her some stuff in that farmer's office which she said was like water, but that it almost choked her, and, as you gentlemen know, it is gin and nothing else. Further than that, he has taken her in his own house, in the absence of his wife, where the act was committed. That woman bears a scar on her forehead to-day, where he took her in the darkness in his barn, where he had his horse, and where the crime was committed. Further than that, he has met her on Third street, after I was compelled to leave Odanah for the little place where I was living in order to keep away from shame.

I went to Mr. Baker, the manager of the Stearns Lumber Company, because I did not have any money, and told him the condition I was in. I had no money, but for the protection of my children I wanted a little support to get out of town, and I got the money from him, which I paid him back. I moved to Ashland and rented a house. I stayed there during all this trial. He met her in Odanah on several occasions, and in the presence of an eyewitness jerked her by the arm to the extent to throw her on the ground, asking her to go and refute her testimony, given before that jury, which she refused. He has jerked her by the arm in front of the pump, as she was going after bread, to the bakery, and followed her almost to the house. He has met her in Ashland, on First street, and offered her money, which she refused; and when he came to the testimony, he said that Johnson, Special Agent Johnson, told him to go up there, and Johnson was somewhere in the United States—nobody knows where—at that time. He has met her over at Mrs. Gostlin's, a lady in this town, who is an eyewitness that they met several times, and he told her, "If you go back on that statement, it will protect you and will protect me." Look at the court record of Ashland and it will show you everything except a certain statement that I do not believe has been brought out. Furthermore, after seeing my condition as it existed in Ashland—because I have many friends in Ashland and Odanah; I have not an enemy, I believe—I moved away from Ashland. I sold the Morrison Hotel, which was put up by me, and owned by me, and run for years. This man, as he went away to Duluth and Minneapolis on business, again committed the crime in my absence.

I moved away from Ashland after I got a little money, on the recommendation and with the approval of Mr. Campbell. I sold the hotel at a sacrifice in order to make myself comfortable with my children, and I bought that summer resort out at Hayward and moved up there in order to do a little business for myself; and knowing that I had to have help, and pay help, I took my sister along with my wife, because they had been both into court and they seemed to be friendly, and Mrs. Scro, as everybody knows, has sent her money in fighting her husband and in other direction, and I hired her and paid her $3 a week to go up and live with me, until my wife and her

had some words—and I judge it was over that man there, which my wife wanted to leave—and I gave her $25 and paid her ticket and let her take the two children and come to her father's house here, John Carpenter, my father-in-law. Two weeks later I came home, and they met me at Ashland and I visited my children. Rumors had gone around in Ashland from Odanah that this man Sero was calling at the house of my father-in-law and telling my wife to change her testimony. That was when I was crowded with trouble enough and did not want any more. When I came back with my little son again, I found that the things had all gone wrong. After I had taken the stand to protect her and to protect the children, it seemed like the thing had vanished away, and I asked her what was the trouble. She did not seem to relate any particular trouble, with the exception that she had called at the farmer's office with regard to some property she had fallen heir to, and the communication she had to have with Sero; and I told her as plainly as I could possibly tell her that if this is a fact—and as I know myself it is a fact—that she had a little business to do with the farmer, I was not angry over that, but I was angry because of the fact in the absence of myself—after sacrificing everything—that man Sero would still come to the house and ask her to change her testimony.

Then I stayed there; I remained there four days at the farm. That is not only a month ago. I left the 27th of August. When I came I found that things had all been corrupted in my absence—since I had been away—right there. The reason I left here was because I saw that this man, apparently, under all conditions was certainly to rob me of my family, and I dropped the thing and put my children here in the sister's, and my wife is living at her father's. Why? Because this man Sero has met him and he comes down here and tattles on his own daughter, and yesterday made the break to me that John Carpenter, her father, would throw her in jail if she would tell on this witness stand everything that was, and she will back my statement if she is in this room. This man Sero hired Jordan and hired St. Germain to go up there in my absence and ask her to sign an affidavit which she knows nothing about, with the exception of what little bit of English that she knows. She signed it, and she admits that she signed it. I will tell you right here that she does not admit that it was false. He has given her $27 since August 27. I mean since I left, or about this time—$27 or $30—because she has been buying things. That is what she tells me, you understand. This man—and I have got 12 or 14 witnesses sitting in this room to prove that this man has walked out to John Carpenter's—has drove out there; that Jordan has been up there; that Thomas St. Germain was his attorney; that Mr. Shea, Sero's attorney, who sat there last night. Other friends of Sero and St. Germain have been called up to Shea's office and asked for the story, and he says this, in a way, "Don't you want to change your testimony?" She says, "No." "Was it the truth that you went up there—that is all I want of you?" So they didn't bother Miss Shea any more. So right up to this present minute Sero is buying that woman, giving that money every occasion that he can. A quarrel exists between him and herself right out here is the fact that leads me to tell this; that she told me that he illtreated her right here and told her that she didn't know what she was doing; that he wanted his money back; and if she is in this room or anywhere else I ask her, if she is,

to come up here and back the statement up that I have made, because I feel as if I have done my duty as man to man, and I believe that lots of you men sitting in this room would not do it to-day.

I must say this much, that I do not believe the Indian Department here at Ashland or Major Campbell or Norbert Sero or Mr. Miles or any official as long as I have been for twelve or thirteen long years on this reservation I want them to come before this committee if they have one word to offer in regard to my conduct or in regard to my ability to support a family and behave myself as a law-abiding citizen.

I simply offer you this because I believe that this man has a certain influence over this woman, and she is not able under her own testimony to give you gentlemen a correct idea of this affair. That is all. I thank you for your attention and for giving me that privilege.

STATEMENT OF ANTOINE DENNIS—Continued.

ANTOINE DENNIS resumed the stand and testified as follows:

Senator LA FOLLETTE. You testified the first day of this investigation before this committee. In your testimony you stated something with respect to an order which you had given the Indian farmer for $200?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. To secure a certain allotment for one of your children?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. And you stated that Mr. Sero had tried to collect that order since that time?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. The next morning, after giving your testimony that evening, did you see Mr. Sero any place?

Mr. DENNIS. Yes, sir; I saw him in the office.

Senator LA FOLLETTE. You saw him at the office?

Mr. DENNIS. Yes, sir.

Senator LA FOLLETTE. You mean the farmer's office?

Mr. DENNIS. The farmer's office; yes, sir.

Senator LA FOLLETTE. What time in the morning?

Mr. DENNIS. I think it was somewheres about half past 7 o'clock, a quarter or a little after 7, I guess. At the time they opened I went in, and he was all alone.

Senator LA FOLLETTE. Why did you go in?

Mr. DENNIS. I wanted to go in and find out the name of the man that presented that order to the Indian Office for that $200, because I asked his name——

Senator LA FOLLETTE. Mr. Sero was there?

Mr. DENNIS. Yes, sir; Mr. Sero was.

Senator LA FOLLETTE. Tell the committee just what occurred after you went in there.

Mr. DENNIS. So I went in there and I told him just how it was; that I wanted to see him. "Yes," he says, "God damn you, I want to see you, too, on account of the whole God damn liar that you were before that committee, what you said last night." I told him I wasn't lying. I told the truth, whatever I said. He said, "You are a God damned son of a bitch," and then he commenced to get hold

of me here [indicating] and I tried to protect myself, clear down to the door, so he was just after opening that safe, and he had some papers in his hand, and then he knocked me up here sideways, and he bumped me against the wall, and he hurt my elbow pretty much. And he got hold of me and he knocked and he shoved me, and I says, "What is the matter with you, are you crazy?" So I came out. That is all.

Mr. HOLCOMBE. Are you afflicted with locomotor ataxia—do you know what that is?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Are you weak on your knees?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Do you walk that way generally?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Do you remember the testimony you gave here Thursday evening?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. Had you been drinking then?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. You had not been drinking before you came in here that evening?

Mr. DENNIS. Me?

Mr. HOLCOMBE. Yes.

Mr. DENNIS. Well, not that I know of.

Mr. HOLCOMBE. Not that you know of?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Not so that you felt it—had you taken anything at all to drink?

Mr. DENNIS. Well, I had in Ashland.

Mr. HOLCOMBE. That day?

Mr. DENNIS. That day. That morning, because the reason I went to Ashland, I got some papers to draw on this lawyer——

Mr. HOLCOMBE. Never mind his name—you got something to drink in Ashland?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. Did you bring any from Ashland with you here?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Were you with anybody who did bring any liquor?

Mr. DENNIS. No, sir; not that I know of.

Mr. HOLCOMBE. Did you drink any yesterday?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. Not at all?

Mr. DENNIS. I drank some Painkiller.

Mr. HOLCOMBE. You drank some Painkiller?

Mr. DENNIS. I didn't drink very much. On account of my——

Mr. HOLCOMBE. How much of that had you drunk about 7 o'clock in the morning?

Mr. DENNIS. I didn't drink any at 7 o'clock.

Mr. HOLCOMBE. Did you drink any before 7?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. You had drunk some of that before noon?

Mr. DENNIS. Before noon?

Mr. HOLCOMBE. Yes.

Mr. DENNIS. Yes, sir, I was drinking yesterday. I came in and sat here quite a while, and I went out two or three times. I went out home and my sister gave me some Painkiller. She said, "You had better drink some Painkiller."

Mr. HOLCOMBE. What part of the office did you go into yesterday morning?

Mr. DENNIS. Right in the front.

Mr. HOLCOMBE. Is that the place where visitors usually go into the office?

Mr. DENNIS. No. Sometimes they do and sometimes they don't; in the window.

Mr. HOLCOMBE. There is a railing in that office that you come around in front of?

Mr. DENNIS. Yes, there is a little bit.

Mr. HOLCOMBE. And that is where you usually go?

Mr. DENNIS. Sometimes we go both ways.

Mr. HOLCOMBE. Now, when you went in there yesterday morning, what did you say to Mr. Sero?

Mr. DENNIS. I said, "You are just the man I want to see."

Mr. HOLCOMBE. Just the man that you wanted to see.

Mr. DENNIS. And he said, "Yes, you are just the man I want to see."

Mr. HOLCOMBE. Did you ask him why he lied about the order for that money?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. You swear you did not?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. Did you call him a damned liar?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. Didn't he tell you to get out?

Mr. DENNIS. No, sir; he didn't tell me; but he shoved me out.

Mr. HOLCOMBE. What was he doing when you went in there?

Mr. DENNIS. He was getting his papers in the safe.

Mr. HOLCOMBE. Getting out the papers from the safe?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. Did he stop getting out the papers that were in the safe when you came in?

Mr. DENNIS. Why, just only to turn like this and get out these papers, when he said, "You are just the man I want to see."

Mr. HOLCOMBE. Then what did he do?

Mr. DENNIS. Then he jumped up and he says, "You are a God damned liar; why did you tell that?"

Mr. HOLCOMBE. Did he take those papers out of the safe?

Mr. DENNIS. Well, sir, I don't know exactly, because I was pretty busy there, because he got me so quick, because I had no time.

Mr. HOLCOMBE. He could not do two things at once. I want to know whether he grabbed you——

Mr. DENNIS. He pulled his hand out of the safe and came up and commenced to grab hold of me.

Mr. HOLCOMBE. Did he have anything in his hands when he grabbed you?

Mr. DENNIS. Well, sir, I couldn't tell you. I think he had some papers in his hand.

Mr. HOLCOMBE. Did he hit you?

Mr. DENNIS. No, sir.

Mr. HOLCOMBE. What did he do, just shake you?

Mr. DENNIS. Yes, sir.

Mr. HOLCOMBE. And put you out of the room?

Mr. DENNIS. No; he didn't put me out; but he takes me clear down to the door and bumped against me clear to the door and hurt my elbow. I got hold of him and I said, "What in the dickens is the matter with you; are you crazy?" Then I came out.

Mr. HOLCOMBE. That is all.

The CHAIRMAN. That is all.

Mr. HOLCOMBE. I want to call Mr. Sero.

STATEMENT OF NORBERT SERO—Continued.

NORBERT SERO resumed the stand and testified as follows:

Mr. HOLCOMBE. You have just heard the testimony of the witness who preceded you on the stand?

Mr. SERO. I did.

Mr. HOLCOMBE. Please state your version of that occurrence.

Mr. SERO. When I went to the office yesterday morning and opened up and went in there he followed me in the office—the office part. I went to the safe to get some papers out of there that I wanted to attend to, and when he came in he said, "You are just the man I want to see, telling that lie to the committee." I said to him, "I don't think I told a lie, but I think you did," and I didn't pay much attention to him, and I looked around and I saw that he had been drinking and was staggering around there; so I got my papers out of the safe and went and put them on the table, and I told him to get out of there. He said he would not do it; so I got him by the shoulder and took him over to the door and opened the door and he went out.

Mr. HOLCOMBE. Did you call him a liar, or a damned liar, or a God damned liar?

Mr. SERO. I told him he was a liar; yes.

Mr. HOLCOMBE. Did you call him a son of a bitch?

Mr. SERO. No, sir.

Mr. HOLCOMBE. That is all.

The CHAIRMAN (through Mr. Obern as interpreter). If anyone here has any complaint to make against anybody, it doesn't make any difference who it is, we want you to come to the committee or to any member of the committee and make your complaint, and I want to say to you that you need not feel afraid of anybody if any of you do feel afraid, because you will be amply protected in anything you want to say. Now, if you do come with anything we want you to come with somebody's name, so we can know who to call. You won't necessarily be called if you will give us the necessary information. And then, another thing, where men know that they are going to be wanted, we would like very much, when they come here, to have them remain in the room, so we can call them as they are wanted. The committee will adjourn, but the members will be here for a few minutes if there is anyone who wants to come before the committee.

(A number of persons presented themselves before the chairman of the committee when the following statements were made:)

STATEMENT OF FRANCES LELAND—Continued.

FRANCES LELAND resumed the stand and testified as follows:

Mrs. LELAND. In respect to my statement made when I was on the stand Thursday about the allotment for which my claim was first granted by the council and then my name was stricken off the list, I want to add to my statement that sixteen years ago we lived on the reservation for two years, off and on, and then our house was burned down and we had to leave the reservation on that account. After the house was burned I didn't live any longer on this reservation and have not returned to reside here since, but four years ago I made application to the council to be listed with the Indians of this reservation, and my application was at first granted, but later I was informed that it had been taken from the list after Mr. Campbell had O.K.'d it.

STATEMENT OF JULIA TREDO.

JULIA TREDO, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Miss TREDO. I live in Odanah.

The CHAIRMAN. How long have you lived here?

Miss TREDO. It will be six years in November.

The CHAIRMAN. Where did you come from when you came here?

Miss TREDO. From Bennett, Wis.

The CHAIRMAN. How long had you lived in Bennett?

Miss TREDO. We had lived in Bennett off and on for eighteen years.

The CHAIRMAN. Where did you live previous to going to Bennett?

Miss TREDO. Duluth, Minn.

The CHAIRMAN. How long did you live in Duluth?

Miss TREDO. Since I was a child of 7.

The CHAIRMAN. What is your father's name?

Miss TREDO. Ellis Tredo.

The CHAIRMAN. You claim Indian blood through your maternal side?

Miss TREDO. Yes.

The CHAIRMAN. What was your mother's name?

Miss TREDO. Julia Ward Sutherland.

The CHAIRMAN. Do you know where your mother was born?

Miss TREDO. At The Saulte.

The CHAIRMAN. Do you know where your grandmother was born?

Miss TREDO. There also.

The CHAIRMAN. At The Saulte?

Miss TREDO. Yes, sir.

The CHAIRMAN. Do you know what her mother's name was?

Miss TREDO. Well, she has an Indian name. That is her first name; her last name was Sutherland.

The CHAIRMAN. That would be your great grandmother?

Miss TREDO. Yes.

The CHAIRMAN. Do you know where she was born?

Miss TREDO. In Superior, Wis.

The CHAIRMAN. Have you any idea which one of the several bands of Chippewas your ancestors came from?

Miss TREDO. Why, it must be, as she was born in Superior, she must have belonged to one of these bands.

The CHAIRMAN. I say, have you any idea which of the several bands of Chippewas of Lake Superior your ancestors came from?

Miss TREDO. I have not.

The CHAIRMAN. Are you married?

Miss TREDO. No, sir.

The CHAIRMAN. Have you ever been admitted to enrollment by the council or committee of the Indians here at Bad River?

Miss TREDO. No; I have not.

The CHAIRMAN. Did your mother ever live with any band?

Miss TREDO. No; she didn't. She never established her right on any reservation.

The CHAIRMAN. I am not asking that. Did she live with any band of Chippewa Indians?

Miss TREDO. She did not. She always lived in the city.

The CHAIRMAN. Did your grandmother?

Miss TREDO. No; she did not.

The CHAIRMAN. Do you claim any Indian blood except through your maternal side?

Miss TREDO. No, sir. I claim right here on account of the fact that we came here and settled amongst them and have never settled among any others but this reservation. I want to speak for all of us, we all want allotments.

The CHAIRMAN. That is, your brothers and your sisters and yourself?

Miss TREDO. Yes; and my mother.

The CHAIRMAN. It would all come together.

Miss TREDO. Don't I have to give their names?

The CHAIRMAN. Give the names of your brothers and sisters.

Miss TREDO. My mother's first, I suppose.

The CHAIRMAN. Well, give them, anyway.

Miss TREDO. Alice Tredo, Mary La Brasse, Julia Tredo, Howard Tredo, Grace Shelafoe, Ernest Tredo, Rose Hagan, Lily Coryell.

The CHAIRMAN. That is all.

STATEMENT OF HENRY CHARLES ASHLAND.

HENRY CHARLES ASHLAND, a Bad River Indian, having been first duly sworn, testified as follows:

The CHAIRMAN. Where were you born?

Mr. ASHLAND. Saulte Ste Marie, Mich.

The CHAIRMAN. What was your mother's name?

Mr. ASHLAND. Marcum.

The CHAIRMAN. Has the Bad River council or allotting committee ever enrolled you?

Mr. ASHLAND. Why, my father took minutes for the enrollment of myself. I do not know very much about it. My father looked after that.

The CHAIRMAN. Where was your father then?

Mr. ASHLAND. My father was here.

The CHAIRMAN. How long ago was that?

Mr. ASHLAND. Two years ago.

The CHAIRMAN. Do you know whether you are on the Downs roll?

Mr. ASHLAND. I am not on either list.

The CHAIRMAN. Where was your father born?

Mr. ASHLAND. At the Saulte.

The CHAIRMAN. Do you know whether the council has ever adopted you and allowed your enrollment?

Mr. ASHLAND. I presume they have.

The CHAIRMAN. That is the first thing for you to find out.

Mr. ASHLAND. My father and brother both hold allotments here.

The CHAIRMAN. That would not make any difference. We can not spend any time here unless we know whether the council has acted on your case. You can find that out. You must know whether they have acted on your case, and if they have not neither the committee nor Congress nor the commissioner can give you an allotment here, you having been born down in Michigan.

Mr. ASHLAND. My great-grandmother was born here at this place.

The CHAIRMAN. That does not make any difference. We can not do anything until your case has been acted upon by the council. That is all.

STATEMENT OF MISS JULIA TREDO—Continued.

JULIA TREDO resumed the stand and testified as follows:

Miss TREDO. I have here an application from my brother-in-law and also a statement about my grandmother.

The CHAIRMAN. You may give those to the reporter, who will put them in the record.

(The papers handed in by Miss Tredo read as follows:)

To the committee:

I am applying for an allotment for my minor child, Evelyn Dorothy Shelafoe through my right. I am a half breed Chippewa Indian, belonging to the La Pointe band. My mother and myself hold allotments on the Bad River Reservation, and I have lived and made my home on the said reservation until a year ago. I am a nephew of Chief James Doolittle of said reservation.

I am sending this explanation by Miss Julia Tredo, as my wife and myself are unable to appear in person just now.

Hoping the committee will kindly consider my request, I remain,

Yours, very truly,

PETER SHELAFOE,
Bennett, Wisconsin.

Shen-go-bi-shi-go-kwa, Indian name of Mrs. Sutherland. She belonged to La Pointe band of Indians. Grandmother of Mrs. Tredo and great-grandmother of her children. Dhen-go-bi-shi-go-kwa was a full blood Chippewa Indian of the Lake Superior Chippewas.

STATEMENT OF BESSIA A. WILDE.

BESSIA A. WILDE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you reside?

Miss WILDE. I have been making my home here, but I have been working in Duluth.

The CHAIRMAN. You claim rights in this reservation?

Miss WILDE. I do; yes, sir.

The CHAIRMAN. Have you ever been allowed by the council or the allotting committee to go on the rolls?

Miss WILDE. Yes, sir; my name was put on there.

The CHAIRMAN. How long ago?

Miss WILDE. Six years ago; some time this fall.

The CHAIRMAN. Do you know whether you are on the Downs list or the Allen list?

Miss WILDE. I was on the Downs list.

The CHAIRMAN. Has the council ever attempted to revoke that enrollment?

Miss WILDE. No; not that I know of, they have not.

The CHAIRMAN. Where were you born?

Miss WILDE. I was born in Michigan, at L'Anse, Mich.

The CHAIRMAN. Where was your mother born?

Miss WILDE. I think she was born there. I am not sure, but I think so.

The CHAIRMAN. You claim rights through your maternal ancestors?

Miss WILDE. Yes. My grandmother belonged to this band.

The CHAIRMAN. What was her name?

Miss WILDE. Margaret Bachand.

The CHAIRMAN. Have you any children?

Miss WILDE. No, sir; I am not married.

The CHAIRMAN. Your application is for an allotment for yourself?

Miss WILDE. Yes, sir; for myself.

The CHAIRMAN. Have you heard any reason why they took you off the roll?

Miss WILDE. No, sir; I never heard that at all. All I heard was that my name was taken off, who told me I don't know. It was told me, and Mr. Downs came down and I went to see him. He said I certainly would have a hearing. I met him here three years ago. I had to go out and get work.

The CHAIRMAN. That is all.

STATEMENT OF SUSAN PEMROCK.

SUSAN PEMROCK, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Miss PEMROCK. I live right here.

The CHAIRMAN. Where were you born.

Miss PEMROCK. I was born in Pine City, Minn.

The CHAIRMAN. You claim rights in this reservation?

Miss PEMROCK. Yes, sir; I claim rights here.

The CHAIRMAN. Through your mother?

Miss PEMROCK. Through that I have lived here thirteen years.

The CHAIRMAN. Do you claim through your mother—where was your mother born?

Miss PEMROCK. She was born in the same place I was born, I think, but I am not certain.

The CHAIRMAN. Where was your father born?

Miss PEMROCK. That I don't know. My father died when I was only 2 years old, or three.

The CHAIRMAN. Do you know to what band your mother belonged?

Miss PEMROCK. Just here lately she went to White Earth.

The CHAIRMAN. Do you know what band she belonged to?

Miss PEMROCK. That I don't know.

The CHAIRMAN. Do you know where your mother was born?
Miss PEMROCK. I don't know where she was born.
The CHAIRMAN. Did your mother ever live here?
Miss PEMROCK. We lived here thirteen years.
The CHAIRMAN. Your mother?
Miss PEMROCK. Yes, sir; she is here yet. She just went there for a while.
The CHAIRMAN. Was she married to an Indian?
Miss PEMROCK. She was married to an Indian here and that belongs here.
The CHAIRMAN. What is his name?
Miss PEMROCK. Nec-ta-ko-ta.
The CHAIRMAN. Was your mother ever admitted by the council or committee here?
Miss PEMROCK. Well, she got in here.
The CHAIRMAN. Was she ever admitted by the committee or council—is your mother enrolled here, do you know?
Miss PEMROCK. Yes, sir; she was.
The CHAIRMAN. How long ago?
Miss PEMROCK. Just this last.
The CHAIRMAN. Do you know anything about what they call the "Downs list?"
Miss PEMROCK. Yes, sir; I do.
The CHAIRMAN. Was she on the Downs list?
Miss PEMROCK. No, sir; she was on the original list.
The CHAIRMAN. Are you on the original list?
Miss PEMROCK. I was on the original list, and this last council I heard they put me aside.
The CHAIRMAN. That is all.

(Thereupon, at 12 o'clock noon, an adjournment was taken until 1 o'clock p. m.)

AFTER RECESS.

The committee resumed its session at 1 o'clock p. m.

STATEMENT OF ROSE WHITESIDE HAMMOND.

ROSE WHITESIDE HAMMOND, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?
Mrs. HAMMOND. Ironwood, Mich.
The CHAIRMAN. You claim rights on this reservation?
Mrs. HAMMOND. Yes, sir.
The CHAIRMAN. Where were you born?
Mrs. HAMMOND. I was born at Holton, Mich.
The CHAIRMAN. You aren't a full blood?
Mrs. HAMMOND. No.
The CHAIRMAN. You claim through your mother?
Mrs. HAMMOND. Through my mother. My mother was a full blood.
The CHAIRMAN. What tribe did she belong to?
Mrs. HAMMOND. The La Pointe tribe.

The CHAIRMAN. Where were you born?
Mrs. HAMMOND. Holton, Mich.
The CHAIRMAN. How long ago?
Mrs. HAMMOND. Forty-four years ago.
The CHAIRMAN. What was your father, a white man?
Mrs. HAMMOND. Yes, sir; William Whitesides.
The CHAIRMAN. What was your mother's name?
Mrs. HAMMOND. Mary Ma-ta-gwa-gon.
The CHAIRMAN. Has she an allotment?
Mrs. HAMMOND. My mother? Yes, sir.
The CHAIRMAN. On this reservation?
Mrs. HAMMOND. On this reservation. I also have an allotment on this reservation.
The CHAIRMAN. What is the claim you make?
Mrs. HAMMOND. I want to enter the names of my son and an orphan niece, the child of my young sister, whose name had been approved when my own was, and who, had she lived, would have had an allotment also, but she died before the approval was received here.
The CHAIRMAN. Had she made a selection?
Mrs. HAMMOND. Yes, sir; she did; but I don't remember the numbers or anything about it now.
The CHAIRMAN. We could not do anything unless we could get the selection.
Mrs. HAMMOND. I could not tell you. It never occurred to me to get that, and it was so many years ago that that had entirely passed out of my mind. At the time it was entered in the office at Washington.
The CHAIRMAN. How long ago was it?
Mrs. HAMMOND. I think it was the time they were allotting in 1898 or 1897.
The CHAIRMAN. You mean in 1908?
Mrs. HAMMOND. 1898.
The CHAIRMAN. Eleven years ago?
Mrs. HAMMOND. Yes, sir; just about.
The CHAIRMAN. And you think that selection was made while she was living here, and she died before the allotment was issued?
Mrs. HAMMOND. I don't think; I know. Her name was approved.
The CHAIRMAN. Her name was what?
Mrs. HAMMOND. Ellen Whitesides.
The CHAIRMAN. Have you any reason to suppose that the piece of land that was selected for her was afterwards allotted to some one else?
Mrs. HAMMOND. No; I haven't any reasons to suppose that; only it was a very good piece of land and undoubtedly it has been allotted. I have never inquired or anything about it.
The CHAIRMAN. This was your niece, you say?
Mrs. HAMMOND. The one that I want to get the land for.
The CHAIRMAN. The one who died?
Mrs. HAMMOND. No; that was my sister. It is her daughter I want to get one for now.
The CHAIRMAN. How old is the daughter?
Mrs. HAMMOND. She will be 17 next month.
The CHAIRMAN. Has any application been made for her?

Mrs. HAMMOND. Yes, sir; I had made an application for her and my boy. I think—now, I could not tell you just how long ago—but it must be four or five years ago that an allotment roll was being made up.

The CHAIRMAN. Why didn't she get her allotment?

Mrs. HAMMOND. Well, neither of them got an allotment.

The CHAIRMAN. Why?

Mrs. HAMMOND. That allotment list has never been approved, and I think it is still pending.

The CHAIRMAN. That is what they call the "Downs list?"

Mrs. HAMMOND. I don't know whether they do or not. It was what they called then the "Women's and children's list." Why it was never approved I don't know.

Mr. CAMPBELL. That list was approved.

Mrs. HAMMOND. Not all of it.

Mr. CAMPBELL. All that was sent in.

Mrs. HAMMOND. Harold's name was sent in, and Mr. Allen said his name was still on the list, but the girl's name had been taken off because, unfortunately, her name had been filed on some one's else that at the time we didn't know that it had been taken. I know some of the names; whether they were in doubt about them or not, they weren't approved. There is one other I would like to speak of, and that is a little daughter of my only brother. He also has an allotment, and he is not here.

The CHAIRMAN. He is on this list?

Mrs. HAMMOND. My brother has an allotment, but his little girl was never mentioned.

The CHAIRMAN. What is her name?

Mrs. HAMMOND. Norma Whiteside.

The CHAIRMAN. Why has she not been put on some list?

Mrs. HAMMOND. Because at that time my brother had moved away.

The CHAIRMAN. Where is he living now?

Mrs. HAMMOND. In Seattle, Wash.

The CHAIRMAN. Where is this son and daughter of your sister?

Mrs. HAMMOND. This boy is my boy, and this girl is my niece, and they live with me at Ironwood. I have raised the girl since her mother's death.

The CHAIRMAN. At Ironwood?

Mrs. HAMMOND. Yes; about 30 miles from here.

The CHAIRMAN. Then you live on this reservation?

Mrs. HAMMOND. No, sir; I have never lived on the reservation. We were raised in towns, and my father's business of course took him to other places, and he never could make a living in a little place like this.

The CHAIRMAN. That is all.

STATEMENT OF SISTER MARGARET.

(At 1.30 p. m. the committee visited St. Mary's Industrial School, and, in company with Sisters Katharine and Margaret, inspected the grounds and the river in the vicinity of the school, and, upon return to the school building, the following proceedings were had:)

The CHAIRMAN. Now, you may make any statement you desire, sister.

Sister MARGARET. I suppose all we need say is that a dike ought to be erected from the railroad bridge to the end of the property. Is it necessary to specify what it should be?

The CHAIRMAN. No. I think it should be some kind of a dike. The kind of a dike would be a business proposition.

Sister MARGARET. It ought to be substantial, whatever it is.

The CHAIRMAN. Yes.

Senator BROWN. How did it affect the grounds here the last flood you had on the river?

Sister MARGARET. We lost our entire crop on account of the last flood—the damage done by it.

Senator BROWN. How close are the buildings to the river?

Sister MARGARET. They aren't more than about 30 or 40 feet.

Senator BROWN. The river runs right past your school building, right in front?

Sister MARGARET. Yes.

Senator BROWN. How many buildings have you?

Sister MARGARET. There is practically one, that is a large one. The barn is separate.

Senator BROWN. How many students have you?

Sister MARGARET. Over 200 Indian children.

Senator BROWN. Ranging in what ages?

Sister MARGARET. From 3 to 18 years and, in exceptional cases, we have them over where they have been at the school a number of years and do not seem inclined to leave.

Senator BROWN. Is the spring freshet annual—does it come every year and flood your grounds?

Sister MARGARET. Yes.

Senator BROWN. Does it wash refuse up against your buildings?

Sister MARGARET. I can't say against the buildings directly.

Senator BROWN. Against your fence, the fence of the yard?

Sister MARGARET. Yes.

Senator BROWN. Does that affect the condition of the buildings?

Sister MARGARET. Yes; it goes through and under the buildings and into the back yard.

Senator BROWN. How long has this school been established?

Sister MARGARET. Twenty-six years last March.

Senator LA FOLLETTE. How is it sustained?

Sister MARGARET. By the Catholic bureau at Washington and by our own activities.

Senator BROWN. Is the instruction to the Indian children free?

Sister MARGARET. Yes.

Senator PAGE. Would it be practicable to build a dike that would keep the water from going on the meadows here. A dike on that side would keep it away here, but would not it pass into the meadows above and then come down?

Sister MARGARET. Not if it is built up to the railroad property. It is higher there than here. Mr. Walker lives right across the track and it has never flooded his property. That is what these men say, that if it was built across the railroad property and right across here it would never be flooded again, no matter what water you got, and they proposed to drive piling and secure them at the top to flank that.

Senator PAGE. If the water should be high enough to come in here, wouldn't it come in below, into the street, and set back up this way?

Sister MARGARET. Do you mean above the school?

Senator PAGE. Yes.

Sister MARGARET. It flows across here and up into Mr. Blackbird's meadow.

Senator PAGE. I am trying to see whether in your opinion a dike in front of the building would prevent the water from coming in below. You say that above the bridge would protect it. How about it below, if the water was high enough, wouldn't it set in down in the village?

Sister MARGARET. It would run in across the second bridge. There is another river up this way. You may notice Joe's place when you go back. There is a bridge right there, and it cuts right through there and goes through the meadow and meets the other river here on the north. That is not our idea of it; it is the united idea of several people interested in us.

Senator PAGE. Have you ever had a civil engineer come here to inspect the grounds and take levels to see where you would be in danger?

Sister MARGARET. No. We have had it every spring.

Senator LA FOLLETTE. You have had this trouble other seasons?

Sister MARGARET. Oh, yes.

Senator LA FOLLETTE. Every season?

Sister MARGARET. Yes; but we never lost our crop before.

Senator LA FOLLETTE. You have had trouble with the flood and the high water above your buildings and coming up to them and in front of them and back of them?

Sister MARGARET. Yes.

Senator LA FOLLETTE. Has it been followed by sickness among the people who live in this vicinity?

Sister MARGARET. Yes; more or less, and they have outhouses, and of course they have no sewage, and they are turned upside down——

Senator LA FOLLETTE. And the refuse from those outhouses is swept up and carried over the ground?

Sister MARGARET. Yes.

Senator LA FOLLETTE. They have had some typhoid fever here every season—I know they have, and is there some here now?

Sister MARGARET. They had it last year, too.

Senator LA FOLLETTE. Have these floods interfered with the attendance at your school?

Sister MARGARET. Yes; time and again. We got the superintendent of one of the mills at Ashland to come down here. Of course we complained to the Stearns Lumber Company about the logs being piled up in the river here and they told us it was the Smeaton Lumber Company. Mr. Smeaton came down, and he said, "Sister, I am really surprised. I never knew what damage we were doing here."

Senator LA FOLLETTE. You gave me a paper document this morning. I haven't had time to read it all through. I have just read the first page of it. I thought you might like to have that to refresh your recollection or read from it into the record.

Senator BROWN. How would it do to put it in.

Sister MARGARET. Do you want him to take this down in his notes?

Senator LA FOLLETTE. You can read about it and then talk about it. If there is any matter that is just made as a memorandum and is not full enough to be clearly understood, you can enlarge upon it or you can read from the statement, just as you like, stopping whenever you want and explaining anything more fully that you should want to.

Sister MARGARET (reading):

ST. MARY'S INDUSTRIAL SCHOOL,
Odanah, Wis., September 20, 1909.

To the honorable committee authorized to examine the conditions of Indian affairs in northern Wisconsin:

In regard to certain demoralizing influences affecting the general welfare of the Indians and people here as well as decidedly unsanitary conditions, we are willing to give all the information in our power and, if need be, to testify. We, therefore, pass over these for the present, and respectfully call your attention to the following points:

1. We maintain and educate, year after year, in the boarding school proper, a large number of Indian pupils without any expense to the Government. The actual enrollment during the year runs over 120, the average attendance may be placed at 115. The Catholic bureau of Washington together with Mother Katharine Drexel, of Philadelphia, pays for 65 pupils at the rate of $9 per month. Thus we are receiving regular assistance for only about one-half of the pupils we maintain. We have given food and even money to more than one Indian who has stood in need of it, and, in certain pressing circumstances, even lent them money. In some of these cases the Indians have made good the loan (never amounting to more than $10) by an order, usually adding a voluntary contribution for the school. Certain parties misrepresented this to the Government, and, as a result, no orders were allowed for nearly two years.

They called it "graft," because they said the Indians gave us more than we gave; it was paying us a commission on what we gave him. They called it "graft." I said I didn't think it was any of their business. I know that in the case of John Robin, where there was a funeral, I am sure he needed the money as badly as anybody could need it. This other Indian, her husband, was more white than Indian and her child was sick, and we gave her the money and we never expected to get any of it back. After she was well she came and gave us an order and we accepted the order, and when her husband returned she told him and he went to Norbert Sero, and we were not on very good terms with Norbert, so he put it down for us.

Senator LA FOLLETTE. That is, reported it to the department?

Sister MARGARET. Yes; that we were grafting. Since then Father Ketcham came up here and we get the orders now, but they are always cut down.

Senator LA FOLLETTE. That is, they aren't paid?

Sister MARGARET. If they give us an order for $100 they give us $50 or $25, usually. There was one case of a girl where she gave us an order for $100. She has been all her lifetime here, and they did not give us all of that.

Senator LA FOLLETTE. You made some statement with respect to Sero's feeling toward you. What was it?

Sister MARGARET. It was anything but kindly.

Senator LA FOLLETTE. Why?

Sister MARGARET. On account of the removal of the children from the school and all this trouble that Bishop Sheiner came here.

STATEMENT OF SISTER KATHERINE.

Sister KATHARINE. Some of the sisters passed their opinion of what they thought of Mr. Sero, and I presume some of the statements went back to him and he felt a little hurt about them—in regard to his personal character. Of course, that was a public matter.

Senator LA FOLLETTE. What is his personal character here, Sister—he is an officer of this agency, and I think it is proper you should state anything you know about it.

Sister KATHARINE. I don't suppose I could tell you anything that you haven't heard now; at least I imagine I could not. We have heard everything that has been said about him, and he has had a poor record all the way through. His downfall began at Mr. Patterson's time, and Mr. Patterson was the most immoral man I ever met. He really insulted me, so I struck him on the face—I stood right up and struck him. He passed some real low remarks about some of the Sisters here.

Senator LA FOLLETTE. Mr. Patterson was the farmer?

Sister KATHARINE. Yes; the previous farmer.

Senator LA FOLLETTE. Was Sero under him?

Sister KATHARINE. Yes; he was a policeman at that time. I think he had trouble as a policeman. He never got along here from the beginning. At the very first he was pretty good, or seemed to be afraid to——

Senator PAGE. Are you in a position here so that his immoralities would come to your private ears from girls about the village?

Sister KATHARINE. Oh, my, yes. In the case of the Ballado girl, at the time of the outbreak of smallpox about six years ago. I would not like to have this go to them if they are here. If they remain in office we will be just tortured. There is no mistake about it. I will take an affidavit at any time, and say that Campbell and Sero are really unfit to rule anybody, especially the Indians.

The CHAIRMAN. What is the trouble with Campbell? You don't claim he is immoral?

Sister KATHARINE. I think if Campbell was as he ought to be he would know what Sero is doing. I went up to Campbell's office and I told him about certain girls that were at no school—the [illegible] left, and I knew they were going to the bad—and he told me [illegible] could not be helped; it was natural. I got right up and went out.

The CHAIRMAN. You don't, or do you, feel that Campbell himself is guilty of immoral conduct?

Sister KATHARINE. I don't know.

The CHAIRMAN. I never heard it suggested. I simply wanted to get your view of it.

Sister KATHARINE. I don't know.

Senator PAGE. Have any reports come to you from the girls that come to you as friends or scholars which in any way implicated Major Campbell as an immoral man?

Sister KATHARINE. No; only—I don't think of but one instance and that was the Ozier woman. She was living up on the farm with her husband, and of course the man was drunk every day, and she came down here, and we heard she was going to get a divorce. Of

course we always work against it, and we had had her since she was a little tot, and I advised her, and I told father about it, and he advised her also. So Campbell had promised her that if she would leave the man he would aid her in any way possible, and I know that he did aid her. No; I don't know if there was anything immoral in that—there must be something back of it.

The CHAIRMAN. Do you think that Campbell himself in his personal conduct is guilty of immorality with these girls. If you do, it is a pretty serious thing. I never heard it intimated about him. I should want you to feel perfectly free to talk with us.

Sister KATHARINE. I don't know. I could not say that. I look at it like this: I think that if all that is going on in town, and he saw—when every other place that he had charge of was taken away from him, why should he have been left to rule this place? He has nothing to say in Cloquet, Lac du Flambeau, and nothing to say in Hayward or in Lac Courte d'Oreilles. This is the only place he has, here and Redcliff.

The CHAIRMAN. He has Lac Courte d'Oreilles. You must understand another thing, that under this Indian situation this reservation, at least in the minds of the Indians, largely was the only reservation to which all could come who could not go anywhere else for land. This was the one where it said that all other Indians residing in Wisconsin could come, and it has thrown a great many characters here to get land who would not go to these other reservations. It has made this the worst reservation in the State on that account.

Sister KATHARINE. How is it, then, that all of these terrible characters were never sent away. When we requested that one or two should be stopped, they would not do it. Whatever laws they had, they did not use them. They think that whisky is the greatest crime in this place. There are lots of worse things than whisky.

The CHAIRMAN. I have just explained why the worst characters among the mixed bloods and Indians would naturally come here if they could not get lands in other reservations. It made this a sort of unloading place for them all.

Senator PAGE. As I understand the Sister, she does not profess to have personal knowledge of these matters, but she draws inferences from what she has heard with reference to them.

Sister KATHARINE. Hasn't Mr. Campbell had a good deal to do with maintaining Mr. Sero in office and keeping him here after he has been convicted?

The CHAIRMAN. Not entirely. Mr. Campbell simply can report to the department at Washington, and there it is said who shall be the farmer here.

Sister KATHARINE. Would the department keep a man like Mr. Sero in office?

The CHAIRMAN. Well, they have kept this man who was with Sero the night they went up to the road house in the service.

Sister KATHARINE. Was he convicted?

The CHAIRMAN. There was no conviction, he admitted it; there was no question about that. The department has kept him in the service. The department must have observed in this way—the department knows of the character of the man from the department, and that takes in this Sero matter. You can not charge it up to Mr. Campbell. But what we want is just whatever you have here; that is all.

Senator PAGE. Have girls at your school come to you—that is, girls you believed to be truthful—come to you and stated that of their personal knowledge Sero had been guilty of improper conduct toward them?

Sister KATHARINE. Yes; the Sawyer girl.

Senator LA FOLLETTE. She came to you and complained about it at the time?

Sister KATHARINE. Yes; and this girl that is working down there in the office now. Of course she finished here and they were short a stenographer, they didn't have any for that matter, and she went down there, and that very evening four people of the town came to me and asked me if I wasn't afraid to leave the girl go there?

Senator LA FOLLETTE. Four women?

Sister KATHARINE. No; good, respectable men, too.

The CHAIRMAN. Do you keep in close touch with that girl?

Sister KATHARINE. Of course she stays here. It is only whenever she is in the office. Of course we instructed her and told her not to leave the office. Of course he is right in the office with her.

The CHAIRMAN. Is she an Indian girl?

Sister KATHARINE. No; she is a white girl. If there was not some truth in this talk, those people would not have come here about it. And I was afraid that we would get implicated in the general talk by having Louise work there.

STATEMENT OF SISTER MARGARET—Continued.

The CHAIRMAN. How old a girl is she?

Sister MARGARET. Twenty.

Senator LA FOLLETTE. Where does she come from?

Sister MARGARET. She has been brought up in the home here.

Senator LA FOLLETTE. A good Catholic girl?

Sister MARGARET. Yes, sir [reading]:

We appealed to Commissioner Valentine on the subject, through the Rev. William H. Ketcham, of Washington, D. C., and the commissioner strongly urged Mr. Campbell to promptly forward applications for orders we might receive in favor of our school. Donations to the school on the part of our Indian people were formerly made quite generously, and it is owing at least to a considerable extent to these that we have been able to keep up repairs and make necessary improvements. For years past we have been using as a laundry the original log school building erected by the Indians over twenty-six years ago. It is becoming dilapidated, and we have realized for some time that every cent spent in repairing it is money thrown away. Last spring we decided to erect a new laundry and asked our Indian people to contribute. They were happy to assist us, in some instances coming of their own accord to offer an order. On May 17 last we took to the farmer's office here orders signed by them to the amount of $385. On July 3 we called again at the farmer's office asking if the applications for these orders had been granted. We learned that requisition for them had never been sent in, and that the orders were still lying there on a shelf. When requisition for them was finally made, Mr. Campbell threw out the orders of minors entirely and cut most of the others down. Antoine Starr, for example, gave an order for $50, only $25 were allowed.

Senator LA FOLLETTE. Was that after the Commissioner of Indian Affairs had instructed him to forward all orders?

Sister MARGARET. Yes. (Reading:)

Gertrude Denomie an order for $100, only $25 were allowed. Lizette Bigboy, $100, only $25 allowed. Willie Roy, $30, only $20 were allowed. Were we to look into the matter closely, we might mention still more examples along this line,

while we have not been informed in a single case why the amount has been cut. In regard to orders presented by us, in every case the giver was a pupil of our school, enjoying the full benefit thereof. On this subject we offer a still more recent case: Philip, James, George, and Robert Gordon, having heard of the loss we suffered in the recent flood, each signed an order for $10 in favor of our school. On receiving their orders, Mr. Campbell wrote them, disapproving their step.

Senator LA FOLLETTE. I will ask you to state right there whether Mr. Campbell has been asked for any explanation of the reduction of these orders, whether he has given any reason for it.

Sister MARGARET. We have not asked him; no. He was cutting them down, not just these particular orders.

Senator LA FOLLETTE. Have you asked him why he cuts down the orders?

Sister MARGARET. Because they were minors or because they did not have very much, or something like that.

Senator LA FOLLETTE. Were they orders on the store?

Sister MARGARET. No.

Senator LA FOLLETTE. They were orders on funds in his care?

Sister MARGARET. Funds to their credit in the banks, money belonging to these children, money that they have to their credit.

Senator LA FOLLETTE. Do you know whether the orders were given by people, either minors or otherwise, who had such funds that they could afford to give such orders?

Sister MARGARET. Yes, we got names; we were advised to get names from the farmer of those that could give.

Senator LA FOLLETTE. That is, you got the amounts that they had to their credit?

Sister MARGARET. Yes; that had money, that we could try to get orders from. Mr. Miles said he was forbidden to let anybody see the list. Mr. Miles said when he received the list he got instructions that it was for the office. He would not let us see the list. He said if we would write down the names he would tell us who could afford to give. He dictated the names to us.

Senator LA FOLLETTE. Of those who could afford to contribute?

Sister MARGARET. Yes. (Reading:)

Philip B. Gordon replied in the name of all, strongly urging Mr. Campbell to secure the payment of these orders, stating that he and his brothers would, if necessary, take affidavits that it was their most earnest wish to give this assistance to our school by way of compensation for the great loss we sustained in the recent disaster. We do not know whether Mr. Campbell has consented to reconsider the matter or not; we do not know that we have not received these donations. These boys, though not living in Odanah at present, did live here until a few years ago, and have all attended our school for a number of years. Philip Gordon received a teacher's certificate at the county examination while attending our school. He was then 16 years of age. After this he attended the Superior Normal (free lodging and board being granted him in Superior by a particular friend of our school, Rev. Walter Fardy) for one year. The next year he clerked in Odanah (the company store). After this he attended St. Thomas's College at least three years, from whence he was graduated. Last year he was a student of the St. Paul Seminary. It is plain from these facts that Philip B. Gordon is not a minor, and we do not know on what grounds Mr. Campbell refuses to recommend his requisition.

The boy is 23 years old next March.

Sister KATHARINE. And he has gone to Rome to finish his studies.

Senator LA FOLLETTE. Do you know how much he has to his credit?

Sister MARGARET. I don't know; but he has a credit, because his

guardians are very saving. That is the same man that Campbell charged him $1,474 interest on his own money. (Reading:)

On the question of minors contributing to the support of our school by way of an occasional donation, we wish to say that Indian children—"minors," as they are termed when there is a question of contributing to our school—are allowed to expend large amounts for attending school elsewhere, while an education equally as good would be given them here gratis. Only a short time since a requisition to expend $300 for board at Ashland was granted Rose A. Denomie. This girl has not even finished the fifth grade of our school, and the folly of her expending money to attend school in Ashland is evident. Besides she is just at the age when the greatest care and vigilance on the part of instructors and guardians is necessary, and there is every reason to fear that she will form loose habits and companionships detrimental to her character. We are not urging "compulsory education" in behalf of our school, but we do maintain:

If minors may spend their money thus needlessly, they should also be allowed to contribute to an "educational purpose" by no means inferior to any that may be met with outside—we mean our school.

Senator LA FOLLETTE. How does your first grade here compare with the first grade of the high school, for instance?

Sister MARGARET. Our highest grade is about equal to the first year of the high school.

Senator LA FOLLETTE. And this girl was in the fifth grade of your school here?

Sister MARGARET. Yes, sir; and I think she was poor, at that.

Senator LA FOLLETTE. How?

Sister MARGARET. A poor scholar, at that.

Senator LA FOLLETTE. Do you know why she was?

Sister MARGARET. Well, she was irregular; her mother had been sick, or at least was supposed to have been sick. They lived on a farm and left the farm. The girl is just at the age when she likes to shine. She will go up to Ashland, and the first thing you know she will be gone to the bad entirely. She will dress to kill.

Sister KATHARINE. Everything that they want that they can get from the Stearns Lumber Company, they will give them.

Sister MARGARET (reading):

We have 15 sisters here straining every nerve, using their utmost endeavors to promote the true interest of the Indian in general and that of the Indian youth in particular. Two of these 15 receive a compensation for their services from the Government. Many of them were engaged here when the government contracts were withdrawn and might have been covered into the classified service. Why not do this now, since having labored so many years gratuitously they are all the more deserving of remuneration now? The enrollment of pupils at any one period in the day school is rarely less than 100 and usually runs over that number, an enrollment of 110 being the rule rather than the exception, while the attendance at times even rises to 120. (The total enrollment during the entire year is, of course, greater.) In some schools (we speak from actual experience) where they have an enrollment of only 30 pupils a teacher and an assistant teacher are employed. Here, where we have four times as many pupils, the services of only two teachers is regularly compensated by the Government. Again, in other places the Government has to provide a building, necessary furniture, and we know of places where it has even furnished a cow; here it does not furnish even sufficient fuel.

The CHAIRMAN. Do you mean schools similar to this where they are allowed these things?

Sister MARGARET. At Cloquet, for example, they have a day school there where they have enrolled 30 pupils, and I think the actual attendance never reaches that. There the Government dug a well and bought the lot that the hospital is situated on. We had to dig our well ourselves. We think that they might do a little more.

The CHAIRMAN. I didn't know that they did anything.

Sister MARGARET. Yes; they paid for 2 out of the 15.

We are allowed only 10 cords of wood, and there are few days from September until the end of June when a fire is not necessary, at least in the morning. Last year we burned 300 cords of wood and 150 tons of coal. The Indian children, 225 or more in number, got the full benefit of this. Place the fuel bill for 300 cords of wood, 150 tons of coal side by side with 10 cords of wood, and what the Government is doing for the education of the Indian youth here will be very apparent.

On the next page is simply a summary of what I have read.

Senator BROWN. Just give it to the reporter.

The CHAIRMAN. Then we will have it all printed together in our record of the testimony. If you have anything to add to what you have given us, it may be taken down, but I should not think it would be necessary to go over these things again.

(A summary of the foregoing pages is, in brief, as follows:)

1. That contributions freely given by the Indian people, for the benefit of our school, be allowed in the measure specified by them.

2. If a requisition be justly denied, that the order be returned to us and that the reason for refusing the same be plainly stated.

3. That "minors" be allowed to contribute to the support of our school by an occasional voluntary donation, since they enjoy the full benefit thereof. We can, if need be, furnish proof of cases where minors have been allowed to expend their money for purposes other than "educational."

4. That two more of the regular class-room teachers be allowed a regular salary and that another be appointed field matron. She has filled the position perfectly for years, except as to salary. This would leave 5 out of 15 competent sisters receiving a regular salary, the remaining 10 would still be rendering their invaluable services gratuitously.

5. If the Government is not willing to compensate 5 out of the 15 sisters engaged here for years, and year after year, in the education of over 225 Indian children, then we claim exemption from official reports concerning the boarding school proper, also from field matron reports concerning visits to the homes, existing conditions there, and particularly from reporting on the number of tons of hay raised by every Indian, number of cattle, horses, etc., owned by him. This last matter we consider a part of the government farmer's work, not that of a day school-teacher's. How do they expect us to secure accurate information concerning farms 10 or 20 miles distant, when such data can not be obtained at the farmer's office? The time our sisters spend in making out such reports might, from many points of view, be much more profitably employed, particularly as regards their service to the school in general.

6. That we be furnished at least one-half of the fuel necessary for the school, particularly this year, since we have lost our entire hay crop and suffered other heavy losses by the recent flood. The amount of fuel used by the school last year was 300 cords of wood and 150 tons of coal. The amount furnished by the Government was only 10 cords of wood.

7. That some measures be taken for the erection of a substantial dike for the protection of the school and the town in general, thus improving the sanitary conditions. Last spring we were told by an old lumberman that the river was jammed with logs for 30 miles to such an extent that it was thought the high water would not reach Odanah at all, but it did, and the town was practically under water for two weeks. (We are not referring to the great flood, which occurred here on July 21, and which may be attributed to other causes.)

8. That contributions made by minors to the school, the orders for which were placed in the hands of the government farmer here on May 17 last, be granted. The orders were as follows:

Lucy Pero	$10
Clara Pero	10
Jerry Pero	10
Gabriel Forcia	100
Rose A. Denomie	50
Frank Denomie	25

Sister MARGARET. A great many minors we have named here gave us orders last May, and the 17th of May we brought them to the farmer's office. The names are given here and the amounts that they contributed.

Senator BROWN. Are the parents of those minors alive?

Sister MARGARET. Yes.

Senator BROWN. And the orders were given by the children?

Sister MARGARET. Yes; but the parents consented to the orders, or the guardians consented to the orders.

The CHAIRMAN. Is there any other school here except yours?

Sister MARGARET. Two public schools here—one on the corner here and one across the river.

The CHAIRMAN. Supported by taxation?

Sister MARGARET. Yes, sir; of the town of Sanborn.

The CHAIRMAN. There are no Indian schools here?

Sister MARGARET. No, sir. These schools here, as far as the Indian children's attendance goes, it is really a detriment to them. We had a boy 16 years old at the school, and he came to my room with the boys of his own size, came to the public school, and he did not belong actually in the second grade. I tried to keep him along with the other children at school, but you could not hear a word that he read. He held the book up to his face, and he would go ahead and mumble something. He told us that he had been attending school from the time that he was six years of age.

Senator PAGE. Do you have any scholars except Indians?

Sister MARGARET. Yes; we have some white children from town, quite a few.

Senator LA FOLLETTE. Is that all that you think of that you want to say, Sister?

Sister MARGARET. I think so. We have here another point in regard to agents from other schools coming here. That was practically stopped by the Government about two years ago. Until that time they used to come every year from the different schools, and one year we had 87 pupils taken away by these agents. Of course we were indignant, just as indignant as we could be. We had our building here and our service here for them, and they came and got the pupils. We have a statement of that here in the record.

The CHAIRMAN. That will be in the statement.

Senator LA FOLLETTE. We take all of this testimony, and it is all to be printed. There are only four members of the committee here, and we are taking the testimony for the information of the entire committee, so that we will go over all of this again when we come together, and it will then be in printed form, so we can take it up and consider it.

Sister MARGARET. Perhaps I might read this in:

9. That though we understand that superintendents and employees of nonreservation schools are forbidden to go about soliciting pupils for these schools, Mr. Light, of Hayward, comes here every year. We have seen him driving about the town and know that he called at Indian homes for the purpose of securing pupils for his school. Mr. Pierce, of Flandreau, was also here this year. In addition to this, Mr. Light had agents here working in his interest to secure pupils for him. If this be tolerated, Odanah will again be what it was of yore, "a hunting ground," where each of the nonreservation schools tried by foul or fair means to secure the largest number of pupils. Agents from Nebraska, Kansas, Chilocco, Tomah, Flandreau, Hayward, in short, from

for and near, came here, and children not even 10 years of age, living only three doors from the school, were persuaded to go way down to Chilocco; even now there is a girl from town down there and another in California. The boys, however, find their way, and we do not blame them. If our influence is not strong enough to keep a pupil in school here, we are willing to have him or her transferred elsewhere; also for the purpose of securing a pupil or pupils special advantages which may be obtained elsewhere; but we strongly protest against outside schools soliciting here, either directly by their agents or indirectly through parties here induced by them to take up such work in behalf of such schools.

In fact, there is so much good work to be done for the Indian youth without interfering with the rights of well-established schools that we can not understand why those who have not enough to do at home do not look up something of this kind. Every year we bring in a number of Indian children who have never come under any educational influences and who have been allowed to reach the age of 14 or 15 without being able to speak a word of English. This year we paid $6 for a rig and drove 70 miles in one day to reach Indian children of this class. We found them in the rice beds, boys and girls of 14 and 15 who had never seen the inside of a school room and who did not know what it meant to be called by a Christian name. Some of the men could speak a little English, and when asked the name of a 14-year-old child would give the family name. When questioned as to his first or Christian name they would say, "He has no other name, yet."

(Thereupon, the committee adjourned to council hall.)

ODANAH, WIS., *September 25, 1909.*

(The committee reconvened at the council hall at 2.30 o'clock p. m.)

STATEMENT OF CHARLES D. ARMSTRONG—Continued.

Mr. ARMSTRONG. I desire to present here the proceedings of a special council that was held.

BAD RIVER RESERVATION,
Odanah, Wis., September 16, 1909.

Proceedings of a council held at the council house, Odanah, Wis., on Thursday, September 16, at 8 p. m., for the purpose of selecting a committee to formulate a plan of adjustment of the affairs of the Bad River band for the United States Senate investigating committee that is to come to the reservation for the purpose of making an investigation of the affairs of the Indians thereon:

Sam. F. Denomie called the council to order and stated the object of the meeting.

Charles D. Armstrong was then nominated to be the chairman of the council, and his selection was made by unanimous assent.

William Denomie was then nominated to be the secretary of the meeting, and his selection was also made by unanimous assent.

The chairman then stated that the nominations of members of the committee to be selected were now in order.

Motion was then made and carried to give the chairman authority to fix the number that will make up said committee.

The chair then states that he hereby fixes the number of members that shall be in said committee to be seven members.

Henry Condecon was then named to be one of the members of the said committee, and his selection was made unanimous by the council.

Charles D. Armstrong was then named to be one of the members of said committee, and his selection was made by the unanimous assent of the council.

Motion made and carried naming Sam. E. Denomie to be one of the members of said committee, and his selection was made by unanimous assent.

Motion was then made and carried that Henry H. Holliday be one of the members of said committee, and his selection was made by unanimous assent.

Motion was then made and carried that Edward Bachand be one of the members of said committee, and his selection was made by unanimous assent.

Motion was then made and carried that Joseph Stoddard be one of the members of said committee, and his selection was made by unanimous assent.

Motion was then made and carried that David Blackbird be one of the members of said committee, and his selection was made by unanimous assent.

The committee named and selected is therefore composed of the following members: Henry Condecon, Charles D. Armstrong, Sam. F. Denomie, Henry E. Holliday, Edward Bachand, Joseph Stoddard, David Blackbird.

Motion was then made and carried that Frank Gish-Kak act as messenger for said committee, and his selection was made by unanimous assent.

There being no further business before the council, a motion was then made and carried to adjourn, and the council adjourned.

C. D. ARMSTRONG, *Chairman.*
WM. DENOMIE, *Secretary.*

To the honorable CHAIRMAN AND MEMBERS OF THE
UNITED STATES SENATE INVESTIGATING COMMITTEE OF INDIAN AFFAIRS:

We herewith most respectfully submit and beg a favorable consideration of the plan hereinafter mentioned toward remedying conditions herein cited and made possible under the present system.

In the year 1893, prior to the establishment of a sawmill on the La Pointe or Bad River Reservation, Justus S. Stearns, in a meeting with the band of Indians residing on the said reservation for the purpose of securing their assent to the locating of a sawmill thereon, among other things made the following proposition and promises:

That he would pay for classes of timber then made:

"Shingle timber, sixty-five (65) cents per thousand; merchantable dead pine, two (2) dollars per thousand; merchantable green pine, four (4) dollars per thousand; green Norway pine, two (2) dollars per thousand; Green or sound hemlock, one (1) dollar per thousand; merchantable basswood, two (2) dollars per thousand; merchantable elm, two (2) dollars per thousand; merchantable maple, two (2) dollars per thousand; merchantable birch, two (2) dollars per thousand; merchantable oak, four (4) dollars per thousand.

That shingle timber would be such as the butts and tops of trees not formerly considered merchantable, and the 'breaks' in falling of the timber in lengths of two feet and upwards. That in the employment of our labor he would pay cash for all his hire."

In 1894 the sawmill of the J. S. Stearns Lumber Company was established on said reservation, under rules approved by the President, December 6, 1893.

Notwithstanding paragraph 5, marked "Exhibit A," of said rules, green and growing timber was cut and removed from unallotted lands of the reservation, wherein paragraph 8 of said rules provides that the farmer in charge of the reservation shall supervise the logging on the reservation to the end that no injustice is done the Indian, and that the then farmer being in part incompetent to perform said duties, the band then saw fit to appoint a sealer to look after its interests in said supervision, thus creating the office known as government sealer.

Mr. R. T. O'Gara was the last recognized appointee of the band, and was dismissed by the United States Indian agent for no cause known to the band.

Beginning with the year 1897, a committee was appointed by the United States Indian agent, the same being chiefs and other members of the band, for the purpose of condemning timber of which it was said fire had run therein. The proceeds from such timber cut was said to become a part of the tribal fund, of which the band, on request of the United States Indian agent, has never been rendered a statement of expenditure.

The United States Indian agent privileged the exchange of the allotment of persons deceased ten years. In the matter of the sealing of our timber, the selection of the sealers as provided by our contracts under the rules and regulations aforementioned is violated, both by the United States Indian agent and the party of the second part. Said contract provides that "a sum equal to 5 per cent of the contract price of said timber, computed upon an estimate to be made by some competent estimator and to be agreed upon between the said party and the United States Indian agent, said 5 per cent to be paid annually, beginning one year from date thereof, until such timber is cut and removed."

Said estimate was in many cases less than one-half the actual amount of timber thereon, and so much of the 5 per cent in excess of $120 per year is not paid, and to our knowledge it bears no interest.

Coupons issued by J. S. Stearns Lumber Company in payment for labor, and also for timber sold under contract by allottees of said band, have been in

use for the past ten years. Checks issued for monthly allowances by the United States Indian agent are transmitted to the farmer in charge of the reservation, and by him, in most cases, turned over to J. S. Stearns Lumber Company or its representatives, instead of being turned over to the Indian owner.

Funds derived from the sale of timber was held and paid to the allottee in the check of the United States Indian agent in $5 and $10 per month until 1900, when the form was changed to that of a check of the Indian owner.

Paragraph 6 (marked "Exhibit A") of the rules as before referred to, is as follows:

"One-half of the cost of scaling shall be paid by said Justus S. Stearns, and the other half shall be paid from the proceeds of the sale of timber."

The contract annexed thereto (marked "Exhibit A") also contains:

"It is hereby understood and agreed that the cost of scaling shall be equally divided between the parties of the first and second part."

The individual statement (marked "Exhibit B") of account with the United States Indian agent, shows that the allottee is charged for the scaling of timber at the rate of 50 cents per thousand feet, computing the actual cost of scaling timber is thus shown that the charge is 25 cents in excess of the cost thereof, chargeable to the allottee.

The sale of timber on 388 allotments, made in January, 1902, for less than market value, was approved by the United States Indian agent, as shown by contract (marked "Exhibit A"), for said timber, and modification, thereto attached. The increase in the price of our timber, as shown in the said modification, is a conclusive proof that the life of our contracts should not exceed a period of five years.

Our timber should be conserved by limiting the amount cut per annum to the end that said timber be made to last fifty years or more instead of exhausting it within the next ten years.

There is approximately 600,000,000 feet of timber left on our reservation. This will furnish market for a mill of 60,000 daily capacity, operated six months annually for a period of sixty years. Said mill will employ about 200 men in summer, and the logging operations will employ about 300 men in winter.

Therefore taking into consideration the whole subject matter here treated, it would best conserve our common interests if the logging and manufacturing of our reservation be given over to us under proper supervision. It is needless to say that this plan would be a source of education to our posterity and of the benefit that would accrue to us in the advancement of the price of the timber, and without making any further claims, other than to say that we could take over such work under proper supervision.

We herewith submit a copy, in part, of the third annual report of the United States Indian agent, M. A. Leahy, La Pointe agency, Ashland, Wis., dated September 10, 1891. (Marked "Exhibit C.")

EDWARD BACKAND,
By WM. DENOMIE, proxy.
HENRY CONDECON.
HENRY E. HOLLIDAY.
SAM F. DENOMIE.
C. D. ARMSTRONG.
JOSEPH STODDARD.
DAVID BLACKBIRD.

EXHIBIT A.

CONTRACT BETWEEN MAGGIE J. DENOMIE, BAD RIVER INDIAN, AND JUSTUS S. STEARNS.

This agreement, made and entered into at the La Pointe Agency, Wisconsin, this thirty-first day of January, 1902, between Maggie J. Denomie, an Indian of the Bad River Reservation, party of the first part, and Justus S. Stearns, of Ludington, Michigan, party of the second part—

Witnesseth, That the said party of the first part agrees to sell to the party of the second part, under rules and regulations approved by the President of the United States, December 6, 1893, which are hereto attached and made a part of this contract, the merchantable timber of the kinds hereinafter specified, standing or fallen, on the said Bad River Reservation, within the following described limits, viz: SW. ¼ of NE. ¼ and SE ¼ of NW. ¼ of section 10, town. 46, range 3 W., the same being lands which have been allotted and conveyed by

patent from the United States to the party of the first part under the provisions of the treaty of September 30, 1854.

The party of the second part agrees to cut and remove the said timber within the above-described limits, and agrees to employ Indian labor in the cutting and removal of said timber, in preference to other labor on equal terms, whenever suitable Indian labor can be obtained.

For value received and in consideration of the approval by the Commissioner of Indian Affairs, as hereby modified, of the annexed original contract between Maggie Denomie, an Indian of the Bad River Reservation, party of the first part, and Justus S. Stearns, party of the second part; the undersigned, said Justus S. Stearns, hereby agrees to pay to the U. S. Indian agent at the La Pointe Indian Agency, in trust for said party of the first part for all timber cut on the lands therein described, the following rates, viz:

	Per thousand.
All merchantable white pine	$8.00
All merchantable Norway	8.00
All merchantable hemlock	1.50
All merchantable elm	2.00
All merchantable bass	4.00
All merchantable birch	3.50
All merchantable oak	6.00
All merchantable maple	3.00

These prices to cover all the merchantable timber on the land, whether green, dead, down, or burnt, existing in each and every log of the different varieties named.

And said Justus S. Stearns hereby ratifies and adopts said original contract as hereby modified and agrees that the same shall in every particular and in all its terms be binding and in force against him, with the modification as to the schedule of prices by this supplemental agreement fixed and determined.

JUSTUS S. STEARNS. [SEAL.]

In presence of:
T. W. SPENCE,
W. I. EASTER.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
May 25, 1903.

The within contract is hereby approved, subject to the regulations approved by the President, December 29, 1902, as herein modified.

A. C. TONNER, *Acting Commissioner.*

And, further, said party of the second part also agrees to pay to said Indian agent as aforesaid the sum of fifty dollars on the signing and delivery of this contract, and after its approval by the Commissioner of Indian Affairs, and to pay annually, beginning one year from date of this contract, until such timber is cut and removed from said land, a sum equal to five per centum of the contract price of said timber upon an estimate to be made by some competent estimator to be agreed upon between said second parties and the Indian agent of such agency, such payments to apply on such purchase price and to be deducted from the price of the timber when cut and removed as aforesaid.

It is hereby understood and agreed that the cost of scaling shall be equally divided between the parties of the first and second part.

It is further agreed that said timber shall be cut and removed from said land as soon as practicable after the date of this contract, reference being had to other similar contracts held or to be held by said second party, and to the condition of the timber on said described tract so that no depreciation in value or waste may accrue to said first party by delay in cutting, provided that the terms of this contract shall not extend beyond the period of fifteen years from the date hereof.

It is further understood and agreed by the party of the second part that this agreement is void and of no effect unless approved by the Commissioner of Indian Affairs.

That the party of the second part is firmly bound for the faithful compliance with the stipulations of this contract by and under the bonds made and executed

by Justus S. Stearns, as principal, and The City Trust, Safe Deposit and Surety Company, of Philadelphia, as surety, entered into the 2d day of January, 1895, and now on file in the office of the Commissioner of Indian Affairs.

MAGGIE J. DENOMIE (her x mark). [SEAL.]
Party of the First Part.
JUSTUS S. STEARNS. [SEAL.]

In presence of:
SAM F. DENOMIE,
R. U. BAUGHMAN.

Rules and regulations approved by the President December 6, 1895, under which the preceding certificate is made.

1. The Indians of the La Pointe (or Bad River) Reservation, in the State of Wisconsin, to whom allotments have been made and patents therefor issued, as shown by a schedule hereto appended, are hereby authorized to sell on stumpage all the timber standing or fallen on their respective allotments to Justus S. Stearns, of Ludington, Michigan, under the supervision of the United States Indian agent for the La Pointe Agency; provided, that said Justus S. Stearns shall establish a mill on the reservation for the manufacture of said timber into lumber and shingles, and shall give bond in a sufficient sum, to be fixed by the Commissioner of Indian Affairs, subject to the approval of the Secretary of the Interior, conditioned for the faithful observance of all the laws of the United States now in force, or that may hereafter be enacted, relative to trade and intercourse with the Indians and the regulations prescribed or that may be prescribed thereunder; for the purchase of the timber from such of the Indian allottees as desired to sell the same and will enter into contract therefor, at not less than the following prices per thousand feet, viz:

Single timber, sixty-five (65) cents per thousand.
Merchantable dead pine, two (2) dollars per thousand.
Merchantable green white pine, four (4) dollars per thousand.
Green Norway pine, two (2) dollars per thousand.
Green or sound hemlock, one (1) per thousand.
Merchantable basswood, two (2) dollars per thousand.
Merchantable elm, two (2) dollars per thousand.
Merchantable maple, two (2) dollars per thousand.
Merchantable birch, two (2) dollars per thousand.
Merchantable oak, four (4) dollars per thousand.

2. Before any timber shall be cut under the foregoing authority from any allotted tract, a contract shall be entered into between the said Justus S. Stearns and the Indian to whom such allotted tract has been patented, in such form as shall be prescribed by the Commissioner of Indian Affairs, which contract, however, shall not be of force until the Commissioner of Indian Affairs shall have endorsed his approval thereon, which approval shall operate as specific consent of the Executive to the sale of the timber to which the contract relates.

3. The Indian agent for the La Pointe Agency, Wisconsin, shall see that the said Justus S. Stearns shall employ Indians in the cutting, moving, and manufacturing of timber when practicable, on the same terms as other labor, and said Justus S. Stearns shall agree to employ Indians who may be willing to work in doing the logging authorized hereby.

4. The Indian agent shall be authorized for and on behalf of the Indians of the La Pointe (or Bad River) Reservation to enter into contracts from time to time with said Justus S. Stearns for the sale on stumpage of the dead and down timber on the allotted lands of said reservation, which contract shall specify by legal subdivisions the portion of the reservation authorized to be cut over thereunder, and shall be approved by the Commissioner of Indian Affairs in like manner as is provided for the approval of the contracts of individual Indians for the sale of timber on the allotted lands; but no contract made in pursuance of this regulation shall be construed as authorizing the sale or removal of any timber heretofore cut under any authority or pretended authority of any contract, where such timber is in litigation in any of the courts or before any of the executive departments.

5. No green or growing timber shall be cut or removed from the unallotted lands of the reservation, and any violation of this provision by said Justus S. Stearns will subject him to liability to prosecution and punishment under sec-

tion 5388 of the Revised Statutes as amended by act of June 4, 1888 (25 Stats., 166), as well as forcible removal from the reservation, and suit on his bond, and shall work also as a forfeiture of all contracts for timber on the reservation and all rights under such contracts.

6. One-half of the cost of scaling shall be paid by said Justus S. Stearns, and the other half shall be paid from the proceeds of the sale of the timber.

7. After deducting one-half of the cost of the scaling and other necessary expenses chargeable against the same, the proceeds of timber sold from the unallotted portions of the reservation shall be paid to the Indian agent, to be expended for the relief and benefit of the Indians of the reservation under the direction of the Commissioner of Indian Affairs, and the proceeds of timber taken from the allotted lands of the reservation shall, after the deductions above stated, be deposited in some national bank subject to check of the Indian owner of the allotment, countersigned by the Indian agent of the La Pointe Agency, unless otherwise stipulated in contracts with particular Indians.

8. The farmer in charge of the reservation shall, under the direction of the agent, be required to supervise the logging on the reservation under these regulations, to the end that no injustice is done the Indians, and no green or growing timber is cut and removed except in accordance with these regulations, and all moneys for stumpage shall be paid to him or the agent, in trust for the Indians or Indian owner, to be by him deposited or accounted for according to the foregoing regulations, unless otherwise stipulated in the contract with such Indian owner.

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, and description of the allotment of each.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
1	John Bernier	N. ½ SW. ¼	8	47	1	80
2	Edward Bernier	S. ½ SW. ¼	8	47	1	80
3	Cecilia M. Chingway	N. ½ NE. ¼	9	47	1	80
4	George A. Houle	Lot 2, sec. 12, T. 46, R. 3, and SW. ¼ NE. ¼.	9	47	1	76.70
5	Lizette Bigboy	NE. ¼ SE. ¼ sec. 34, T. 46, R. 3, and SE. ¼ NE. ¼.	9	47	1	80
6	Lucy C. Bell	N. ½ NW. ¼	9	47	1	80
7	John M. White	S. ½ NW. ¼	9	47	1	80
8	Nora G. Moder	NE. ¼ NW. ¼ sec. 2, T. 47, R. 2, and NE. ¼ SW. ¼.	9	47	1	76.06
9	Mamie G. Moder	SE. ¼ NE. ¼ sec. 25, T. 47, R. 3, and NW. ¼ SW. ¼.	9	47	1	80
10	Frank G. Moder	SE. ¼ SE. ¼ sec. 10, T. 47, R. 2, and SW. ¼ SW. ¼.	9	47	1	80
11	Albert G. Moder	SW. ¼ SE. ¼ sec. 10, T. 47, R. 2, and SE. ¼ SW. ¼.	9	47	1	80
12	George G. Moder	NW. ¼ SE. ¼ sec. 31, T. 46, R. 2, and NE. ¼ SE. ¼.	9	47	1	80
13	Nellie G. Moder	Lot 4, sec. 4, T. 46, R. 2, and NW. ¼ SE. ¼.	9	47	1	35.29
14	Edward E. Gordon	S. ½ SE. ¼	9	47	1	80
15	Emily Ba-ma-sa	N. ½ NE. ¼	17	47	1	80
16	Charles Mamypenny, jr	NW. ¼ SE. ¼ sec. 6, T. 47, R. 3, and SW. ¼ NE. ¼.	17	47	1	80
17	Joseph Me-ka-day-we-ko-na-ja.	E. ½ NW. ¼	17	47	1	80
18	Joseph Bernier	W. ½ SW. ¼	17	47	1	80
19	Frances Dakota	N. ½ SW. ¼	1	46	2	80
20	Josephine Baker	NW. ¼ NW. ¼ sec. 26, T. 47, R. 2, and SE. ¼ SW. ¼.	1	46	2	80
21	Sophia Smart	NW. ¼ NE. ¼ sec. 24, T. 47, R. 2, and SW. ¼ SW. ¼.	1	46	2	80
22	Theresa Current	S. ½ NE. ¼	2	46	2	80
23	Sophia LaPointe	SW. ¼ SW. ¼ sec. 28, T. 46, R. 2, and NE. ¼ SE. ¼.	2	46	2	80
24	Maggie Hoskins	SE. ¼ SE. ¼ sec. 26, T. 47, R. 2, and NW. ¼ SE. ¼.	2	46	2	80
25	Monon Cloud	S. ½ SE. ¼	2	46	2	80
26	O-ga-ma-kwe Scott	E. ½ SW. ¼	2	46	2	80
27	Alex Dennis	S. ½ NE. ¼	3	46	2	80
28	Edward Dennis	S. ½ NW. ¼	3	46	2	80
29	Margaret Axiwense	N. ½ SE. ¼	3	46	2	80
30	Mary Twobirds	N. ½ SW. ¼	3	46	2	80
31	Elizabeth Denomie	NE. ¼ SW. ¼ sec. 4, T. 46, R. 2, and SE. ¼ NW. ¼.	4	46	2	80

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, etc.—Continued.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
32	George W. Couture	SE. ¼ NE. ¼ sec. 27, T. 48, R. 3, and SW. ¼ NW. ¼.	4	46	2	80
33	Louisa Roundwind	NE. ¼ SE. ¼ sec. 4, T. 46, R. 2, and SE. ¼ SW. ¼.	4	46	2	80
34	Emma Armstrong	SW. ¼ SE. ¼ sec. 26, T. 47, R. 2, and lot 2.	6	46	2	84.32
35	Charles D. Armstrong, jr.	SE. ¼ NE. ¼ sec. 25, T. 47, R. 2, and NW. ¼ SE. ¼.	6	46	2	80
36	Maggie G. Smart	NE. ¼ NW. ¼ sec. 6, T. 46, R. 2, and SE. ¼ SE. ¼.	6	46	2	80
37	Benjamin Armstrong, jr.	E. ½ SW. ¼	6	46	2	80
38	Charlotte Messenger	W. ½ SW. ¼	6	46	2	80
39	Stephen James	Lots 3 and 4	6	46	2	91.67
40	Nancy Rabideaux	E. ½ SE. ¼	6	46	2	80
41	Lucy Connors	NE. ¼ SW. ¼ sec. 28, T. 48, R. 2, and NW. ¼ NE. ¼.	7	46	2	80
42	Edward McCarty Haskins	NE. ¼ NW. ¼ and SE. ¼ NE. ¼	7	46	2	80
43	Cecilia Denomie	Lot 2, and SW. ¼ NE. ¼	7	46	2	81.93
44	Betsy Cloud	NE. ¼ SE. ¼ sec. 20, T. 46, R. 2, and lot 1	7	46	2	80.66
45	Clara Mayotte	SE. ¼ SE. ¼ sec. 5, T. 47, R. 2, and SE. ¼ NW. ¼.	7	46	2	80
46	John Sky, jr.	SW. ¼ NW. ¼ sec. 36, T. 47, R. 2, and SE. ¼ SW. ¼.	7	46	2	80
47	Charlotte G. Rabideaux	NW. ¼ NW. ¼ and SW. ¼ NE. ¼	8	46	2	80
48	Joseph B. Doolittle	S. ½ SW. ¼	8	46	2	80
49	Mary G. Denomie	NE. ¼ NW. ¼ and NW. ¼ NE. ¼	9	46	2	80
50	O-mash-ka-wa-si-no-kwe Denomie.	NE. ¼ SE. ¼ and SE. ¼ NE. ¼	9	46	2	80
51	Josephine Pero	SE. ¼ NW. ¼ and SW. ¼ NE. ¼	9	46	2	80
52	Mary Na-taw-wash	W. ½ NW. ¼	9	46	2	80
53	Na-wa-gi-ji-go-ke Na-wi-sens.	NE. ¼ NE. ¼ sec. 11 and NW. ¼ SE. ¼	9	46	2	80
54	Frank S. Doolittle	N. ½ SW. ¼	9	46	2	80
55	Ellen Connors	S. ½ NE. ¼	10	46	2	80
56	Sam D. Denomie	NW. ¼ NW. ¼ sec. 15, T. 46, R. 2, and NE. ¼ NW. ¼.	10	46	2	80
57	Edward Armstrong	NW. ¼ SW. ¼ and SW. ¼ NW. ¼	10	46	2	80
58	Charley Da-daw-ko-se-day	S. ½ SE. ¼	10	46	2	80
59	Hannah Green	S. ½ SW. ¼	10	46	2	80
60	Charles A. Bressette	SE. ¼ NW. ¼ and NW. ¼ NE. ¼	11	46	2	80
61	George M. White	NW. ¼ SE. ¼ and NE. ¼ SW. ¼	11	46	2	80
62	Alice A. Couture	W. ½ SW. ¼	11	46	2	80
63	Me-sha-kwa-si-no-kwe Kebec	N. ½ NE. ¼	12	46	2	80
64	Angeline Blackbird	S. ½ NE. ¼	12	46	2	80
65	Josette Smart	N. ½ NW. ¼	12	46	2	80
66	Cecilia Crow	S. ½ NW. ¼	12	46	2	80
67	Nancy Gordon	N. ½ SE. ¼	12	46	2	80
68	Joseph A. Kebec	N. ½ SW. ¼	12	46	2	80
69	Katie M. Crow	S. ½ SW. ¼	12	46	2	80
70	Bennie Dennis	N. ½ NW. ¼	13	46	2	80
71	Stella Dennis	S. ½ NW. ¼	13	46	2	80
72	Willie Baker	SE. ¼ NW. ¼ and SW. ¼ NE. ¼	26	46	2	80
73	Susan Gordon	NE. ¼ SW. ¼ and SW. ¼ NE. ¼	31	46	2	80
74	Julia C. Gordon	NE. ¼ NW. ¼ and lot 1	31	46	2	83.96
75	Philip B. Gordon	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	31	46	2	80
76	Francis H. Beauregard	SE. ¼ NE. ¼ sec. 2, T. 47, R. 2, and NW. ¼ NE. ¼.	36	46	2	80
77	Joseph H. Beauregard	SW. ¼ NW. ¼ sec. 36, T. 47, R. 2, and SE. ¼ NE. ¼.	36	46	2	80
78	Rosie H. Beauregard	SW. ¼ NE. ¼ sec. 36, T. 47, R. 2, and SW. ¼ NE. ¼.	36	46	2	80
79	John H. Beauregard	NW. ¼ NW. ¼ sec. 36, T. 47, R. 2, and NE. ¼ NW. ¼.	36	46	2	80
80	George H. Beauregard	SW. ¼ NW. ¼ sec. 2, T. 47, R. 2, and NE. ¼ SE. ¼.	36	46	2	80
81	Pe-shi-gi-jig James	NE. ¼ NW. ¼ sec. 6 and SW. ¼ NE. ¼	1	47	2	75.36
82	James Bonge	NE. ¼ NE. ¼ sec. 10 and NE. ¼ NE. ¼	2	47	2	78.13
83	Edward M. Morrison	NW. ¼ SE. ¼ and SW. ¼ NE. ¼	2	47	2	80
84	W. L. Hoskins	NE. ¼ SW. ¼ and SE. ¼ NW. ¼	2	47	2	80
85	Charles R. Hoskins	NE. ¼ NE. ¼ sec. 3 and SE. ¼ SW. ¼	2	47	2	78.74
86	Susan Morris	W. ½ SW. ¼	2	47	2	80
87	Henry O. Denomie	S. ½ NE. ¼	3	47	2	80
88	Eliza Morrison	S. ½ SE. ¼	3	47	2	80
89	John A. Stoddard	E. ½ SW. ¼	3	47	2	80
90	William Neveaux, jr.	NE. ¼ SE. ¼ and SW. ¼ NW. ¼	5	47	2	80
91	John M. Ma-de-gan	NW. ¼ SE. ¼ sec. 35, T. 48, R. 2, and NE. ¼ SW. ¼.	5	47	2	80
92	Henry Twobirds	NE. ¼ NW. ¼ sec. 15 and NW. ¼ SW.	5	47	2	80
93	Margaret Be-mosay	NE. ¼ SW. ¼ sec. 11 and SE. ¼ NW. ¼	6	47	2	80
94	John Neveaux, jr.	S. ½ SW. ¼	7	47	2	75.10
95	Mary J. S. Denomie	NW. ¼ SW. ¼ sec. 36, T. 46, R. 3, and SE. ¼ NE. ¼.	8	47	2	

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, etc.—Continued.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
96	I-kwe-di-nuk	SE. ¼ NW. ¼ and NE. ¼ SW. ¼	8	47	2	80
97	Mamie Haskins	E. ½ SE. ¼	8	47	2	80
98	Henry Haskins	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	8	47	2	80
99	Jennie Jackson	NE. ¼ SE. ¼ and NW. ¼ SW. ¼	8	47	2	80
100	James White, jr	NE. ¼ NE. ¼ sec. 13 and NE. ¼ SW. ¼	9	47	2	80
101	Charles Ba-ma-sa, jr	NE. ¼ NW. ¼ sec. 3 and SW. ¼ SW. ¼	10	47	2	80
102	Mary A-bi-ti-gi-ji-go-kwe	SE. ¼ NW. ¼ and SW. ¼ NE. ¼	11	47	2	80
103	Peter Ne-jo-bi-nes	NW. ¼ SE. ¼ sec. 1, T. 46, R. 3, and NE. ¼ NW. ¼	11	47	2	80
104	O-gi-ma-gi-ji-go-kwe Stoddard	S. ½ SW. ¼	11	47	2	80
105	Louis Bernier	N. ½ NW. ¼	13	47	2	80
106	Louisa Bernier	S. ½ NW. ¼	13	47	2	80
107	Peter Bernier	N. ½ SW. ¼	13	47	2	80
108	George Bernier	S. ½ NE. ¼	14	47	2	80
109	John J. Couture	N. ½ NE. ¼	16	47	2	80
110	Antoine B. Couture	S. ½ NE. ¼	16	47	2	80
111	Lawrence M. Auge	NE. ¼ SW. ¼ sec. 20, T. 47, R. 2, and SW. ¼ NW. ¼	16	47	2	80
112	Ne-ga-ni-bi-ni-ki-kwe Martin	W. ½ SE. ¼	16	47	2	80
113	Della LaFernia	N. ½ SW. ¼	16	47	2	80
114	Susan LaFernia	S. ½ SW. ¼	16	47	2	80
115	Henry LaFernia	N. ½ NW. ¼	17	47	2	80
116	Rosie Annie Denomie	S. ½ NW. ¼	17	47	2	80
117	Antoine Awma-kwad Cloud	W. ½ SE. ¼	17	47	2	80
118	Frank S. Denomie	E. ½ SW. ¼	17	47	2	80
119	Qui-ka-ba-no-kwe	W. ½ SW. ¼	17	47	2	80
120	Edward W. Charette	W. ½ NE. ¼	18	47	2	80
121	Mike LaFernia	N. ½ NW. ¼	18	47	2	74.35
122	Mary G. Moder	S. ½ NW. ¼	18	47	2	74.35
123	John Ba-es-ns, jr	E. ½ SE. ¼	18	47	2	80
124	Maggie G. Moder	W. ½ SE. ¼	18	47	2	80
125	Iron Cloud	N. ½ SW. ¼	18	47	2	75.57
126	Louisa Wa-sah-kung	E. ½ NE. ¼	19	47	2	80
127	Julia Ketek	W. ½ NE. ¼	19	47	2	80
128	Joseph O. Starr	W. ½ NW. ¼	19	47	2	72.42
129	Mary C. Wilson	W. ½ SE. ¼	19	47	2	80
130	George Wa-seb-kung	E. ½ SW. ¼	19	47	2	80
131	Theresa F. Green	N. ½ NE. ¼	20	47	2	80
132	Mary S. Green	N. ½ NW. ¼	20	47	2	80
133	Sarah R. White	SW. ¼ NE. ¼ sec. 29, T. 46, R. 3, and SE. ¼ NW. ¼	20	47	2	80
134	Julia Haskins	SE. ¼ SW. ¼ sec. 23, T. 46, R. 3, and NW. ¼ SW. ¼	20	47	2	80
135	Thomas B. Haskins	NW. ¼ SE. ¼ sec. 20, T. 46, R. 3, and NE. ¼ NE. ¼	21	47	2	80
136	Catherine E. Haskins	SW. ¼ SE. ¼ sec. 36, T. 48, R. 4, and SE. ¼ NE. ¼	21	47	2	80
137	Margaret Greeley	E. ½ NW. ¼	21	47	2	80
138	Frank Greeley	W. ½ NW. ¼	21	47	2	80
139	Della C. Ba-me-say	S. ½ SE. ¼	21	47	2	80
140	Antoine E. Gordon	N. ½ SW. ¼	21	47	2	80
141	Duffy Ba-ma-sa	NW. ¼ NE. ¼ sec. 28 and SE. ¼ SW. ¼	21	47	2	80
142	Julius Rabideaux	NW. ¼ SE. ¼ and SW. ¼ SW. ¼	21	47	2	80
143	Peter Houle	SW. ¼ NE. ¼ and NE. ¼ NE. ¼	23	47	2	80
144	Sam She-bin-gus	SE. ¼ NE. ¼ sec. 17, T. 47, R. 1, and SE. ¼ NW. ¼	36	47	2	80
145	Josephine Scott	SW. ¼ SW. ¼ and SE. ¼ NW. ¼	23	47	2	80
146	George Rufus	NW. ¼ SE. ¼ and NE. ¼ SW. ¼	23	47	2	80
147	Lucy Sky	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	23	47	2	80
148	Ross Smart	NW. ¼ SE. ¼ sec. 25 and NE. ¼ NW. ¼	24	47	2	80
149	John A. Mayotte	SW. ¼ NE. ¼ sec. 28 and NE. ¼ SW. ¼	25	47	2	80
150	Nancy Stoddard	SE. ¼ SE. ¼ sec. 27 and SW. ¼ NE. ¼	26	47	2	80
151	Angelique Crow	NE. ¼ SW. ¼ sec. 36 and SW. ¼ SE. ¼	26	47	2	80
152	Joseph Ka-ka-gon, jr	SE. ¼ SW. ¼ sec. 36 and NE. ¼ SW. ¼	26	47	2	80
153	Vaughn Haskins	SE. ¼ SE. ¼ sec. 29, T. 46, R. 3, and SW. ¼ SW. ¼	26	47	2	80
154	Sarah Taylor	N. ½ SE. ¼	27	47	2	80
155	Charley N. Baker	NW. ¼ SE. ¼ sec. 36 and SW. ¼ SE. ¼	27	47	2	80
156	Henry Armstrong, jr	W. ½ SW. ¼	28	47	2	80
157	Theresa N. Rabideaux	E. ½ NE. ¼	30	47	2	80
158	Charlotte E. Armstrong	W. ½ NE. ¼	30	47	2	80
159	Margaret N. Rabideaux	E. ½ NW. ¼	30	47	2	80
160	Antoine D. Roy	N. ½ SE. ¼	30	47	2	80
161	Frank Bresette, No. 3	S. ½ SE. ¼	30	47	2	80
162	William C. Bresette	N. ½ SW. ¼	30	47	2	75.12
163	Maggie J. LaPointe	S. ½ SW. ¼	30	47	2	75.38
164	Wake G. Martin	N. ½ NE. ¼	31	47	2	80
165	George B. Martin	S. ½ NE. ¼	31	47	2	80
166	Lizette E. Bresette	NW. ¼ SW. ¼ and NE. ¼ NW. ¼	31	47	2	75.65
167	Ba-sha-na-ni-kwe	W. ½ SE. ¼	31	47	2	80

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, etc.—Continued.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
168	Annie Green	S. ½ SW. ¼	31	47	2	79.04
169	Catherine Charette	E. ½ SE. ¼	32	47	2	80
170	Henry J. LaPointe	W. ½ SE. ¼	32	47	2	80
171	Nancy M. Martin	N. ½ SW. ¼	32	47	2	80
172	Julia She-bal-ash	NW. ¼ SW. ¼ and SE. ¼ NE. ¼	33	47	2	80
173	Willie G. Ruby, jr	SW. ¼ NE. ¼ sec. 34 and SW. ¼ NE. ¼	33	47	2	80
174	Annie LaFernis	SE. ¼ SW. ¼ and NE. ¼ NW. ¼	33	47	2	80
175	David Seymour	W. ½ NW. ¼	33	47	2	80
176	Robert J. Gordon	E. ½ SE. ¼	33	47	2	80
177	Alfred Courtway	N. ½ NE. ¼	34	47	2	80
178	Edward James	W. ½ NW. ¼	34	47	2	80
179	Catherine Starr	N. ½ SE. ¼	34	47	2	80
180	George M. Gordon	S. ½ SE. ¼	34	47	2	80
181	Lucy Hoskins	S. ½ SW. ¼	34	47	2	80
182	Margaret Couture	NE. ¼ NW. ¼ and NE. ¼ NE. ¼	35	47	2	80
183	Josette James	S. ½ NE. ¼	35	47	2	80
184	Ki-ni-wa-gi-jig	S. ½ NW. ¼	35	47	2	80
185	Pa-sha-ba-no-kwe James	N. ½ SE. ¼	35	47	2	80
186	O-mis-kwa-wi-gi-ji-go-ke	N. ½ SW. ¼	35	47	2	80
187	Frank E. Brown	S. ½ SW. ¼	35	47	2	80
188	Joseph G. Martin	N. ½ SE. ¼	28	48	2	80
189	Henry G. Martin	S. ½ SE. ¼	28	48	2	80
190	Frank M. Bresette	NE. ¼ SW. ¼ and SE. ¼ NW. ¼	29	48	2	80
191	Clara Twobirds	S. ½ SE. ¼	29	48	2	80
192	Agnes Green	SW. ¼ SE. ¼ sec. 32 and NW. ¼ SE. ¼	29	48	2	80
193	Frank Connors	SE. ¼ SW. ¼ sec. 32 and SE. ¼ SW. ¼	29	48	2	80
194	Maggie H. Ne-jo-bi-ness	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	31	48	2	80
195	Frank J. LaPointe	E. ½ NE. ¼	32	48	2	80
196	Sa-ga-wa-gi-ji-go-kwe Basina	E. ½ NW. ¼	32	48	2	80
197	Angelique Dakota	Lot 3, sec. 36, and SE. ¼ SE. ¼	32	48	2	88.50
198	Elizabeth Rufus	NW. ¼ SW. ¼ and SW. ¼ NW. ¼	33	48	2	80
199	Octavia Obern	Lot 1 and SE. ¼ NE. ¼	1	46	3	66.57
200	Joseph M. Cedarroot	SE. ¼ NW. ¼ and lot 3	1	46	3	65.87
201	Francis Sky	NE. ¼ SW. ¼ and lot 4	1	46	3	75.70
202	Sarah V. Bresette	E. ½ SE. ¼	1	46	3	80
203	Frank S. Murray	Lot 11 and SW. ¼ SE. ¼	1	46	3	79.97
204	Cecilia V. Hartow	NE. ¼ SW. ¼ sec. 28, T. 48, R. 3, and lot 2.	2	46	3	82.96
205	Joseph Wilson, jr	S. ½ NE. ¼	2	46	3	80
206	Sophia M. Auge	NW. ¼ SW. ¼ sec. 34, T. 47, R. 3, and lot 3.	2	46	3	89.49
207	Henry A. LaPointe	NW. ¼ SE. ¼ and lot 6	2	46	3	78
208	Mary Blaker	SE. ¼ SW. ¼ and lot 6	2	46	3	88
209	Mary Doolittle	W. ½ SW. ¼	2	46	3	80
210	Me-zee White	NE. ¼ SE. ¼ and SE. ¼ SW. ¼	3	46	3	80
211	Antoine G. Starr	W. ½ SE. ¼	4	46	3	80
212	George Manypenny	NE. ¼ NW. ¼ sec. 11, T. 46, R. 3, and SW. ¼ NE. ¼.	5	46	3	80
213	O-ka-ji-wog No. 2	W. ½ SW. ¼	8	46	3	80
214	Joseph M. Starr	W. ½ NE. ¼	9	46	3	80
215	Philomen Kebec	W. ½ SE. ¼	9	46	3	80
216	Julia Cloud	W. ½ SW. ¼	9	46	3	80
217	Maggie J. Denomie	SE. ¼ NW. ¼ and SW. ¼ NE. ¼	10	46	3	80
218	Maggie James	N. ½ SE. ¼	10	46	3	80
219	Me-dwe-losh Scott	NW. ¼ SW. ¼ sec. 11, T. 46, R. 3, and SE. ¼ SE. ¼.	10	46	3	80
220	Clara H. Denomie	Lot 1 and NW. ¼ NE. ¼	11	46	3	76.38
221	Joseph Sky	Lots 2 and 3 and SW. ¼ NE. ¼	11	46	3	76.70
222	William J. LaPointe	NE. ¼ NW. ¼ sec. 14 and NW. ¼ NW. ¼	11	46	3	80
223	Mary R. Twobirds	NW. ¼ SE. ¼ and SW. ¼ SW. ¼	11	46	3	80
224	Josephine Rabideaux	W. ½ SW. ¼	12	46	3	80
225	Paulina P. Houle	Lot 1 and NE. ¼ NE. ¼	12	46	3	79.35
226	Clara D. Fordis	SW. ¼ SW. ¼ sec. 36, T. 47, R. 3, and NW. ¼ NW. ¼.	14	46	3	80
227	Martina F. Doherty	SE. ¼ NE. ¼ sec. 33, T. 48, R. 3, and SE. ¼ NW. ¼.	14	46	3	80
228	Wa-bish-ki-gwa-ni-bi-kwe Ana-kwad.	NE. ¼ SW. ¼ sec. 26 and SW. ¼ NW. ¼.	14	46	3	80
229	Frances M. Blatchford	W. ½ SE. ¼	14	46	3	80
230	Gabriel D. Fordis	SW. ¼ NW. ¼ sec. 34, T. 47, R. 3, and NE. ¼ SW. ¼.	14	46	3	80
231	Lucy D. Fordis	W. ½ SW. ¼	14	46	3	80
232	Lizzie Gordon	NE. ¼ NW. ¼ sec. 29 and SE. ¼ SW. ¼	14	46	3	80
233	Lucy Pero	NE. ¼ SW. ¼ sec. 6, T. 47, R. 2, and SE. ¼ NE. ¼.	15	46	3	80
234	Sophia Twobirds	S. ½ NW. ¼	15	46	3	80
235	Clara Pero	SE. ¼ SW. ¼ and NE. ¼ SE. ¼	15	46	3	80
236	Alfred Bernier	NW. ¼ NE. ¼ sec. 28 and NW. ¼ SE. ¼	15	46	3	80
237	Jerry Pero	S. ½ SE. ¼	15	46	3	80
238	Frank Pero	SW. ¼ SW. ¼ and NE. ¼ SW. ¼	15	46	3	80

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, etc.—Continued.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
239	Esther Haskins	S. ½ NE. ¼	17	46	3	80
240	Marie Kebec	N. ½ NE. ¼	20	46	3	80
241	John E. Haskins	SW. ¼ SW. ¼ and SW. ¼ NE. ¼	20	46	3	80
242	James W. Gordon	S. ½ NW. ¼	22	46	3	80
243	Rosa Doolittle	SW. ¼ SE. ¼ and NE. ¼ SE. ¼	23	46	3	80
244	Joseph R. Gordon	N. ½ NW. ¼	24	46	3	80
245	Susan Cloud	N. ½ NE. ¼	26	46	3	80
246	Michel Bresette, sr.	N. ½ NE. ¼	27	46	3	80
247	Martha Cloud Bresette	S. ½ SW. ¼	27	46	3	80
248	Charlotte Current	SE. ¼ SW. ¼ sec. 29, T. 46, R. 3, and SW. ¼ NE. ¼.	28	46	3	80
249	Louis Mayotte	NW. ¼ SW. ¼ sec. 29 and NW. ¼ NW. ¼.	28	46	3	80
250	James LaFernia, jr.	SE. ¼ SW. ¼ sec. 28 and SE. ½ NE. ¼.	29	46	3	80
251	Delia J. Be-me-say	NW. ¼ NW. ¼ sec. 35 and SE. ½ NW. ¼.	29	46	3	80
252	Lizzie Be-me-say	S. ½ SE. ¼	29	46	3	80
253	Sam S. Buffalo	N. 40 acres of lot 10 and N. 40 acres of lot 12.	25	47	3	80
254	Augustus Be-me-say	NW. ¼ SE. ¼ and SE. ¼ NE. ¼	30	46	3	80
255	Louis Rufus	NE. ¼ NW. ¼ sec. 30, T. 46, R. 3	30	46	3	40
256	Adelaide Crow	S. ½ SE. ¼	30	46	3	80
257	Eliza Belonger	NE. ¼ SE. ¼ and lot 3	30	46	3	66.06
258	Lizzie Crow	N. ½ NE. ¼	31	46	3	80
259	Susan Crow	Lot 1 and NE. ¼ NW. ¼	31	46	3	66.86
260	Mary E. Crow	Lot 2 and SE. ¼ NW. ¼	31	46	3	69.39
261	Peter Shellfoe	SW. ¼ NE. ¼ sec. 34 and SW. ¼ SE. ¼.	31	46	3	80
262	Nelson E. Crow	SE. ¼ SE. ¼ and NE. ¼ SW. ¼	31	46	3	80
263	Charlotte Knight	NE. ¼ NW. ¼ sec. 34 and SE. ¼ SW. ¼.	31	46	3	80
264	Louisa Starr	N. ½ NE. ¼	32	46	3	80
265	Joseph A. LaPointe	NW. ¼ NE. ¼ sec. 34 and SW. ¼ NE. ¼.	32	46	3	80
266	Edward Starr	N. ½ NW. ¼	32	46	3	80
267	Angelique J. Roy	SE. ¼ NW. ¼ sec. 32, T. 46, R. 3, and NW. ¼ SE. ¼.	32	46	3	80
268	Frank Starr	S. ½ SW. ¼	32	46	3	80
269	Joseph A. Cloud	SW. ¼ SE. ¼ sec. 35, T. 46, R. 2, and NE. ¼ NE. ¼.	33	46	3	80
270	Rose Be-me-say	N. ½ NW. ¼	33	46	3	80
271	Julia Be-me-say	SW. ¼ SW. ¼ sec. 35 and NW. ¼ SE. ¼.	33	46	3	80
272	William Bigboy	NW. ¼ SE. ¼ and SE. ¼ NE. ¼	34	46	3	80
273	Charlotte Be-me-say	SE. ¼ SE. ¼ and NE. ¼ SW. ¼	34	46	3	80
274	Ke-de-kwe Simon	SW. ¼ SW. ¼ sec. 10 and lot 10	1	47	3	78.38
275	Julia Ba-be-dosh	N. ½ SW. ¼	1	47	3	80
276	Thomas Condecon, jr.	S. ½ SW. ¼	1	47	3	80
277	Margaret She-bat-ash	NE. ¼ SW. ¼ and SE. ¼ NW. ¼	2	47	3	80
278	Emily B. Shaw	NW. ¼ SW. ¼ sec. 3 and NE. ¼ SE. ¼.	2	47	3	80
279	Mary F. Dakota	W. ½ NE. ¼	4	47	3	71.01
280	Bo-do Charette	NW. ¼ SW. ¼ sec. 5 and SE. ¼ SE. ¼.	4	47	3	80
281	Maggie Blackbird	S. ½ SE. ¼	6	47	3	80
282	James Miller	N. ½ NE. ¼	7	47	3	80
283	Maggie B. Shaw	Lots 1, 2, 3, and 4	16	47	1	87.20
284	George LaFernia	S. ½ NW. ¼	7	47	3	84.50
285	Hattie G. Smart	SW. ¼ SE. ¼ and SE. ¼ SW. ¼	7	47	3	80
286	John M. Cloud	N. ½ NE. ¼	8	47	3	80
287	Ba-be-dosh Cedarroot	E. ½ NW. ¼	8	47	3	80
288	Emma J. Knight	NW. ¼ NE. ¼ sec. 10 and SE. ¼ NW. ¼.	9	47	3	80
289	An-da-ba-e-kwe Sha-sha-gins	E. ½ SE. ¼	9	47	3	80
290	Leonard F. Bresette	W. ½ SE. ¼	9	47	3	80
291	Gish-ki-jaune	NE. ¼ SW. ¼ and SE. ¼ NW. ¼	10	47	3	80
292	Catherine W. Connors	W. ½ NW. ¼	10	47	3	80
293	Suselle Green	E. ½ SE. ¼	10	47	3	80
294	John Mayotte	SE. ¼ NW. ¼ sec. 15 and SW. ¼ SE. ¼	10	47	3	80
295	Wa-bos Whitebird	SE. ¼ SW. ¼ and NW. ¼ SW. ¼	10	47	3	80
296	Virginia Couture	NW. ¼ SW. ¼ sec. 13 and SE. ¼ SE. ¼	11	47	3	80
297	Ke-gwe-da-bi-kwe Stoddard	Lot 14	12	47	3	70.70
298	Maggie Starr	E. ½ SE. ¼	13	47	3	80
299	Frank Dakota, jr.	NW. ¼ SE. ¼ and SE. ¼ SW. ¼	13	47	3	80
300	Mary D. Green	S. ½ NW. ¼	14	47	3	80
301	Julia W. Roy	NE. ¼ SE. ¼ sec. 15 and NW. ¼ SW. ¼	14	47	3	80
302	Mary Ann Lockwood	N. ½ SW. ¼	15	47	3	80
303	Susie W. Knight	SE. ¼ NE. ¼ sec. 26, T. 48, R. 4, and SE. ¼ SW. ¼.	15	47	3	80
304	Joseph W. Connors	SW. ¼ SW. ¼ sec. 15 and SE. ¼ NE. ¼	17	47	3	80
305	Mary J. Cloud	SE. ¼ NW. ¼ and SW. ¼ NE. ¼	17	47	3	80
306	Angeline Cloud Stone	W. ½ NW. ¼	17	47	3	80
307	Katie F. Cloud	NW. ¼ SE. ¼ and NE. ¼ SW. ¼	17	47	3	80
308	Mary Jane Denomie	W. ½ SW. ¼	17	47	3	80
309	Burnette C. Bell	SE. ¼ NW. ¼ and NE. ¼ NE. ¼	18	47	3	80
310	Charlotte C. Bell	S. ½ NE. ¼	18	47	3	80
311	Eliza Denomie	E. ½ SE. ¼	18	47	3	80

Schedule of names of Indians who are authorized to contract for the sale of timber on their allotments on the La Pointe (or Bad River) Reservation, etc.—Continued.

	Name of allottee.	Subdivision.	Section.	Town.	Range.	Acres.
312	Charlotte G. Cloud	W. ½ SE. ¼	18	47	3	80
313	Julia C. Manypenny	N. ½ NE. ¼	20	47	3	80
314	Josephine C. Manypenny	S. ½ NE. ¼	20	47	3	80
315	Joseph Knight	NW. ¼ SW. ¼ sec. 22 and NE. ¼ NE. ¼.	21	47	3	80
316	James Connors	N. ½ NW. ¼	21	47	3	80
317	Lizette B. Bigboy	SW. ¼ NW. ¼ sec. 23 and SW. ¼ NW. ¼.	21	47	3	80
318	John Cedarroot	W. ½ NE. ¼	22	47	3	80
319	Walter E. Sevalier	SW. ¼ NW. ¼ and NE. ¼ NW. ¼	22	47	3	80
320	Nobert Sero	E. ½ SE. ¼	22	47	3	80
321	Myrtle R. Sevalier	NW. ¼ NW. ¼ sec. 23 and SE. ¼ SW. ¼.	22	47	3	80
322	Maggie Kebac	Lot 3	23	47	3	71.30
323	Mary Jackson Current	N. ½ NE. ¼	24	47	3	80
324	Min-de-cioia Ba-ba-mash	S. ½ NE. ¼	24	47	3	80
325	Joseph Connors, jr	E. ½ NW. ¼	24	47	3	80
326	Frank Antoine	N. ½ SE. ¼	24	47	3	80
327	An-ji-gi-ji-go-ke Rain	S. ½ SE. ¼	24	47	3	80
328	Maggie J. Diver	NE. ¼ NE. ¼ sec. 25 and SE. ¼ SW. ¼	24	47	3	80
329	Mary Blackbird	W. ½ SW. ¼	24	47	3	80
330	George Stoddard	Lot 4 and N. 28.70 acres of lot 7	25	47	3	88.70
331	William Obern	NE. ¼ SW. ¼ sec. 27 and NW. ¼ SW. ¼.	26	47	3	80
332	Mary Gish-kak	SW. ¼ NW. ¼ and SE. ¼ NE. ¼	27	47	3	80
333	Henry Pero	SE. ¼ SE. ¼ sec. 28 and SE. ¼ NW. ¼	27	47	3	80
334	Lizzie Pero	NE. ¼ SE. ¼ sec. 28 and SE. ¼ SE. ¼	27	47	3	80
335	William Couture, jr	W. ½ SE. ¼	27	47	3	80
336	Frank Cloud	W. ½ NE. ¼	29	47	3	80
337	Lucy Brown Haskins	N. ½ NE. ¼	35	47	3	80
338	Emma White	E. ½ SE. ¼	35	47	3	80
339	Charley Vanderventer	SW. ¼ NW. ¼ sec. 25, T. 46, R. 4, and NW. ¼ NW. ¼.	30	47	3	80
340	Victoria Denomie	N. ½ SE. ¼	30	47	3	80
341	Gertie Denomie	S. ½ SE. ¼	30	47	3	80
342	Sophia Blaker	NE. ¼ NW. ¼ sec. 27 and SE. ¼ SW. ¼.	22	48	3	80
343	Mike Chingway	S. ½ NE. ¼	28	48	3	80
344	Joseph Driver, jr	SE. ¼ SW. ¼ sec. 20 and NE. ¼ SE. ¼	28	48	3	80
345	Nicholas Bede	SE. ¼ SE. ¼ sec. 27 and SE. ¼ SW. ¼	28	48	3	80
346	Margaret Sha-bin-gus	N. ½ SE. ¼	29	48	3	80
347	Pa-shi-go-la-shi-kwe Smart	W. ½ SE. ¼	32	48	3	80
348	Julia G. Smart	N. ½ SW. ¼	32	48	3	80
349	Frank G. Smart	S. ½ SW. ¼	32	48	3	80
350	Charley Houle	SE. ¼ NW. ¼ and NE. ¼ SW. ¼	33	48	3	80
351	Thomas Bede	E. ½ SE. ¼	35	48	3	80
352	Jacob Shaw	NE. ¼ NW. ¼ sec. 36, T. 47, R. 3, and SE. ¼ NW. ¼.	34	48	3	80

[Indorsement.]

LA POINTE AGENCY, WISCONSIN,
BAD RIVER RESERVATION,
January 31, 1902.

Maggie J. Denomie with Justus S. Stearns.

Contract: For sale of timber on SW. ¼ of NE. ¼ and SE. ¼ of NW. ¼, section 10, town 46, range 3 W., La Pointe Agency, Wisconsin.

The within contract is hereby approved and respectfully submitted for the action of the Commissioner of Indian Affairs, to expire January 30, 1917.

S. W. CAMPBELL, *U. S. Indian Agent.*

DEPARTMENT OF THE INTERIOR,
OFFICE INDIAN AFFAIRS.

Approved:
To expire January 30, 1917.

———,
Commissioner.

We hereby certify that the prices agreed to be paid in this contract are a fair and reasonable consideration for the timber to be cut thereunder.

R. U. BAUGHMAN.
M. J. FLANELLY.

EXHIBIT B.

Scaler's report for week ending March 27, 1907, of logs cut and banked from Rose A. Denomie allotment on the N. ½ NW. ¼ of section 11, town 46, range 2 west, on the Bad River Reservation, Wisconsin, for J. S. Stearns Lumber Company, by F. Morrison:

Kind of timber.	Scaled during week.		Previous scale.		Total scale.	
Shingle timber						
Merchantable dead pine						
Merchantable green white pine	239	16,710	28,369	1,678,560	28,608	1,694,270
Green Norway	18	1,930	310	25,470	328	27,400
Green hemlock	33	600	968	18,530	1,021	19,130
Basswood			2	80	2	80
Elm	2	210	12	560	14	770
Maple						
Birch			5	160	5	160
Ash			2	50	2	50
Spruce	32	1,390	670	30,440	702	31,830
Tamarack						
Balsam			30	590	30	590
Cedar	1	10	196	3,990	197	4,000
Total	325	19,850	30,584	1,758,400	30,909	1,778,250

M. BROWN, *Scaler.*

Rose A. Denomie, in account with United States Indian agent, La Pointe Agency, Wis.

Apr. 22, 1905.	Advance		$167.50
May 22, 1905.	Advance	$167.50	
Dec. 29, 1905.	Timber		18.08
Dec. 30, 1905.	Scale	.47	
Dec. 30, 1905.	Advance	17.61	
Mar. 31, 1906.	Advance		167.50
May 18, 1906.	Ck. No. 23439	120.00	
June 21, 1906.	Ck. No. 23908	47.50	
Nov. 24, 1906.	Timber		74.41
Nov. 30, 1906.	Scale	2.77	
Dec. 19, 1906.	Ck. No. 24371	71.64	
Jan. 5, 1907.	Timber		877.79
Jan. 5, 1907.	Scale	32.65	
Jan. 12, 1907.	Timber		1,026.83
Jan. 12, 1907.	Scale	38.31	
Jan. 19, 1907.	Timber		528.97
Jan. 19, 1907.	Scale	19.61	
Feb. 14, 1907.	To Bal. 5% cash adv.—Stearns	127.39	
Feb. 14, 1907.	Ck. No. 24423	2,215.63	
Feb. 16, 1907.	Timber		452.05
Feb. 16, 1907.	Scale	17.08	
Feb. 23, 1907.	Timber		550.80
Feb. 23, 1907.	Scale	20.66	
Mar. 4, 1907.	Part advance and survey, Stearns	965.16	
Mar. 2, 1907.	Timber		517.06
Mar. 2, 1907.	Scale	19.25	
Mar. 9, 1907.	Timber		874.08
Mar. 9, 1907.	Scale	32.79	
Mar. 16, 1907.	Timber		1,304.34
Mar. 16, 1907.	Scale	49.16	
Mar. 23, 1907.	Timber		832.88
Mar. 23, 1907.	Scale	31.30	
Mar. 27, 1907.	Timber		78.86
Mar. 27, 1907.	Scale	2.97	
Apr. 13, 1907.	Ck. No. 24496	3,471.66	
		7,471.15	7,471.15

EXHIBIT C.

REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS, 1891, VOL. I.

LA POINTE AGENCY,
Ashland, Wis., September 10, 1891.

SIR: I have the honor to submit herewith my third annual report.

Bad River Reservation.—This reservation is in Ashland County, Wis., and is bounded on the north by Chequamegon Bay and Lake Superior. It lies in townships 46, 47, and 48 north, of ranges 2, 3, and 4 west of fourth principal meridian, and includes 124,333 acres. It is traversed by two streams—the Bad River and the White River, its main tributary. The water of Bad River flows into Lake Superior. Some parts of the reservation are hilly and rugged, others gently undulating, and still others quite level. It was formerly covered with a dense growth of timber, excepting that portion occupied by the delta of Bad River. The lands in the valleys of the rivers are exceedingly fertile, no better soil being found in northern Wisconsin. The high lands adjacent to the rivers, when cleared of timber, furnish good pasturage.

The timber includes nearly every variety known to the forests of northern Wisconsin—birch, ash, elm, soft and sugar maple, as well as numerous evergreens, balsam fir, cedar, spruce, white pine, Norway pine, and hemlock—from which resources the Indians derive a large portion of their support. Many of them hold lands in severalty, and from these lands they manufacture railroad ties, fence posts, telegraph poles, cord wood, and mining timber for the mines along the Gogebic iron range.

All these forest products find a convenient and profitable market along the lines of the two great railways that traverse the reservation—the Duluth, South Shore and Atlantic Railway, that crosses the southern border, and the Milwaukee, Lake Shore, and Western Railway in the northern part.

The principal settlement is in the vicinity of Odanah, a station on the Milwaukee, Lake Shore and Western Railway, 10 miles east of the city of Ashland. It is located in the fertile valley of Bad River, and on all sides may be seen the comfortable houses and cultivated farms of the natives, with two stores of general merchandise owned and managed by Indians. Here also is the Catholic day and boarding school, the Catholic Church, the Presbyterian Church, and the Presbyterian schoolhouse, in which, however, school has been discontinued for several years. There is also a public school recently established—a part of the common-school system of the State of Wisconsin.

The United States Government has no school on the reservation, but it instructs and maintains a number of pupils at the Catholic school under the contract system; 420 of these people are followers of Christianity, and are about equally divided between the denominations above mentioned.

If their lands were allotted and the surplus lands disposed of they could be left to solve their own problems and to work out their destiny, the same as any other citizen of the State of Wisconsin.

They are familiar with farming, and the more difficult art of manufacturing and handling the product of the forests is as well known to them as to their white neighbors, with whom they have been associated in that branch of industry for many years. Except in the matter of schools, national supervision over them is needless, and the opportunity to appeal to the General Government for support is a source of weakness, not of strength. The nonprogressives claim that the less the Indian does for himself the more the Government will do for him, and the more he does for himself the less the Government will do; and this argument is employed by the idle and shiftless to discourage those who are disposed to be industrious. When the Government is eliminated from the problem this argument will be shorn of its strength.

These Indians are as highly civilized to-day as they ever will be while they remain wards of the General Government.

Respectfully submitted.

M. A. LEAHY,
United States Indian Agent.

The CHAIRMAN. Is this reservation covered by the system that obtains at the Lac Courte d'Oreilles Reservation; that is, the Indian Office put out to some one, the highest bidder, the right for several years to deal with the Indians?

Mr. CAMPBELL. I don't think there is a term of years. The amount of allotted land that was put up and sold to the highest bidder.

The CHAIRMAN. That is, the allottees still, each one for herself or himself, has to make a contract the same as that?

Mr. CAMPBELL. Yes.

The CHAIRMAN. Is there any further statement you want to make in reference to that?

Mr. ARMSTRONG. No, sir.

The CHAIRMAN. Do you know of any difficulty here among the men who work for the company in getting their pay, and, if so, what is it?

Mr. ARMSTRONG. No; not that I know of. No difficulty.

The CHAIRMAN. Are they slow or do they force them to take coupons, or are they prompt in making their payments?

Mr. ARMSTRONG. I think they pay monthly. I haven't worked for the Stearns Lumber Company for some years.

The CHAIRMAN. You know whether there is general complaint?

Mr. ARMSTRONG. They complain against the use of coupons. Generally they would like to have their money.

The CHAIRMAN. Do you know whether they are obliged to take coupons?

Mr. ARMSTRONG. I could not say.

Senator LA FOLLETTE. Is there any complaint made in respect to the scaling of the timber now?

Mr. ARMSTRONG. Among the Indians themselves, yes; there has been. Years ago we used to make our complaints to the agent and to other officers until we found that it was needless to do it.

Senator LA FOLLETTE. You mean needless or useless?

Mr. ARMSTRONG. Useless, I should say.

Senator LA FOLLETTE. Is there any complaint made at the present time with respect to the scale not being a just and proper scale?

Mr. ARMSTRONG. I would not say there was.

Senator LA FOLLETTE. You have not heard anything of the sort?

Mr. ARMSTRONG. No; I have not.

Senator LA FOLLETTE. So that with reference to the scaling of the timber at the present time, so far as you know, the Indians are satisfield with it?

Mr. ARMSTRONG. So far as I know.

The CHAIRMAN. There are other Indians here who have allotments which are being cut and who are in the room and who understand some English, aren't there?

Mr. ARMSTRONG. I don't know what allotments are being cut.

Senator LA FOLLETTE. Who does the scaling at this time, if you know?

Mr. ARMSTRONG. I don't know.

The CHAIRMAN. Do you know whether there is any complaint here with respect to classification of timber—that the timber ought to be classified as one kind, but is, in fact, classified as another; do you know of any such complaints?

Mr. ARMSTRONG. Under the later contract there, all white and Norway pine and dead pine is being all paid for the same.

The CHAIRMAN. That is to say, there are a number of different kinds of timber and different prices. We just want to know whether there is any complaint on that account.

Mr. ARMSTRONG. I would like to present to you—it has been brought to me [handing paper to the chairman]—about the elimination of the monthly payment of $10 a month. Those people that were desirous of getting more and would issue orders on the Indian agent for amounts more than that, there were people who claimed they were in a position to get that order allowed, and here are the names of some of those people [handing papers to the chairman].

The CHAIRMAN. Do you know who it was that claimed that they had an influence to get these orders allowed?

Mr. ARMSTRONG. I can't recall now.

Senator LA FOLLETTE. These people whose names are on this paper, do they know?

Mr. ARMSTRONG. Yes, sir; they gave the orders to those people.

Senator LA FOLLETTE. I think you gave me these two papers yesterday and said some matters had to be inquired into touching these accounts?

Mr. ARMSTRONG. Yes, sir.

Senator LA FOLLETTE. Are you the one to be called as a witness on that or some one else?

Mr. ARMSTRONG. No; I am not.

Senator LA FOLLETTE. Just retain them for the present and bring it to my attention later where there is opportunity to put some one on the witness stand. [Addressing the chairman.] Here is a case that might be inquired into.

The CHAIRMAN. Let her take the stand.

STATEMENT OF LIZZIE HOMESKY.

LIZZIE HOMESKY, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. You live here on the reservation?

Miss HOMESKY. I have resided here for eleven years.

The CHAIRMAN. Have you got an allotment?

Miss HOMESKY. No, sir; I have not.

The CHAIRMAN. Here is a statement of your account, in which it appears that an order in favor of Antoine Denomie for $50 was taken out of your account. Did you ever give him an order?

Miss HOMESKY. I never did give him an order.

Mr. CAMPBELL. Those are marked "check," all of those $10.

The CHAIRMAN. Paid on orders?

Mr. CAMPBELL. No; paid on monthly allowance. "Ck" for "check."

The CHAIRMAN. That is $10 monthly allowance. No order was required, was it?

Mr. CAMPBELL. No, sir; that was under the general order from the commissioner.

The CHAIRMAN. Did you ever give anybody an order for any money?

Miss HOMESKY. I never did.

The CHAIRMAN. Could you tell from this, without your books, anything about this $50 item?

Mr. CAMPBELL. No, sir.

Lizzie Homesky, in account with United States Indian agent, La Pointe Agency, Wis.

May 31, 1904.	Na ba og	$272.80
Mar. 14, 1905.	Interest	3.96
Apr. 20, 1906.	Interest	1.87

Contra.

May 31, 1904.	Ck. 18286	$10.00	
July 1, 1904.	Ck. 18600	10.00	
Aug. 4, 1904.	Ck. 18993	10.00	
Sept. 5, 1904.	Ck. 19170	10.00	
Oct. 10, 1904.	Ck. 19400	10.00	
Nov. 1, 1904.	Ck. 19567	10.00	
Dec. 6, 1904.	Ck. 19833	10.00	
Dec. 26, 1904.	Ck. A. Denomie	50.00	
Jan. 4, 1905.	Ck. 20068	10.00	
Feb. 7, 1905.	Ck. 20400	10.00	
Mar. 6, 1905.	Ck. 20668	10.00	
Mar. 14, 1905.	Ck. 21043	10.00	
May 1, 1905.	Ck. 21430	10.00	
June 1, 1905.	Ck. 21662	10.00	
July 1, 1905.	Ck. 21994	10.00	
Aug. 1, 1905.	Ck. 22236	10.00	
Sept. 2, 1905.	Ck. 22617	10.00	
Sept. 5, 1905.	Ck. 22743, deposited Nor. Nat'l Bank	66.76	
June 21, 1906.	Ck. 23968	1.87	
		278.63	278.63

STATEMENT OF ANTOINE DENOMIE.

ANTOINE DENOMIE, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. What is your name?

Mr. DENOMIE. Antoine Denomie.

The CHAIRMAN. If this had been paid to him, where would he have got it?

Mr. CAMPBELL. If he held an order approved by the commissioner, it would be paid to him.

The CHAIRMAN. Where?

Mr. CAMPBELL. At the office at Ashland.

Senator PAGE. In cash or check?

Mr. CAMPBELL. Check. When they want anything an application is made in duplicate and forwarded to the commissioner stating the purpose for which that money is to be spent. The commissioner approves it and sends it back. Each of these applications is approved by the Commissioner, and the number of that approval has got to go on each check. That check, when it is issued, for whatever purpose it is, for a cow and a span of horses, and so on, goes to the bank and is paid there. The bank makes a report every three months of those checks going to Washington and it is compared with the application by which it is approved, and if we draw one cent more, we would get called down for it.

The CHAIRMAN. You know where Ashland is?

Mr. DENOMIE. Yes.

The CHAIRMAN. Do you know where Superintendent Campbell's office is in Ashland?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. You have been up there, have you?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Did you ever take an order there for any money or checks?

Mr. DENOMIE. I don't remember.

The CHAIRMAN. Haven't you got an allotment?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Is that allotment being cut?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Have you drawn any money at all on your allotment?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Well, now, did you take an order or get a check for $50 of the Indian Office—did you ever take an order to the Indian superintendent's office for $50 and get a check for $50?

Mr. DENOMIE. I don't remember.

The CHAIRMAN. Did you ever have any business or buy anything or sell anything or trade anything to Lizzie Homesky?

Mr. DENOMIE. No, sir.

The CHAIRMAN. Did you ever give her any money.

Mr. DENOMIE. No, sir.

The CHAIRMAN. Do you live near her?

Mr. DENOMIE. I live about a mile from her.

The CHAIRMAN. Has she got a house?

Mr. DENOMIE. Yes, sir; she lives in a house. I don't know who owns the house.

The CHAIRMAN. Has she got any cows or anything in the way of stock around her?

Mr. DENOMIE. I really don't know.

The CHAIRMAN. Has she got any wagon or sleigh?

Mr. DENOMIE. I don't know.

STATEMENT OF CHARLES D. ARMSTRONG—Continued.

CHARLES D. ARMSTRONG resumed the stand and testified as follows:

The CHAIRMAN. Do you know any other Antoine Denomie?

Mr. ARMSTRONG. Yes, sir.

The CHAIRMAN. Where is he?

Mr. ARMSTRONG. At Ketcham.

The CHAIRMAN. When did he go there?

Mr. ARMSTRONG. In 1896.

The CHAIRMAN. Do you mean in 1906 or 1896?

Mr. ARMSTRONG. In 1896.

STATEMENT OF THOMAS DENOMIE.

THOMAS DENOMIE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Did you ever have any orders issued by the superintendent of Indians for your timber money?

Mr. DENOMIE. Not the superintendent, but the clerk in the office, Mr. Harry Beser.

The CHAIRMAN. Did any one tell you that they could get these orders up there for you and cash the drafts?

Mr. DENOMIE. From conversations of individuals here in town.

The CHAIRMAN. What individuals?

Mr. DENOMIE. Well, there is Samuel D. Denomie.

The CHAIRMAN. What did he tell you?

Mr. DENOMIE. Well, and his brother Joseph Denomie did.

The CHAIRMAN. What did Sam tell you?

Mr. DENOMIE. He said that he could get orders and have them cashed.

The CHAIRMAN. He said he could get them?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Orders from whom?

Mr. DENOMIE. Well, make out orders in favor of somebody like Harry Beser and he could have them cashed.

The CHAIRMAN. What was this man Sam doing?

Mr. DENOMIE. He was a laborer for the Stearns Lumber Company at the time.

The CHAIRMAN. You mean orders for timber money?

Mr. DENOMIE. Yes, sir; orders on timber money.

The CHAIRMAN. When was it he told you this, about when?

Mr. DENOMIE. Oh, that is between four and five years ago.

The CHAIRMAN. Did you pay him anything to get the orders approved?

Mr. DENOMIE. Who do you mean?

The CHAIRMAN. This Sam Denomie.

Mr. DENOMIE. No, sir.

The CHAIRMAN. Did you pay anybody?

Mr. DENOMIE. Well, the order I had made out was made out to Harry Beser. The order was made out for $250.

The CHAIRMAN. Two hundred and fifty dollars to Harry Beser?

Mr. DENOMIE. And this order was to have interest paid on it at the rate of 6 per cent, I think, and before this I was to get $200 in cash—not cash, either cash or check.

The CHAIRMAN. You had money standing to your credit?

Mr. DENOMIE. Not at that time.

The CHAIRMAN. You didn't have any money standing to your credit?

Mr. DENOMIE. No, sir.

The CHAIRMAN. Did the superintendent or anybody approve the order for you for $250 before you had any timber cut?

Mr. DENOMIE. Somebody approved that; I don't know who it was; I got the money.

The CHAIRMAN. Who was Harry Beser?

Mr. DENOMIE. He was head clerk in the superintendent's office—the head clerk or head bookkeeper.

The CHAIRMAN. Where; up at Ashland?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. And this you say was when, about?

Mr. DENOMIE. Between four and five years ago.

The CHAIRMAN. Did you give a note?

Mr. DENOMIE. No, sir; I don't think I did.

The CHAIRMAN. Can you read and write?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Was it just a straight order on the superintendent for money?

Mr. DENOMIE. The order was made out in favor of Harry Beser, and the money was to be paid to him.

The CHAIRMAN. The order was for $250?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. And the order, you say, bore interest?

Mr. DENOMIE. Drew interest at the rate of 6 per cent. I think either that or whatever is allowed in the State of Wisconsin.

The CHAIRMAN. Did you have to make a statement to anybody of what you wanted to do with this money?

Mr. DENOMIE. No, sir.

The CHAIRMAN. No questions were asked you as to what you wanted to do with it?

Mr. DENOMIE. No, sir.

The CHAIRMAN. And you got $200. Do you know whether Harry Beser is up there now?

Mr. DENOMIE. He is dead.

The CHAIRMAN. When did he die?

Mr. DENOMIE. I couldn't tell you.

The CHAIRMAN. Do you know, Major Campbell, when he died?

Mr. CAMPBELL. It must be three years ago.

The CHAIRMAN. How long after you got this money from Beser before the timber was cut on your land?

Mr. DENOMIE. My timber was cut two winters ago.

The CHAIRMAN. Then there was about two years between the time you got the order and the time your timber was cut?

Mr. DENOMIE. Something like that.

The CHAIRMAN. Do you know the number of your allotment?

Mr. DENOMIE. I can't recall it here.

Mr. CAMPBELL. What is the date of that order?

Mr. DENOMIE. Between four and five years ago.

The CHAIRMAN. Have you ever had any money since the timber was cut on account of your timber?

Mr. DENOMIE. No, sir. What is the question again?

Mr. CAMPBELL. I say since your timber was cut, has the Government ever paid you any other money? How much, do you know?

Mr. DENOMIE. About $2,500.

The CHAIRMAN. How much?

Mr. DENOMIE. Twenty-five hundred dollars, I think, probably more.

The CHAIRMAN. Is your timber all cut?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Has all your money been paid to you yet?

Mr. DENOMIE. No, sir.

The CHAIRMAN. I mean all except this $250.

Mr. DENOMIE. No, sir.

The CHAIRMAN. Has any statement been made to you?

Mr. DENOMIE. Yes, sir.

The CHAIRMAN. Showing the amount of your money?

Mr. DENOMIE. Not the total amount.

The CHAIRMAN. But showing what has been paid you?

Mr. DENOMIE. Yes, sir; I think so. Not lately; I haven't had any statement from the office lately.

The CHAIRMAN. Did you have any statement showing this $250?

Mr. DENOMIE. I think I have, sir.

The CHAIRMAN. Wouldn't you naturally, when you came to get your statement, look to see whether they had taken this out?

Mr. DENOMIE. Yes, sir. I did have a statement, but I don't know whether I have got it now or not. I probably have lost it, the last statement I got from the office.

Mr. CAMPBELL. You can easily get it in the office.

The CHAIRMAN. Did this statement, as you understood it, show that this $250 had been taken out?

Mr. DENOMIE. I think so.

The CHAIRMAN. With interest on it?

Mr. DENOMIE. I presume so. I think it was for over $250. I didn't figure it out.

Mr. CAMPBELL. Let me make an explanation, so it will help you along with this.

The CHAIRMAN. Yes; we will be glad to have it.

Mr. CAMPBELL. The Commissioner of Indian Affairs and the Secretary of the Interior were sued for this money some time along in those dates, in 1904 or 1903, I can't recall just the time. The suit was brought in the District of Columbia and it was represented by some lawyer down there, and the commissioner and the Secretary of the Interior were defeated—that is, they lost the suit in the lower courts. They appealed to the court of appeals and won. It took about a year and a half that this suit was pending after the appeal was taken, but they got a decision. During that time there must have been $500,000 of orders issued by Indians and brought up by citizens. One man had something like $18,000 of them, and when they were presented to be paid they were sent to the commissioner. This man that had $18,000 of those orders has not been paid all yet. I told the commissioner just what I am repeating to you, how these orders were issued, and how they were discounted, I supposed, and all about them.

The CHAIRMAN. Did you ever know that your clerk, Beser, was handling these orders?

Mr. CAMPBELL. Never knew it at all. I didn't know anything about these other orders until they were presented to the office for payment. I made my recommendation to the commissioner that they be paid at 75 cents on face of the orders, without interest.

The CHAIRMAN. Upon what theory?

Mr. CAMPBELL. Thinking that they had discounted them, and to give them a lesson for buying the orders. He sent them back with instructions—now I am speaking about these $18,000 of orders that were issued—he sent them back with this instruction to have the man make a statement of how much he paid for each of these orders, and to have the Indian acknowledge what he received for them. The man could not make a statement, he said, of the amount, but a great many of the Indians did make a statement of what they received, and the most of them were 15 per cent, 10 per cent, some of them, and some of them even reached 25 per cent.

Senator LA FOLLETTE. Were some of the orders, upon investigation, shown not to have been given by the Indians at all?

Mr. CAMPBELL. Very few of them.

Senator LA FOLLETTE. Were there some?

Mr. CAMPBELL. I think there was one denied, that I can call to mind now. That is by William Gordon, who lives in Superior. It was an order for $100. That is the only one I have in mind now.

Senator LA FOLLETTE. Is there a business of that sort going on now?

Mr. CAMPBELL. I think not.

Senator LA FOLLETTE. Of men buying orders from the Indians?

Mr. CAMPBELL. No; I think not.

Senator LA FOLLETTE. When those orders, if any of them do reach your office at the present time, what is done with them now—what is the system?

Mr. CAMPBELL. They all go to the commissioner.

Senator LA FOLLETTE. Before they are paid?

Mr. CAMPBELL. Before they are paid. Everything is paid by check and—no; I want to correct that. In 1904 the number of the approval of the commissioner did not go on the check, and I think that is the case and that we will be able to find the check either in the files of the office or in the files of the Northern National Bank.

Senator LA FOLLETTE. There is no question about the check being all right and the system showing the transmission of the paper. I was directing my inquiry to the point of whether these orders sometimes came into the office and were found, upon investigation, not to have been given by the Indians at all.

Mr. CAMPBELL. Those things would be stated in the application.

Senator LA FOLLETTE. Were there some such cases?

Mr. CAMPBELL. I think there were one or two denied, which are pending up there yet.

Senator LA FOLLETTE. Were orders ever paid except in cases after investigation was made into the making of the orders?

Mr. CAMPBELL. I think not.

Senator LA FOLLETTE. Then, in the case of this $50 order of this woman, if the same course was pursued in that that you say was the habit of the office in respect to the others, there must have been an investigation?

Mr. CAMPBELL. I shouldn't wonder.

Senator LA FOLLETTE. You shouldn't wonder?

Mr. CAMPBELL. I can't recall that case.

Senator LA FOLLETTE. I am asking as to the practice of your office.

Mr. CAMPBELL. Investigations are made.

Senator LA FOLLETTE. Always made before they are paid?

Mr. CAMPBELL. Yes.

Senator LA FOLLETTE. And that investigation goes to the point of bringing the order to the attention of the Indian and getting the Indian's acknowledgment that the order was made?

Mr. CAMPBELL. I am doing that now under these old orders. Not these orders now.

Senator LA FOLLETTE. How long has that been the practice?

Mr. CAMPBELL. I can't tell you that.

Senator LA FOLLETTE. Did it refer back to this time of 1904?

Mr. CAMPBELL. No; I don't think it did then.

Senator LA FOLLETTE. So this order may have been paid without such an investigation?

Mr. CAMPBELL. Yes; but the check in this will show to whom this order was paid and the amount.

STATEMENT OF THOMAS GISHKOCK.

THOMAS GISHCOCK, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern, as interpreter, as follows:

The CHAIRMAN. Where do you live?

Mr. GISHKOCK. On the Bad River Reservation, Wis.

The CHAIRMAN. Have you got an allotment?

Mr. GISHKOCK. Yes, sir.

The CHAIRMAN. Has the timber been cut on it?

Mr. GISHKOCK. Yes, sir.

The CHAIRMAN. Have you got any money from it?

Mr. GISHKOCK. Yes, sir; and I was using it all up.

The CHAIRMAN. Did you ever pay anybody anything for taking an order on this money that came from your timber?

Mr. GISHKOCK. Yes, sir.

The CHAIRMAN. When?

Mr. GISHKOCK. I can't remember.

The CHAIRMAN. Do you remember how many winters back they commenced cutting your timber?

Mr. GISHKOCK. It is probably eight years since it was cut.

The CHAIRMAN. Did you get this order discounted before or after your timber was cut?

Mr. GISHKOCK. Before my timber was cut.

The CHAIRMAN. And who discounted the order for you?

Mr. GISHKOCK. I bought a team from Mr. Handley. He was the man that I had to give the order to.

The CHAIRMAN. Did you ever pay anybody anything for cashing an order?

Mr. GISHKOCK. I did discount this order to Handley.

The CHAIRMAN. Did you get any money besides the horses or horse?

Mr. GISHKOCK. Yes, sir; I did get some money.

The CHAIRMAN. How much was the order for?

Mr. GISHKOCK. I don't remember exactly what the amount was, but I think it was $135.

The CHAIRMAN. Did you get more than one horse?

Mr. GISHKOCK. One horse.

The CHAIRMAN. How much money did you get?

Mr. GISHKOCK. Twenty-five dollars.

The CHAIRMAN. Who was this man Handley; what was he doing?

Mr. GISHKOCK. He sells horses at Ashland, Wis.

The CHAIRMAN. Did you ever discount an order with anyone else?

Mr. GISHKOCK. Yes; I think I did. I think I gave one to Harry Beser.

The CHAIRMAN. How much was that order for?

Mr. GISHKOCK. I don't remember how much the order called for, but $40 was what I received.

The CHAIRMAN. When was this order sold to Beser?

Mr. GISHKOCK. It was after the time I had bought the horse from Handley that I made the deal with Beser. It was a little before Harry Beser died.

The CHAIRMAN. You don't know how much the order was for?

Mr. GISHKOCK. I don't.
The CHAIRMAN. Did you ever discount an order with anybody else?
Mr. GISHKOCK. No, sir.
The CHAIRMAN. That is all.

STATEMENT OF JOHN FRENCHMAN, JR.

JOHN FRENCHMAN, Jr., a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. Do you live on this reservation?
Mr. FRENCHMAN. Yes, sir.
The CHAIRMAN. You have got an allotment?
Mr. FRENCHMAN. Yes, sir.
The CHAIRMAN. Has the timber on it been cut?
Mr. FRENCHMAN. Yes, sir; cut last winter.
The CHAIRMAN. Have you got any of the money from the timber?
Mr. FRENCHMAN. Yes, sir.
The CHAIRMAN. When did you get it?
Mr. FRENCHMAN. Last spring.
The CHAIRMAN. How much did you get?
Mr. FRENCHMAN. I made a requisition on eight hundred and seventy odd dollars.
The CHAIRMAN. Do you know whether or not it was approved?
Mr. FRENCHMAN. The requisition was approved, but I didn't get the money.
The CHAIRMAN. How much money did you get?
Mr. FRENCHMAN. Ten dollars.
The CHAIRMAN. By the way, did you ever discount an order for money that was coming from your timber—did you ever sell an order to anybody?
Mr. FRENCHMAN. Yes, sir.
The CHAIRMAN. Who did you sell it to?
Mr. FRENCHMAN. Frank Blatchford.
The CHAIRMAN. How much was the order for?
Mr. FRENCHMAN. Fifty dollars.
The CHAIRMAN. When did you sell that order, about—I don't expect you to tell within a day or a month, or a year even.
Mr. FRENCHMAN. In the year 1902.
The CHAIRMAN. Was that before or after the timber was cut on your land?
Mr. FRENCHMAN. Before my timber was cut.
The CHAIRMAN. How much did you get on the order?
Mr. FRENCHMAN. He gave me $40 on the order.
The CHAIRMAN. That is all.

STATEMENT OF CHARLES MANYPENNY.

CHARLES MANYPENNY, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?
Mr. MANYPENNY. Here in Odanah.
The CHAIRMAN. How long have you lived here?

Mr. MANYPENNY. It must be about twenty-five years.
The CHAIRMAN. You have an allotment?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. Has the timber been cut on it?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. When was the timber cut?
Mr. MANYPENNY. It must be about three or four years ago.
The CHAIRMAN. Have you ever received any of the proceeds of the timber?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. How much?
Mr. MANYPENNY. The whole thing.
The CHAIRMAN. Do you know what the word "discount" means?
Mr. MANYPENNY. Yes.
The CHAIRMAN. At any time did you discount any orders on that fund?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. When?
Mr. MANYPENNY. It is about five years ago; between four and five years ago; just before the timber was cut.
The CHAIRMAN. Before the timber was cut?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. How much was the order for?
Mr. MANYPENNY. The order was for $150.
The CHAIRMAN. Who did you discount it to?
Mr. MANYPENNY. Harry Beser.
The CHAIRMAN. How much did you get on it?
Mr. MANYPENNY. One hundred dollars.
The CHAIRMAN. Was there any interest on that in addition to the discount?
Mr. MANYPENNY. Five per cent.
Mr. HOLCOMBE. This order that you gave, did it specify what you wanted to do with the money?
Mr. MANYPENNY. No, sir.
The CHAIRMAN. Just a straight order for $150?
Mr. MANYPENNY. Yes, sir.

STATEMENT OF GUS FROST.

GUS FROST, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. You live here at Odanah?
Mr. FROST. Yes, sir.
The CHAIRMAN. And have an allotment here?
Mr. FROST. Yes, sir.
The CHAIRMAN. Has the timber been cut on it?
Mr. FROST. Yes, sir.
The CHAIRMAN. When was it cut, about when?
Mr. FROST. It is six or seven years since it has been cut.
The CHAIRMAN. Have you received the money for your timber or any part of it?
Mr. FROST. No, sir; I didn't get any money.

The CHAIRMAN. Did you ever issue an order against this money?
Mr. FROST. Yes, sir.
The CHAIRMAN. When?
Mr. FROST. It is probably eight years hence.
The CHAIRMAN. Before or after the timber was cut?
Mr. FROST. I have made a mistake in stating that it was eight years ago that I made the order. It is about five years ago. It was since the cutting of my timber.
The CHAIRMAN. Who did you make the order to?
Mr. FROST. Harry Beser.
The CHAIRMAN. And this was after your timber was cut?
Mr. FROST. Yes, sir.
The CHAIRMAN. How much was the order for?
Mr. FROST. It was $100 order.
The CHAIRMAN. How much money did you get on it?
Mr. FROST. Seventy-five dollars.
The CHAIRMAN. Did you make any paper showing what the money was to be used for?
Mr. FROST. No, sir; he didn't ask me for any such.
The CHAIRMAN. Did the order draw interest?
Mr. FROST. No, sir.
The CHAIRMAN. Did he pay you in cash?
Mr. FROST. Yes, sir; he gave me $75 in cash.
The CHAIRMAN. Besides this $75, have you ever had any money from your timber?
Mr. FROST. No, sir.
The CHAIRMAN. Was anyone present when you made your order and had this trade with Harry Beser?
Mr. FROST. Frank Blatchford was there.
The CHAIRMAN. Let Mr. Manypenny take the stand.

STATEMENT OF CHARLES MANYPENNY—Continued.

CHARLES MANYPENNY resumed the stand, and testified as follows:
The CHAIRMAN. Do you know whether that order was paid in full?
Mr. MANYPENNY. Yes, sir; it was paid in full.
Mr. HOLCOMBE. Were you ever asked whether that order had been discounted?
Mr. MANYPENNY. No, sir; I never was.
The CHAIRMAN. Was anybody present when you made the order?
Mr. MANYPENNY. Yes, sir.
The CHAIRMAN. Who?
Mr. MANYPENNY. Frank Blatchford.

STATEMENT OF JIMMY SCOTT.

JIMMY SCOTT, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:
The CHAIRMAN. Where do you live?
Mr. SCOTT. In Odanah.
The CHAIRMAN. How long have you lived here?
Mr. SCOTT. I was born here.
The CHAIRMAN. Have you an allotment here?
Mr. SCOTT. Yes, sir.

The CHAIRMAN. Has the timber been cut?
Mr. SCOTT. No, sir.
The CHAIRMAN. Any of it?
Mr. SCOTT. Not any that I know of.
The CHAIRMAN. Have you ever discounted any order on your timber?
Mr. SCOTT. I gave orders to the sisters.
The CHAIRMAN. Did anybody pay you for the order?
Mr. SCOTT. The sisters did.
The CHAIRMAN. The sisters paid you?
Mr. SCOTT. Yes, sir.
The CHAIRMAN. They paid you the full amount?
Mr. SCOTT. Ten dollars they gave me out of the $25 order.
The CHAIRMAN. You gave an order for $25 and they gave you $10?
Mr. SCOTT. Yes, sir.
The CHAIRMAN. You intended to give them the balance, didn't you?
Mr. SCOTT. Yes, sir.

STATEMENT OF MIKE AUGE.

MIKE AUGE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You live here on the reservation?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Have you an allotment?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Has it been cut?
Mr. AUGE. Yes, sir.
The CHAIRMAN. When was it cut?
Mr. AUGE. Ten or twelve years ago.
The CHAIRMAN. Have you ever drawn the money or any portion of the money on account of the timber?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Drawn it all?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Do you know what the word "discount" means?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Have you ever discounted orders against that fund?
Mr. AUGE. No, sir.
The CHAIRMAN. Never have sold an order against the fund for less than the face of the order?
Mr. AUGE. Not against the fund. I did on the allotment.
The CHAIRMAN. Well, have you against other funds or have you been with people who discounted orders?
Mr. AUGE. No, sir. I discounted an order that I got Jim Miller.
The CHAIRMAN. Was Jim Miller an allottee?
Mr. AUGE. Yes, sir.
The CHAIRMAN. How much was his order for?
Mr. AUGE. Five hundred and fifty dollars.
The CHAIRMAN. And you bought it of him?
Mr. AUGE. No; I bought him out. I was in the grocery business.
The CHAIRMAN. And you discounted that order?

Mr. AUGE. Yes, sir.
The CHAIRMAN. Who to?
Mr. AUGE. Thomas Bardon.
The CHAIRMAN. Of Superior?
Mr. AUGE. Here at Ashland.
The CHAIRMAN. How much did you get for it?
Mr. AUGE. Three hundred and seventy-five dollars.
The CHAIRMAN. Was the order approved?
Mr. AUGE. No, sir.
The CHAIRMAN. Did you try to get the superintendent of the Indian agency here to cash it for you?
Mr. AUGE. No, sir; because I knew at that time he would not approve the order.
The CHAIRMAN. So you discounted it to Bardon?
Mr. AUGE. Yes, sir.
The CHAIRMAN. Do you know whether the order was paid?
Mr. AUGE. I think it has been paid.
The CHAIRMAN. It was your order, wasn't it?
Mr. AUGE. The order was issued to me.
The CHAIRMAN. Who issued it to you?
Mr. AUGE. Jim Miller.
The CHAIRMAN. It was Jim Miller's order on Jim Miller's money?
Mr. AUGE. Yes, sir.
The CHAIRMAN. When was this transaction?
Mr. AUGE. Four or five years ago.

STATEMENT OF JOSETTA CONDEACON MARKSMAN.

JOSETTA CONDEACON MARKSMAN, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You are charged here with checks running from $10 to $1,600, between the dates of December 4, 1905, and May 1 following, I assume. Do you claim that you never got all of those checks?
Mrs. MARKSMAN. No, sir.
The CHAIRMAN. Did you get any of them?
Mrs. MARKSMAN. No, sir.
The CHAIRMAN. You didn't get any of them?
Mrs. MARKSMAN. No, sir.
The CHAIRMAN. Are you married?
Mrs. MARKSMAN. Yes, sir.
The CHAIRMAN. Are your parents living?
Mrs. MARKSMAN. One.
The CHAIRMAN. Which one?
Mrs. MARKSMAN. Tom Condeacon, my father, is living.
The CHAIRMAN. Where does he live?
Mrs. MARKSMAN. He lives here in town.
The CHAIRMAN. Now, the timber has been cut on your allotment?
Mrs. MARKSMAN. Yes.
The CHAIRMAN. Among other items, this shows a payment of $1,668. Did you ever give any orders on this fund?
Mrs. MARKSMAN. No, sir; not that I know of.
The CHAIRMAN. You would know of it if you gave it, wouldn't you?

Mrs. MARKSMAN. Yes, sir; because I wasn't here.
The CHAIRMAN. Well, it could be sent to you, couldn't it?
Mrs. MARKSMAN. Well, I never even wrote home.
The CHAIRMAN. Where were you all this time?
Mrs. MARKSMAN. Omaha.
The CHAIRMAN. How old are you?
Mrs. MARKSMAN. Twenty-seven.
The CHAIRMAN. This statement is a statement of the Northern National Bank of Ashland, Wis., marked Josetta Condeacon in account with that bank. Major Campbell, you can look at that. [Handing paper to Major Campbell.]
Mr. CAMPBELL. The item of $1,600?
The CHAIRMAN. No; it is all of those items. You may state if that is your account or the bank's statement.
Mr. CAMPBELL. I don't think it is our statement.
The CHAIRMAN. How old do you say you are?
Mrs. MARKSMAN. Twenty-seven.
Mr. HOLCOMBE. Have you any money in the bank?
Mrs. MARKSMAN. I have got some money some place.
The CHAIRMAN. Have you ever talked with the officials—the Indian officials—about your account?
Mrs. MARKSMAN. No, sir.
The CHAIRMAN. Where did you get this?
Mrs. MARKSMAN. I got it here in the office—the Indian office, in the farmer's office.
The CHAIRMAN. When?
Mrs. MARKSMAN. Last fall, when I come home.
The CHAIRMAN. You know that the Indians were given $10 for a while, don't you?
Mrs. MARKSMAN. Yes, sir.
The CHAIRMAN. Some of these items are $10 items. Didn't you get any $10 monthly payments?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. Is there any one else you know of on the reservation by your name?
Mrs. MARKSMAN. No, sir.
Senator PAGE. Do you know that you have in the bank now $2,900 to your credit?
Mrs. MARKSMAN. No, sir; but I took some of it out last winter.
Senator PAGE. Have you asked the banks for those checks which they say they paid to you?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. How did you get this money out of the bank which you say you drew last winter?
Mrs. MARKSMAN. I made application last winter.
Mr. HOLCOMBE. Application to the agent?
Mrs. MARKSMAN. Yes, sir.
Mr. HOLCOMBE. Did you ever make any application to the agent before that?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. Do you know whether your father ever made any application for you?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. He did not?
Mrs. MARKSMAN. No, sir.

Mr. HOLCOMBE. What were you doing in Omaha?
Mrs. MARKSMAN. I was working there.
Mr. HOLCOMBE. Not attending school?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. Did you ever attend school off the reservation?
Mrs. MARKSMAN. Yes, sir.
Mr. HOLCOMBE. When?
Mrs. MARKSMAN. About ten years ago.
Mr. HOLCOMBE. Was your husband in Omaha with you?
Mrs. MARKSMAN. No, sir.
Mr. HOLCOMBE. Where was he?
Mrs. MARKSMAN. I wasn't married at that time?
Mr. HOLCOMBE. When did you come back from Omaha?
Mrs. MARKSMAN. Last fall.
Mr. HOLCOMBE. You were married since last fall?
Mrs. MARKSMAN. Yes, sir.
Mr. HOLCOMBE. What is your husband's name?
Mrs. MARKSMAN. David Marksman.

Mr. CAMPBELL. When you come to Ashland you can have that explained, if I remember correctly. She had been gone for two or three years, and she had run an account at the Stearns Lumber Company. The 5 per cent is never settled—that is, until the timber is cut—and she was gone and I could not get anybody to sign a check. I took it up with the commissioner and explained it to him; sent him a statement of the account, and after corresponding with the commissioner, the commissioner authorized me to send those checks according to the facts as I gave them to him. I think you will find that this is the case.

The CHAIRMAN. To whom were the checks made?
Mr. CAMPBELL. The checks were made to her.
The CHAIRMAN. Who were the proceeds delivered to?

Mr. CAMPBELL. The company had put her 5 per cent up and she had drawn it out, and these $10 checks were issued to her that she owed, and you will find the correspondence in the office stating the whole facts of the case to the commissioner, and authority from him as to how to settle this case, because we could not find her to settle this indebtedness. I think that is the $1,600 item, and I think you will find it up there.

The CHAIRMAN. About this 5 per cent; had it been advanced to her?

Mr. CAMPBELL. Yes, sir. An estimate was made of each allotment, of the amount of timber that should be on each allotment, and 5 per cent of that estimate is paid into the office, and that is for the Indian to draw on from time to time under the $10 system, or trading $10 a month on it. When the timber is cut that is taken out of the proceeds.

The CHAIRMAN. When was this timber cut? Do you know?
Mrs. MARKSMAN. That same year, I guess; I went away.
The CHAIRMAN. Did you get some money before that?
Mrs. MARKSMAN. No.
The CHAIRMAN. Do you mean to say you never got any money?
Mrs. MARKSMAN. Why, I could never get any cash. I used to get coupons.
The CHAIRMAN. Coupons from whom?
Mrs. MARKSMAN. From here in the office at the company stores.

The CHAIRMAN. Were those ever paid that way?

Mr. CAMPBELL. If an Indian hadn't any money to his credit to trade on and he was hard up, and wanted to draw any, they drew it from the company in goods and other things, and that was set as an offset, with a statement of it.

The CHAIRMAN. Major, would your office have these checks now or the bank?

Mr. CAMPBELL. I think that they are in the bank. What date are they?

The CHAIRMAN. They begin December 4, 1905, and run down to May 1. I assume it is the following May.

Mr. CAMPBELL. Yes, this new system of putting the number of the approval of the commissioner on the check has only run, I think, about two years, when the change was made.

The CHAIRMAN. Now, what I want to get at is, does your account up there show if there had been advances to her, either in checks or on indorsements or coupons to these amounts?

Mr. CAMPBELL. I think so. The statement ought to be up there.

Senator LA FOLLETTE. Would there be any account here in the farmer's office of the advances made of coupons to her?

Mr. CAMPBELL. No; I think not. That would come direct from the company, an itemized statement of it from the Stearns Lumber Company.

Senator LA FOLLETTE. What is the total amount of money that has been paid out there in that way?

The CHAIRMAN. About $187.

Senator LA FOLLETTE. You say you received some coupons before you went to Omaha?

Mrs. MARKSMAN. Yes.

Senator LA FOLLETTE. For how long a period had you been receiving coupons?

Mrs. MARKSMAN. Since I made the contract.

Senator LA FOLLETTE. Since you made the contract?

Mrs. MARKSMAN. Yes, sir.

Senator LA FOLLETTE. Do you remember the time, or about the time of the making of the contract?

Mrs. MARKSMAN. No, sir.

Senator LA FOLLETTE. Do you remember about how long a period passed between the making of the contract and your going to Omaha?

Mrs. MARKSMAN. No, sir.

Senator LA FOLLETTE. Have you any means of knowing about how much you received in the way of coupons?

Mrs. MARKSMAN. No, sir.

Senator LA FOLLETTE. Was it made before you were of age—while you were a minor?

Mrs. MARKSMAN. Yes, sir.

Senator LA FOLLETTE. Were those coupons made to your father or made to you?

Mrs. MARKSMAN. Made to me.

Senator LA FOLLETTE. Could you have received coupons to the amount of $1,800 during that time?

Mrs. MARKSMAN. I don't know.

Senator LA FOLLETTE. If you received coupons amounting to as large a sum as that, you would be likely to know, wouldn't you?

Mrs. MARKSMAN. Yes, sir.

Senator LA FOLLETTE. Do you think the coupons which you received amounted to anything like $1,800?

Mrs. MARKSMAN. No, sir.

Senator LA FOLLETTE. What use would you make of coupons of any considerable amount—were these coupons just for your own living?

Mrs. MARKSMAN. Yes, sir.

Senator LA FOLLETTE. You had no family at the time?

Mrs. MARKSMAN. No, sir.

Senator LA FOLLETTE. Were some of these coupons drawn for the benefit of your father's family, do you know; might they have been drawn with your consent for the benefit of your father's family—for the maintenance of the family—do you understand me?

Mrs. MARKSMAN. Yes, sir.

Senator LA FOLLETTE. Do you think that they may have been?

Mrs. MARKSMAN. I don't know.

The CHAIRMAN. When was your allotment cut, do you know?

Mrs. MARKSMAN. 1905—1906, the first year I went away.

Senator LA FOLLETTE. Will you give us your best recollection of about the time the contract was made so we will know about how long a period elapsed there in which you received coupons?

Mrs. MARKSMAN. About 1898.

Senator LA FOLLETTE. About 1898?

Mrs. MARKSMAN. Yes, sir.

Mr. CAMPBELL. We have got that up there.

Senator LA FOLLETTE. We would like to have it.

The CHAIRMAN. This statement may be put in the record.

Josette Condecon in account with Northern National Bank, Ashland, Wis.

Sept. 5, 1905.	To deposit	$543.98
Jan. 2, 1906.	Interest	4.94
Mar. 20, 1906.	Deposit	3,655.42
Apr. 19, 1906.	Deposit	269.51
June 21, 1906.	Deposit	10.60
Aug. 14, 1906.	Interest	32.26
Nov. 13, 1906.	Deposit	42.02
Dec. 31, 1906.	Interest	56.50
June 29, 1907.	Interest	56.70
Jan. 1, 1908.	Interest	53.85
June 30, 1908.	Interest	58.62

Contra.

Dec. 4, 1905.	Ck. No. 1	$35.00	
Dec. 4, 1905.	Ck. No. 2	10.00	
Jan. 2, 1906.	Ck. No. 3	15.00	
Jan. 4, 1906.	Ck. No. 4	10.00	
Mar. 1, 1906.	Ck. No. 5	10.00	
Mar. 24, 1906.	Ck. No. 6	176.00	
Apr. 2, 1906.	Ck. No. 7	10.00	
Apr. 17, 1906.	Ck. No. 8	1,600.63	
May 1, 1906.	Ck. No. 9	10.00	
	Balance	2,917.27	
		4,793.90	4,793.90
Oct. 14, 1908.	By balance		2,917.27
			1,876.63

From about December 20, 1905, to October 8, 1908, not on the reservation or received any check.

STATEMENT OF FATHER ODERIC.

FATHER ODERIC, a Catholic priest, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. I am not advised as to the point your testimony will be directed to. You may proceed with any statement you desire to make.

Father ODERIC. On the 12th of February, 1902, I baptized a child called Francis Joseph Sero, the son of Norbert Sero and Jane Valedo. Some people called her Jane Smart. The child was born February 12, 1902, and the sponsors of the baptism were Jane and Mary Stuart.

Senator LA FOLLETTE. Was that woman the wife of Norbert Sero?

Father ODERIC. No; she was not.

STATEMENT OF JAMES DOOLITTLE—Continued.

JAMES DOOLITTLE resumed the stand and testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. Do you know a child known as Eelyn Dorothy Shelefoe?

Mr. DOOLITTLE. I believe there is such a child, but I don't know the exact name of it.

The CHAIRMAN. Is that child your niece; are you the child's uncle?

Mr. DOOLITTLE. My wife's nephew. I am not related to him by blood, but by marriage.

The CHAIRMAN. Is your wife a Chippewa Indian?

Mr. DOOLITTLE. Yes, sir.

The CHAIRMAN. Of what tribe or band?

Mr. DOOLITTLE. Chippewa.

The CHAIRMAN. What band?

Mr. DOOLITTLE. This band; Bad River band.

The CHAIRMAN. And the mother of this girl is the sister of your wife, is she?

Mr. DOOLITTLE. This child's father's mother was the sister of my wife, deceased.

The CHAIRMAN. The committee will take a recess for ten minutes.

STATEMENT OF WILLIAM GORDON.

WILLIAM GORDON, having first been duly sworn, testified as follows:

The CHAIRMAN. You have a statement that you desire to make before the committee?

Mr. GORDON. Yes, sir.

The CHAIRMAN. You may proceed with your statement.

Mr. GORDON. It is about a farm that I bought in Minnesota.

The CHAIRMAN. Where in Minnesota?

Mr. GORDON. In Sherburne County.

The CHAIRMAN. How did you come to buy it?

Mr. GORDON. I wanted a farm; that is the reason I bought it.

The CHAIRMAN. Do you live here on the reservation?

Mr. GORDON. I live here at Odanah.

The CHAIRMAN. And you have an allotment?

Mr. GORDON. Yes, sir.

The CHAIRMAN. And you have timber on the allotment?

Mr. GORDON. Yes, sir.

The CHAIRMAN. And was the timber cut?

Mr. GORDON. Yes, sir; it has been cut since I bought the farm.

The CHAIRMAN. Can you get the money to pay for the farm?

Mr. GORDON. Oh, yes, sir; the farm is paid for; it is paid for this spring.

The CHAIRMAN. What is the trouble, then?

Mr. GORDON. The trouble now is that when we bought the farm we were told the timber would be cut soon. The timber was not cut until the interest amounted to $1,470. We were told that we had to pay interest on that farm. Myself and my son bought the farm together.

The CHAIRMAN. How big a farm did you buy?

Mr. GORDON. One hundred and sixty-five acres.

The CHAIRMAN. Near what town is it?

Mr. GORDON. It is near Clear Lake.

The CHAIRMAN. Is it improved?

Mr. GORDON. Yes, sir; it is improved.

The CHAIRMAN. You have a good farm, have you?

Mr. GORDON. Yes, sir; and we had to pay a big price for it.

The CHAIRMAN. Is there anything else that you desire to say?

Mr. GORDON. That is all.

The CHAIRMAN. Did you have any unnecessary trouble in getting the money?

Mr. GORDON. No, sir.

The CHAIRMAN. There was no objection to turning it over to you when they got it, was there?

Mr. GORDON. That is, the pay for the farm?

The CHAIRMAN. I mean your timber money.

Mr. GORDON. Well, no; I did not get any timber money only when I made an application for the same purpose.

The CHAIRMAN. Did you have any trouble when you made your application?

Mr. GORDON. Sometimes we did.

The CHAIRMAN. Have you got it all now?

Mr. GORDON. No, sir; I have not got it all.

The CHAIRMAN. How much is there back?

Mr. GORDON. About three or four thousand.

The CHAIRMAN. Have you made application for that?

Mr. GORDON. No, sir.

The CHAIRMAN. Have you received enough so that you were able to pay for your farm?

Mr. GORDON. Yes, sir.

The CHAIRMAN. You do not claim, do you, that there was any unnecessary or unreasonable delay in turning the money over to you after the Government got it?

Mr. GORDON. No, sir; it was turned right over to pay for the farm after the timber was cut.

The CHAIRMAN. What you claim is that they told you it would be cut soon, and on the strength of that you went into debt?

Mr. GORDON. Yes, sir; and the interest ate up the farm almost.

Mr. HOLCOMBE. Who told you it was going to be cut soon?
Mr. GORDON. Major Campbell.
Mr. HOLCOMBE. Is there anything further that you desire to say?
Mr. GORDON. No; that is all.
(The witness was thereupon excused.)

STATEMENT OF ALBERT W. SANBORN.

ALBERT W. SANBORN, having first been duly sworn, testified as follows:

The CHAIRMAN. The committee understands that you desire to make a statement.

Senator LA FOLLETTE. Mr. Chairman, I desire to call Senator Sanborn for a question or two, and then he has a witness or two that he desires to put on in connection with his own matter.

The CHAIRMAN. Very well.

Senator LA FOLLETTE. Senator Sanborn, Mr. Sero testified to-day that Antoine Dennis was drunk on Friday morning, that was yesterday morning, at about half past 7 o'clock so that he staggered. I will ask you to state if you saw Antoine Dennis at or about that time?

Mr. SANBORN. I did; somewhere near that time.

Senator LA FOLLETTE. Where?

Mr. SANBORN. I saw him on the street right around the block down here coming out of a house. We were coming in that direction, and after we turned the first corner, we went from the Morrison house down to the corner, and turned to the right and met him right about the middle of that block.

Senator LA FOLLETTE. How did you happen to be there at that time in the morning?

Mr. SANBORN. I was out taking a walk with you before breakfast; we were just simply walking around town.

Senator LA FOLLETTE. Did you have any conversation with Antoine Dennis at that time?

Mr. SANBORN. Yes, sir.

Senator LA FOLLETTE. State to the committee, if you please, what his condition was with respect to sobriety or drunkenness?

Mr. SANBORN. He was sober certainly at that time; I did not see any signs of liquor about him at all.

Senator LA FOLLETTE. Senator Sanborn, will you turn to the report that lies on the table, and to the case of Norbert Sero that went to the Supreme Court?

Mr. SANBORN. The case of Derringen *v.* Sero?

Senator LA FOLLETTE. Yes. State whether that was a case in which an assault had been committed, or in which it was charged that an assault had been committed upon some one?

Mr. SANBORN. Yes, sir; it was a civil action for damages brought by Derringen against Sero.

Senator LA FOLLETTE. Will you turn to that paragraph in which the court comments upon the testimony taken in the case, and the defense that Sero made that he was in the discharge of his official duty when he committed the offense, and read the comment of the court, which is very brief, and covers only a few lines of the report.

Mr. SANBORN. Sero was the appellant in this case—that is, the appellee. That part of the decision is as follows:

There was evidence, as indicated in the statement, tending to show that appellant assaulted respondent to prevent him enjoying his foregoing-stated lawful privileges. There was no justification, as the jury were warranted in finding, for violating respondent's person after the notification of the perfectly legitimate purpose in mind, or of pushing him back after being so notified, and following it up with harsh treatment, upon being defied, for the unlawful interference culminating with knocking him down with a club, and incarcerating him in the jail, seems to be without the slightest legal warrant, as the jury may well have found. The foregoing shows that the case was rightfully submitted to the jury upon the question of actual as well as punitive damages.

Senator LA FOLLETTE. Please state the date of that opinion?

Mr. SANBORN. It is December 15, 1908.

Senator LA FOLLETTE. Does the case state the date of the assault.

Mr. SANBORN. I do not think it does.

The CHAIRMAN. Do you happen to know when it occurred?

Senator LA FOLLETTE. Or about when?

Mr. SANBORN. My recollection is that it occurred about six months before the trial in the circuit court. I should say that it occurred somewhere in the neighborhood of a year before December 15, 1908, or in the spring before that.

Senator LA FOLLETTE. In the winter or spring of 1907?

Mr. SANBORN. Yes, sir; along there somewhere.

Senator LA FOLLETTE. I understood that you desired to call a witness, Senator Sanborn.

Mr. SANBORN. Yes, sir; two witnesses with regard to that allotment question. They will be very brief.

STATEMENT OF EDMUND MERCER.

EDMUND MERCER, having been first duly sworn, testified as follows:

Mr. SANBORN. Where do you live?

Mr. MERCER. In Ashland, Wis.

Mr. SANBORN. What is your business?

Mr. MERCER. I am superintendent of the logging team for the Stearns Lumber Company.

Mr. SANBORN. Superintendent of the logging on this reservation?

Mr. MERCER. Yes, sir.

Mr. SANBORN. How long have you been connected with this reservation?

Mr. MERCER. Since the year 1881—the fall of 1881.

Mr. SANBORN. You were here before the Stearns Lumber Company came here, were you not?

Mr. MERCER. Yes, sir.

Mr. SANBORN. Are you well acquainted with the reservation?

Mr. MERCER. Yes, sir.

Mr. SANBORN. And all parts of it?

Mr. MERCER. Yes, sir.

Mr. SANBORN. And you are well acquainted with the timber?

Mr. MERCER. Yes, sir.

Mr. SANBORN. And the character of that timber all over the reservation?

Mr. MERCER. Yes, sir.

Mr. SANBORN. When was the first timber cut from this reservation?

Mr. MERCER. I believe that was in 1890, the year before I came.

Mr. SANBORN. And from that time down has timber been cut right along every year?

Mr. MERCER. Yes, sir; except in 1889, 1890, and 1891, I think.

Mr. SANBORN. Those three years?

Mr. MERCER. Yes, sir.

Mr. SANBORN. What is the character of the timber now and the land that is unallotted?

Mr. MERCER. The timber is kind of second-growth timber; kind of rough. It is not as good as it used to be in the old times.

Mr. SANBORN. When was the best timber allotted?

Mr. MERCER. It was in 1880, I should thikn, or in 1881 to 1888. It was cut in that time.

Mr. SANBORN. The best of it was cut out from 1881 to 1888?

Mr. MERCER. Yes, sir; it stood on four townships.

Mr. SANBORN. What four townships were they?

Mr. MERCER. That was in township 46, range 2; township 47, range 2; township 47, range 1; and township 48, range 2.

Mr. SANBORN. Is the unallotted land all timbered land that is left?

Mr. MERCER. No, sir.

Mr. SANBORN. How does the timber compare that is on the land that is unallotted with that that has been cut off heretofore?

Mr. MERCER. There is a good deal of it.

Mr. SANBORN. In which way?

Mr. MERCER. It is the poorest now. Of course the cork pine was cut first in the first eight years, and afterwards the Stearns Lumber Company bought the second cutting of that cork pine. They bought the second cutting.

Mr. SANBORN. What class of timber is it that you are cutting now?

Mr. MERCER. It is second-growth quality, or we will say No. 1, common.

Mr. SANBORN. There is practically none of this timber now which makes what we used to call "selects and better," is there?

Mr. MERCER. No, sir; it is No. 1, common, down—2, 3, 4, 5, and 6.

Mr. SANBORN. As an average, about how many logs to the thousand does it take?

Mr. MERCER. It takes between twenty-two and twenty-three.

Mr. SANBORN. Do you know what is claimed to be the swamp land on this reservation?

Mr. MERCER. Yes, sir.

Mr. SANBORN. Is there any timber on that?

Mr. MERCER. Some of it; a little bit.

Mr. SANBORN. What is the character of the timber on that?

Mr. MERCER. It is tamarack.

Mr. SANBORN. Is there much pine?

Mr. MERCER. There is a little; not very much.

Mr. SANBORN. State to the committee if there is much hard wood on this reservation.

Mr. MERCER. Merchantable hard wood?

Mr. SANBORN. Yes.

Mr. MERCER. It might be elm, birch, maple, basswood, about fourteen million.

Mr. SANBORN. Is there much hemlock on this land?
Mr. MERCER. About fifty millions.
Mr. SANBORN. There has not been any hemlock or hard wood cut on this reservation, has there?
Mr. MERCER. Not very much, but some.
Mr. SANBORN. Some of that has been allotted, has it not?
Mr. MERCER. Yes, sir.
Mr. SANBORN. Do you know about how much of it?
Mr. MERCER. More than half of it.
Mr. SANBORN. And half of it has already been allotted?
Mr. MERCER. Yes, sir.
Mr. SANBORN. That is all I care to ask, Mr. Mercer.
(The witness was thereupon excused.)

STATEMENT OF GUS H. BEAULIEU.

GUS H. BEAULIEU, having first been duly sworn, testified as follows:

Mr. SANBORN. Where do you live, Mr. BEAULIEU?
Mr. BEAULIEU. I live at White Earth, Minn.
Mr. SANBORN. How long have you lived there?
Mr. BEAULIEU. About thirty-five years.
Mr. SANBORN. What is your business?
Mr. BEAULIEU. Banking, newspaper, and real estate.
Mr. SANBORN. You are an Indian, are you not?
Mr. BEAULIEU. Yes, sir.
Mr. SANBORN. Of what nation?
Mr. BEAULIEU. The Chippewa.
Mr. SANBORN. Do you know what we have been calling the St. Croix River Indians?
Mr. BEAULIEU. Yes, sir.
Mr. SANBORN. Have you made a considerable investigation of the different bands of Chippewas to know where they are and where they came from?
Mr. BEAULIEU. Yes, sir; particularly the Minnesota Chippewas.
Mr. SANBORN. In that, have you investigated what are known as the St. Croix Indians?
Mr. BEAULIEU. Yes, sir.
Mr. SANBORN. What are those Indians?
Mr. BEAULIEU. Those are a portion of what is known now as the "Mille Lac band."
Mr. SANBORN. Where is that band?
Mr. BEAULIEU. It is at Mille Lac Lake—that is, part of them. The balance have been removed to White Earth.
Mr. SANBORN. Where is Mille Lac located?
Mr. BEAULIEU. It is in Mille Lac County, Minn.
Mr. SANBORN. How far is that from St. Croix River?
Mr. BEAULIEU. I should judge it is about 30 miles.
Mr. SANBORN. Do you know that those St. Croix River Indians are a part of that band?
Mr. BEAULIEU. Yes, sir.
Mr. SANBORN. There is a reservation there, is there not, where you live?
Mr. BEAULIEU. At St. Croix?

Mr. SANBORN. No——

Mr. BEAULIEU. At White Earth; yes, sir. That is a reservation.

Mr. SANBORN. How large a reservation is that?

Mr. BEAULIEU. It is now thirty-two townships; it was thirty-six.

Mr. SANBORN. About what proportion of that has been allotted?

Mr. BEAULIEU. Well, nearly all of it, with the exception, probably, of about 80,000 acres.

Mr. SANBORN. There are about 80,000 yet unallotted?

Mr. BEAULIEU. Yes, sir.

Mr. SANBORN. What have those St. Croix Indians done with regard to getting allotments there?

Mr. BEAULIEU. Well, they have been for ten or fifteen years removing to White Earth—that is, by families. Some moved as late as last month up there.

Mr. SANBORN. State what is being done, if anything, with regard to giving them allotments?

Mr. BEAULIEU. They have been giving them allotments as fast as they moved to the reservation.

Mr. SANBORN. For what Indians is that reservation?

Mr. BEAULIEU. For all the Minnesota Indians except the Red Lake band.

Mr. SANBORN. Does it include what is known as the "Mille Lac band?"

Mr. BEAULIEU. Yes, sir. I will say, though, that under a special act, passed in 1902, which was an amendment to the Indian appropriation bill, the Mille Lac band have a right to go upon any of the reservations in Minnesota where allotments are being made.

The CHAIRMAN. Except the Red Lake.

Mr. BEAULIEU. No; it does not except the Red Lake; it is any reservation where allotments are being made, and there are eleven reservations.

Mr. SANBORN. I notice on the list here—what we called the "Allen list"—there is a large family by the name of Holmes. Do you know anything about that family?

Mr. BEAULIEU. Yes, sir.

Mr. SANBORN. State what you know about them.

Mr. BEAULIEU. The Holmes family, from Balsam Lake and St. Croix, have received allotments of land at White Earth. Some are there and some have returned to Balsam Lake.

Mr. SANBORN. And they have been receiving allotments at that reservation?

Mr. BEAULIEU. At White Earth; yes, sir.

The CHAIRMAN. Where were the Mille Lac band located as far back as you have been able to know?

Mr. BEAULIEU. From St. Croix River to Mille Lac Lake—that is, all along. There are some at St. Croix River, some at Sandstone, some at Pokogama Lake, and some on the Snake River; and some were on the Wisconsin side as far back as I have known them. On both sides of the river—the Mille Lacs are on both sides. Some are now on the Wisconsin side.

The CHAIRMAN. In dealing with the Mille Lac Indians, so far as legislation goes, it has been had with reference to those who were located in Minnesota, has it not?

Mr. BEAULIEU. To those who were entitled to live on the Mille Lac Reservation, no matter where they were; whether they were at St. Croix or Snake River or anywhere else along there.

The CHAIRMAN. But over on the Minnesota side. Do you think that an Indian from Wisconsin, as a matter of right, could have participated in a statutory benefit granted to the Mille Lac Indians?

Mr. BEAULIEU. Yes, sir; if he was a member of the Minnesota band.

The CHAIRMAN. Oh, yes; if he was a member of that band.

Mr. BEAULIEU. But he might be temporarily absent from his band.

The CHAIRMAN. He might be temporarily, but there are a large number of those St. Croix Indians who, as far back as we know, have always lived on this side.

Mr. BEAULIEU. Well, sir, I will explain that there is a portion of country there where the Mille Lac Indians, and the Courte d'Oreille Indians, I believe—a large number of Courte d'Oreille Indians also—roam about, making that their hunting grounds, so that it is hard for the Minnesota Indians to enroll the Indians that are around, or rather in the vicinity of St. Croix, and I have suggested to those men that the only way to get a correct roll is to have the representatives of the bands and fix the tribe that they belong to, whether Wisconsin or Minnesota.

The CHAIRMAN. One of the witnesses here—I think it was here—said that the St. Croix Indians were in fact a part of the Lac Courte d'Oreilles band.

Mr. BEAULIEU. I have no doubt of that; some of them are part of the Courte d'Oreilles band, because they have intermarried there and just settled around St. Croix, but a large number of them are Mille Lac Indians, and the Chippewas commission made a report—I remember that because I had something to do with it—that there are something in the neighborhood of 150 Indians in St. Croix who are on no rolls, and they recommended that they be placed on the Mille Lac rolls and removed to White Earth.

The CHAIRMAN. That was a lot that was farther south and more in the neighborhood of St. Croix Falls, was it not?

Mr. BEAULIEU. I do not know; they were all along the St. Croix River.

The CHAIRMAN. Have you not got the amount of land allotted in White Earth, subject to allotment, considerably too high—80,000 acres?

Mr. BEAULIEU. There are some allotments taken that have been applied for but not approved, and of course I could not tell about that.

The CHAIRMAN. But in order that the committee may have this matter straight, as well as those who may read this report, there is no Mille Lac Reservation any more, is there?

Mr. BEAULIEU. No, sir; not now.

The CHAIRMAN. All the reservations in Minnesota, except the Red Lake Reservation, are practically allotted?

Mr. BEAULIEU. You mean all the Indians upon the reservations?

The CHAIRMAN. Yes.

Mr. BEAULIEU. Yes, sir.

The CHAIRMAN. The land subject to allotment outside of Red Lake is practically all absorbed, is it not, by allotment?

Mr. BEAULIEU. No, sir; I would not say it was, because there are some lands on the Mississippi Reservation and some land in that Lake Reservation that has not been allotted as yet.

The CHAIRMAN. By the time they get the various reservations closed in the Minnesota Reservation, do you think there would be any land there subject to allotment?

Mr. BEAULIEU. I could not say as to that. It would depend upon how many of those Mille Lac would remove to the Mississippi Reservation.

The CHAIRMAN. My understanding is based on efforts to get allotments made over there on the Mississippi Reservation, in fact all the reservations, except a little that is left in White Earth; and of course Red Lake is gone.

Mr. BEAULIEU. Well, I do not know as to that. Under the agreement of 1902 they were to remove the Indians to any reservation upon which allotments were being made, and the Indians claim now that no land should be opened until they have all received allotments.

The CHAIRMAN. That is true, but the lands have been opened.

Mr. BEAULIEU. Part of them, I guess, have. My understanding is that the Fond du Lac Reservation has been opened.

Mr. SANBORN. Is that open for settlement to the whites?

The CHAIRMAN. Yes; the fact is, I think, that the Indian Department has tried several times to get people located there in the State who were not located, and about all the land except a small amount left in White Earth and Red Lake, which is not allotted, and which belongs to the Red Lakes is practically gone.

Senator PAGE. Will you let Mr. Beaulieu explain just how he made the investigation? You say, Mr. Beaulieu, that you have made an investigation to ascertain about the different Indian tribes?

Mr. BEAULIEU. Well, with regard to the Mille Lac Indians; I represented them about twelve years. I looked after their interests, and I wanted to ascertain where they were living, but during the last twelve years I had a great deal to do with their removal; that is, I assisted them to select allotments after they removed to White Earth. In fact, up to this week I gave an estimate to the Chippewa Commission, just before I left—and I arrived in Mille Lac on Tuesday night, where I have been to look after the interests of those Indians, and, of course, I inquired where the Indians were. I knew them. I knew most of the families, and I have a list that is an original list, an enrollment list, and I inquired where they were—and I will say that this is this family allotment—and the Indians would tell me that they were living at Tamarack or at Sandstone. They called the St. Croix River "Kechesebe," and they say they live on both sides of the river.

Senator PAGE. Did you ascertain where they lived, how they existed fifty or sixty years ago, or did you make our investigation to cover the present time?

Mr. BEAULIEU. No, sir; there were a good many Indians who claimed to belong to Mille Lac, and in 1902 there was $40,000 paid to them for their improvements, and at that time those St. Croix Indians claimed that some of their relatives and parents lived there and that they were heirs to the improvements that had been made there, and at that time I looked it up and found out that those Indians lived all along Snake River and the St. Croix.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF EDMUND MERCER.

EDMUND MERCER, having been recalled, testified as follows:

The CHAIRMAN. There is a matter that we had up for consideration at Ashland, and will have to take up again, in regard to this swamp-land matter. Are you familiar with the swamp lands in this country?

Mr. MERCER. Pretty well.

The CHAIRMAN. What is your opinion as to whether those lands could be drained to any advantage?

Mr. MERCER. It would be pretty hard around the lake here. The water of the lake is covering the swamp land here.

The CHAIRMAN. I think you stated that they were covered partly with tamarack?

Mr. MERCER. If you take it away from the lake, they are. They are simply the forties. Most of the swamp land is only lake.

The CHAIRMAN. What would be the effect on the tamarack, where the tamarack swamps could be drained?

Mr. MERCER. It would be easy; simply ditch it.

The CHAIRMAN. What effect would it have on the tamarack timber?

Mr. MERCER. It will kill it.

The CHAIRMAN. I think that is all.

Senator LA FOLLETTE. You are acquainted with the bend in the river up here where the overflow occurred just above the sister's school?

Mr. MERCER. Yes, sir.

Senator LA FOLLETTE. A roadway has been built there with brush and sand by the town of Sanborn?

Mr. MERCER. Yes, sir.

Senator LA FOLLETTE. I will ask you to state whether you think that is a sufficient protection against flood.

Mr. MERCER. No, sir; it is not.

Senator LA FOLLETTE. I wish you would just state briefly, in a word, what would be the proper method of protecting the bank there from the bridge down.

Mr. MERCER. There should be pilings driven there.

Senator LA FOLLETTE. Along the east side—is it the east side?

Mr. MERCER. The north side of the stream.

Senator LA FOLLETTE. Beginning where?

Mr. MERCER. From the railroad bridge to the front of the sister's school.

Senator LA FOLLETTE. What, if anything, would you do in addition to the piling?

Mr. MERCER. The piling ought to be faced with timber inside. They keep the piling driven close to the brush and dirt, and after the piles were driven and plated with timber put more dirt and brush against it.

Senator LA FOLLETTE. In a rough way, what would that cost for the material and work to put such a protection there?

Mr. MERCER. There would have to be cedar piling, because that would be the piling that would stay and keep from rotting; the timber and the work, I should think, would be about fourteen or fifteen hundred dollars.

Senator LA FOLLETTE. Would that be a lasting protection there?

Mr. MERCER. Yes, sir.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF HON. ALBERT W. SANBORN, A STATE SENATOR OF WISCONSIN.

Hon. ALBERT W. SANBORN, having been recalled, testified as follows:

The CHAIRMAN. You are a member of the bar of Ashland County, are you not?

Mr. SANBORN. Yes, sir.

The CHAIRMAN. How long have you been at the bar there?

Mr. SANBORN. At Ashland since 1893.

The CHAIRMAN. Do you know Mr. Pierelle?

Mr. SANBORN. Yes, sir.

The CHAIRMAN. He has appeared here at these hearings?

Mr. SANBORN. Yes, sir.

The CHAIRMAN. He is a member of the bar of that county, is he not?

Mr. SANBORN. Yes, sir.

The CHAIRMAN. How long has he been there?

Mr. SANBORN. I should say, now, something like ten years of more; perhaps longer than that. I could not say exactly.

The CHAIRMAN. You may state what you know with regard to Mr. Pierelle's standing and reputation and character as a lawyer and as a citizen.

Mr. SANBORN. His standing is good. He is a good lawyer and a conscientious, straightforward lawyer. He has a good reputation. I have never heard anything to the contrary at any time.

The CHAIRMAN. What office does he hold there?

Mr. SANBORN. District attorney. This is his second term.

The CHAIRMAN. What is his reputation for efficiency as an official?

Mr. SANBORN. It is good. He has been a good district attorney and a keen prosecutor.

Senator BROWN. He enforces the law, does he not?

Mr. SANBORN. Yes, sir; as far as I know. I never heard any complaint on that subject.

(The witness was thereupon excused.)

STATEMENT OF JAMES LAFRENIA.

JAMES LAFRENIA, having been first duly sworn, testified as follows:

Senator LA FOLLETTE. Where do you live?

Mr. LAFRENIA. Nine miles south of Ashland.

Senator LA FOLLETTE. At the present time?

Mr. LAFRENIA. Yes, sir.

Senator LA FOLLETTE. What is your business?

Mr. LAFRENIA. Farming.

Senator LA FOLLETTE. Did you live at any time on this reservation?

Mr. LAFRENIA. Yes, sir.

Senator LA FOLLETTE. Here in Odanah?

Mr. LAFRENIA. Yes, sir.

Senator LA FOLLETTE. Did you hold any official position?

Mr. LAFRENIA. Yes, sir.

Senator LA FOLLETTE. What position did you hold?

Mr. LAFRENIA. Policeman.

Senator LA FOLLETTE. When did you go away from here?

Mr. LAFRENIA. A year ago last May.

Senator LA FOLLETTE. When did you cease to be a policeman here?
Mr. LAFRENIA. Three years ago.
Senator LA FOLLETTE. How long were you a policeman?
Mr. LAFRENIA. Nine months.
Senator LA FOLLETTE. Did you serve under Norbert Sero?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. While you were on the force?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. Did you at any time at the request of Norbert Sero take any package from the depot?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. Was he present when you got the package at the depot?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. What sort of a package was it?
Mr. LAFRENIA. It was a box.
Senator LA FOLLETTE. How large was it?
Mr. LAFRENIA. About twelve by fourteen.
Senator LA FOLLETTE. Did Sero tell you what the box contained?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. What did he say it contained?
Mr. LAFRENIA. Whisky.
Senator LA FOLLETTE. Where did he tell you to take it first?
Mr. LAFRENIA. At first we started across the river with the package.
Senator LA FOLLETTE. Who was carrying it?
Mr. LAFRENIA. I was. When we got here in front of the farmer's office he said, "I guess I will take that home," so we went on down to his house with it, entered the house and went into the front room, and I laid the package on the floor and he opened it.
Senator LA FOLLETTE. What was in it?
Mr. LAFRENIA. There were four bottles—four quart bottles.
Senator LA FOLLETTE. Were they full or empty?
Mr. LAFRENIA. They appeared to be full.
Senator LA FOLLETTE. Were they sealed up?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. The tops of them were sealed?
Mr. LAFRENIA. Yes, sir; they were sealed bottles.
Senator LA FOLLETTE. And you did not open them, and he did not open them while you were there?
Mr. LAFRENIA. No, sir.
Senator LA FOLLETTE. How long did you remain there?
Mr. LAFRENIA. About fifteen minutes, I judge.
Mr. HOLCOMBE. Were the bottles labeled?
Mr. LAFRENIA. Yes, sir.
Senator LA FOLLETTE. What was on the labels?
Mr. LAFRENIA. I did not look at all.
Mr. HOLCOMBE. Do you know what was in the bottles?
Mr. LAFRENIA. No, sir.
Mr. HOLCOMBE. Do you know what became of them?
Mr. LAFRENIA. No, sir.
Mr. HOLCOMBE. While you were here as a policeman did you ever seize any other liquor?
Mr. LAFRENIA. Yes, sir.
Mr. HOLCOMBE. What did you do with it?

Mr. LAFRENIA. I took it down to the jail.
Mr. HOLCOMBE. That was the customary place for putting it?
Mr. LAFRENIA. Yes, sir.
Mr. HOLCOMBE. Was that box marked to anybody?
Mr. LAFRENIA. There was a tag on it.
Mr. HOLCOMBE. Who was it addressed to?
Mr. LAFRENIA. I do not remember who it was addressed to.
Mr. HOLCOMBE. Was it addressed to Mr. Sero?
Mr. LAFRENIA. I do not remember that, either.
Senator LA FOLLETTE. I think I can call a witness on that point in a moment if you desire a record made of that.
Mr. HOLCOMBE. Yes; I would like to have a record made of that.
Senator LA FOLLETTE. Yes; I think a record should be made of it.
(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF MRS. EUNICE SERO.

Mrs. EUNICE SERO, having been recalled, testified as follows:
Senator LA FOLLETTE. Mrs. Sero, did you hear the testimony of Mr. Lafrenia?
Mrs. SERO. Yes, sir.
Senator LA FOLLETTE. Do you remember anything about the delivery of the box there about which he testified?
Mrs. SERO. Yes, sir; I do.
Senator LA FOLLETTE. Do you know what it contained?
Mrs. SERO. It was four bottles of whisky.
Senator LA FOLLETTE. Was it so labeled?
Mrs. SERO. Yes, sir.
Senator LA FOLLETTE. Was the whisky ever opened there in your house so far as you know?
Mrs. SERO. Yes, sir.
Senator LA FOLLETTE. Do you know what was done with it from time to time?
Mrs. SERO. Mr. Sero used some of it, and I do not know what he did with the other. Sometimes the Indians would come there for whisky, for an order, and he did not give it to them; he would just take the whisky from the bottles and pour it into another bottle and give it to the Indians—whoever wanted it.
Senator LA FOLLETTE. You speak of an order. What is the nature of that order?
Mrs. SERO. They have to get those on the reservation if they want any whisky.
Senator LA FOLLETTE. Did he issue any orders?
Mrs. SERO. He used to issue them; yes, sir. He does yet, as far as I know.
Senator LA FOLLETTE. Is that the regulation, that the police officer can issue orders for whisky, Mr. Holcombe?
Mr. HOLCOMBE. I do not know.
The CHAIRMAN. What were those orders issued for?
Mrs. SERO. Anybody who wanted the whisky would say they were sick, and they would go to him, and he would write out a little order, and they would take it over to the drug store and get the whisky.
The CHAIRMAN. That was on the theory, at least, that they were sick. That theory has been invoked from time immemorial.

Senator LA FOLLETTE. Was there any of this whisky delivered in that way on orders from his house instead of the drug store?

Mrs. SERO. Lots of times they would come there and ask for an order, and he would happen to have the whisky in the house and would give it to them.

Senator LA FOLLETTE. Would he write an order or sign his name to a prescription?

Mrs. SERO. No, sir; he would just give them the bottle of whisky, but he has written prescriptions for different Indians and they have taken them to the drug store.

Senator LA FOLLETTE. You do not know that, do you?

Mrs. SERO. Yes, sir; I have seen it and been at the office when the Indians have been in to get the prescription.

Senator LA FOLLETTE. Whose name would be signed to them?

Mrs. SERO. He would sign "N. J. Sero." I guess they are on file at the drug store.

Senator LA FOLLETTE. Would they have a physician's prescription on which to get the whisky when he would issue the order?

Mrs. SERO. I have never seen any. They would just come and ask him for some, and he would say, "What for?" and they would say they were not feeling well, and he would ask them how much they wanted, and they would say a pint or a half pint.

The CHAIRMAN. What drug store is this?

Mrs. SERO. The government drug store.

The CHAIRMAN. Over in the company's store?

Mrs. SERO. The company's drug store.

Mr. HOLCOMBE. Did he charge them anything for the whisky that he gave them?

Mrs. SERO. He could not charge anything for the orders, I guess.

(The witness was thereupon excused.)

STATEMENT OF LUCIUS K. BAKER.

LUCIUS K. BAKER, having been first duly sworn, testified as follows:

The CHAIRMAN. What is your business?

Mr. BAKER. The lumber business.

The CHAIRMAN. What are you at present engaged in?

Mr. BAKER. I am president of the J. S. Stearns Lumber Company.

The CHAIRMAN. Are you located here?

Mr. BAKER. I live in Ashland, but stay here a good part of the time.

Senator LA FOLLETTE. Mr. Baker, I simply wanted to inquire about this flood that has broken through the road up here. Some repairing has been done on the bank and the roadway built upon the bank where it was torn out by that flood?

Mr. BAKER. Yes, sir.

Senator LA FOLLETTE. That was done, was it, at the expense of the town?

Mr. BAKER. The townsite; yes, sir.

Senator LA FOLLETTE. Do you consider that that repairing would be a permanent protection to that bank in case of another flood, not perhaps such a flood as we had last spring here, but such as they have from time to time every spring?

Mr. BAKER. I would not trust my judgment on that so much, but I have inquired more or less, and some of the would-be experts say that it will and some say that it would not. Personally, I think it ought to be a little solider job.

Senator LA FOLLETTE. Mr. Mercer gave the opinion that it ought to be piled along there and timbered?

Mr. BAKER. I should rather think it had, but I do not profess to be very expert on those matters.

Senator LA FOLLETTE. I wish you to state, Mr. Baker, whether the lumber company, in view of the use they make of the stream, would be willing to make an improvement there at their own expense?

Mr. BAKER. Why, I think so. He suggested that they ought to be cedar piles. We have no cedar and we have no contract for cedar. I would like to make this agreement, that if we be allowed to cut that cedar on tribal timber lands or get it where we could, we would do the rest of the work, or see that it is done—either try to get the town to do it or we do it. We would father it.

Senator LA FOLLETTE. And would cut the timber?

Mr. BAKER. Yes, sir; and furnish that; but we have no contract for cedar.

Senator LA FOLLETTE. I did not know about that. I supposed there was some cedar on the allotment?

Mr. BAKER. It is not covered by our contract.

Senator LA FOLLETTE. You do not have the cedar?

Mr. BAKER. No, sir.

Senator LA FOLLETTE. You have only the pine?

Mr. BAKER. Only the pine. We have a kind of agreement with the department; we have cut an occasional cedar tree that would make wood for nothing but logs and left the posts and ties where they were piled; that is, timber that was going by and not accounted for at all. I think we had a verbal agreement with Mr. Cox last winter, and I guess it is on record. It seemed the best thing to do in a hurry. But if we can furnish the piles we will see that the job is done in a satisfactory manner; either we will do it ourselves or try to get the town to do it. We will take the responsibility of seeing that it is done.

(The witness was thereupon excused.)

STATEMENT OF MRS. JULIA DOHERTY.

Mrs. JULIA DOHERTY, having been first duly sworn, testified as follows:

The CHAIRMAN. You are a member of the Bad River band of Chippewas?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And you reside here at Odanah?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And you have an allotment?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And that allotment had timber upon it?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And that timber was cut?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. Before the timber was cut was there a fire upon your allotment?

Mrs. DOHERTY. Yes, sir; four months before it was cut.

The CHAIRMAN. Did that fire damage the timber to some extent?

Mrs. DOHERTY. Well, sir, that is what they say; that is what they told me.

The CHAIRMAN. Then when you came to have your accounting, the amount was less than the estimate had been?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And therefore you took the matter up with the officials?

Mrs. DOHERTY. I did not take it up.

The CHAIRMAN. Well, it was taken up in your behalf?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. Was it proposed to make good this loss by another allotment?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. Was a selection of another allotment made?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. And did you get that other allotment?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. This statement shows that the value of the second allotment was $1,660, and from this sum $1,238 was deducted, and that you were given credit for the difference of $376.

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. What was the deduction for, if you know?

Mrs. DOHERTY. I received $1,200 from the first allotment, and they took this back to pay $1,200 I got from the first allotment.

The CHAIRMAN. You were allowed $1,238 on the first allotment?

Mrs. DOHERTY. Yes, sir; when it was advanced to me before the lumber was cut.

The CHAIRMAN. They have this statement somewhat ambiguous. Do you read English?

Mrs. DOHERTY. A little; yes, sir.

The CHAIRMAN. Have you read this statement?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. Do you thoroughly understand the statement?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. Do you know how much your first allotment was estimated at?

Mrs. DOHERTY. Yes, sir.

The CHAIRMAN. How much?

Mrs. DOHERTY. It was 800,000 white pine, and if I am not mistaken 700,000 Norway. That was the company's estimate.

The CHAIRMAN. This only refers to the 800,000 of white pine?

Mrs. DOHERTY. Yes, sir; the Norway was left out.

The CHAIRMAN. And when the same was cut you were only allowed $1,238, the same being $1,961 less the amount due you, according to the estimate?

Mrs. DOHERTY. Yes, sir.

Senator LA FOLLETTE. Perhaps her son had better take the stand so he can explain the figures.

The CHAIRMAN. Yes.

STATEMENT OF JOHN J. DOHERTY.

JOHN J. DOHERTY, having first been duly sworn, testified as follows:

Mr. DOHERTY. This is a paper on which there was an estimate of 800,000 feet of white pine, valued at $4 a thousand, which would make it $3,200, but before the timber was cut a fire went through it.

Senator LA FOLLETTE. After it was contracted?

Mr. DOHERTY. Yes, sir; after it was contracted. We supposed that we were protected to the extent of $3,200 by this contract, and the fire went through and damaged it. They cut the timber. They had advanced her $1,238.19—the same being $1,961.81 less the estimated value. These same parties agreed—I guess it was the Indian agent—to fix up that deficiency by getting her another allotment, and she secured another allotment. She was not able herself to go and look at the land. I do not know how she got the minutes, or where she got them from, but when the timber on that allotment was cut there was barely enough there; there was only $376.75 more than what she had received on the first allotment. They deducted the $1,238.19 from the amount she received from the second allotment, and she was given credit then for $376.75.

Senator LA FOLLETTE. So, with the $1,200——

Mr. DOHERTY. That she has received, she received from the two allotments $1,660.65.

Senator LA FOLLETTE. Instead of $3,200, which was the estimate of the first allotment?

Mr. DOHERTY. Yes, sir.

The CHAIRMAN. Of course you do not understand that anybody would be bound by the estimate, do you?

Mr. DOHERTY. It seems that we ought to have some protection when we have a contract for ten or fifteen years.

The CHAIRMAN. That is, they ought to be bound to make good—to make good the actual amount of timber that can be proven to be on there at the time the contract is made, but not necessarily the estimate. Now the difference, if any, would be the difference between what was actually cut and what might have been cut if it had not been for the fire. Would not that be the correct rule?

Mr. DOHERTY. I do not understand you.

The CHAIRMAN. Supposing, as a matter of fact——

Mr. DOHERTY. I understand now. That would be a matter of about $1,300.

The CHAIRMAN. It might be. That would depend on how near the estimates were to being correct; that is, if it was estimated at 800,000 and there was no fire, and when they cut it clean there was no complaint about the cutting, and there was only 700,000, that is all they would pay for it.

Mr. DOHERTY. Yes, sir.

The CHAIRMAN. So that if in the interim there was any damage the difference would not necessarily be the estimate, but it would be the difference between what they actually cut and what might be proved to have been there prior to the damage?

Mr. DOHERTY. Yes, sir.

Mr. HOLCOMBE. Is it a fact that quite a number of Indians changed their allotments after the fire, before the cutting?

Mr. DOHERTY. Yes, sir; I believe there is a schedule of names here, and I believe she is the only one singled out who has been at a loss; the balance of them——

The CHAIRMAN. The balance may have made by the operation, but in every case they have taken out of the second allotment what they received from the first, have they not?

Mr. DOHERTY. Yes, sir; the same as this case.

The CHAIRMAN. Only in this case it happened to be a loss because there was not enough in the second allotment.

Mr. L. K. BAKER. I would like to make a statement from memory; it may not be absolutely correct. My remembrance is that these contracts were made—I may say that that was the fire that went all over Wisconsin in 1894—and the fire came long before they were approved. We made the greatest effort to get the Indian Department to approve these contracts, so that the timber could be cut without any loss. You know there is no loss the first year of a fire.

Senator LA FOLLETTE. It does not destroy the timber?

Mr. BAKER. No, sir. I remember this very distinctly. The worms got into it. I am making this statement simply from memory, and I can substantiate it, if it is correct. That is my remembrance of it.

Senator LA FOLLETTE. You say this was in 1894?

Mr. BAKER. In 1894, away back when they first came on the reservation, and timber was not worth anything much; incidentally, the timber was not considered much, if anything, in those days. There were not near enough Indians to take up the allotments. There were oceans of timber, and not anywhere enough Indians to take it up.

Senator LA FOLLETTE. I can see that that would make a difference in the way the agent might look at it, and the lumber company——

Mr. BAKER. The point I want to make is that we made the greatest effort to get them to approve those allotments so that we could get the timber, and it dragged along till the next summer, when we could not cut it, and it was compromised by their going and taking other allotments. That is my memory of the matter.

The CHAIRMAN. Was that before your day?

Mr. BAKER. Yes, sir.

Mr. HOLCOMBE. Had the contracts been approved?

Mr. BAKER. My remembrance is that they had not been; I may be wrong about that; I am not quite clear. I do not want to make a statement that is not exactly accurate.

Mr. HOLCOMBE. Mr. Doherty, had the 5 per cent been paid you; had you received this $1,200 before the fire?

Mr. DOHERTY. Yes, sir.

Mr. BAKER. That would indicate that the contracts were approved, but it is only from memory that I make the statement.

The CHAIRMAN. It will go into the record, and the balance can be ascertained from the official records.

Mr. BAKER. I am not so sure that we are liable for that timber anyway, but that would have to be looked up.

Mr. DOHERTY. Do you suppose there is any remedy for that?

The CHAIRMAN. We can not say. We can only take these matters and put them into the record, and then go before the whole committee and the department and Congress.

Mr. DOHERTY. Very well.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF CHARLES MANYPENNY.

CHARLES MANYPENNY, having been recalled, testified as follows:

Senator LA FOLLETTE. Mr. Manypenny, you stated to me yesterday that you did some work for your brother, who had a logging contract here recently.

Mr. MANYPENNY. Yes, sir.

Senator LA FOLLETTE. What year was that?

Mr. MANYPENNY. It was in 1908; January 25 was the day we commenced.

Senator LA FOLLETTE. Your brother took a contract with the lumber company, did he?

Mr. MANYPENNY. I do not know that he had a real contract, but he claimed that he bought timber in a bunch and was going to sell it to the company.

Senator LA FOLLETTE. He bought the timber?

Mr. MANYPENNY. Yes, sir.

Senator LA FOLLETTE. He bought it of whom?

Mr. MANYPENNY. George Cedarroot.

The CHAIRMAN. Was he an allottee; did he have an allotment?

Mr. MANYPENNY. His father had; he had an heirship in it. It was his father's land.

Senator LA FOLLETTE. Is that allowable under the contract here, that they can sell to somebody else besides the lumber company?

Mr. BAKER. No; I think if I know the——

Senator LA FOLLETTE. Do you know about this case?

Mr. BAKER. I think I do. That was the case where Pete cut up on White River. He came to us and wanted to sell that timber. We told him if he could get a title to it we would buy it. That is one of the contracts that Mr. Campbell knows is hung up in Washington. We never did buy it, because he never had any contract for it. Pete went on and cut the timber under a contract between themselves. We had nothing to do with it, and have not paid him for the timber. We have not bought it.

Senator LA FOLLETTE. What became of the timber?

Mr. BAKER. It is in the river.

Senator LA FOLLETTE. Has it been sawed up?

Mr. BAKER. I presume it has been. They have a record of it. I particularly told him we did not want anything to do with that timber until he had a title to it. I will say that I would pay for it if he gets a title to it.

The CHAIRMAN. Is it subject to being traced?

Mr. BAKER. No; it was dumped in without anybody knowing anything about it.

The CHAIRMAN. There was no mark on it?

Mr. BAKER. I do not think there was a mark on it. It was scaled, but it was a mixed-up mess, and I purposely kept out of it because he did not have a title that we would want to accept. I presume his trade with the other Indians was all right, but we did not want to accept it; and they made a contract after it was cut and sent it to Washington for approval, but it was never approved. We had absolutely nothing to do with it. We told Charlie that we could not take it until we got a contract that we considered good.

The CHAIRMAN. How long ago was it cut?

Mr. BAKER. A year ago last winter, was it not?

Mr. MANYPENNY. Yes, sir.

Senator LA FOLLETTE. As between the owner of the timber and Peter Manypenny, who did the logging, you think that their attempt to contract on both sides was in good faith?

Mr. BAKER. Yes; so far as I know. I do not know anything about it, only we were not allowed to trade with them on that basis. It had to go through the proper channels.

Senator LA FOLLETTE. I am just laying the foundation here of the facts upon which the matter can be brought to the attention of the department, so as to get some adjustment of it. It seems to be dragging along there for some reason or other.

Mr. BAKER. If they would approve that contract, we would pay for the timber; but we never accepted it. To be perfectly frank, I believe it was sawed. You know, as a matter of fact, that we own all the logs, and these are thrown in there with no marks on them or anything else.

Senator LA FOLLETTE. I understand that. It would come to your mill with other logs and be sawed up.

Mr. BAKER. Yes, sir; but we have always been ready to pay for it as soon as we can safely do so. That is all there is to it. I suppose he had some labor with it.

Senator LA FOLLETTE. Yes; that was his complaint to me.

Mr. BAKER. We intended to look out for that also, as far as we could, at the time it came.

Senator LA FOLLETTE. Mr. Manypenny, do you know how much that timber scaled—that is, how much those logs scaled?

Mr. MANYPENNY. Forty thousand, I was told by a scaler.

Senator LA FOLLETTE. By the man who scaled it?

Mr. MANYPENNY. Yes, sir. He scaled part of it, and the other scaler scaled the other part.

Senator LA FOLLETTE. Major Campbell, has this correspondence with the department passed through your hands?

Mr. CAMPBELL. The contracts have.

Senator LA FOLLETTE. And they have been transmitted to the department by you?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. And you have no report upon them?

Mr. CAMPBELL. No, sir; I have not. I am not sure whether the scale reports——

Senator LA FOLLETTE. I mean, you have no report of a decision by the commissioner upon the matter?

Mr. CAMPBELL. No, sir; not by the commissioner.

Mr. BAKER. I think they know the case very well.

Senator LA FOLLETTE. Do you think the scale report accompanied the contract, so that the department is in possession of it?

Mr. CAMPBELL. No, sir; it did not.

Senator LA FOLLETTE. Then, the department has nothing but the contract?

Mr. CAMPBELL. The contract. This was heir land, was it?

Mr. MANYPENNY. Yes, sir.

The CHAIRMAN. Who took the allotment from the Government in the first place?

Mr. MANYPENNY. I suppose George Cedarroot's father.

The CHAIRMAN. And his father died?

Mr. MANYPENNY. Yes, sir.

The CHAIRMAN. And then it was a question of who owned the land, was it?

Mr. MANYPENNY. I guess there was no question at all about it.

The CHAIRMAN. Were there any children?

Mr. MANYPENNY. He had a sister.

The CHAIRMAN. Did the sister join with George in selling it to you?

Mr. MANYPENNY. I did not buy it at all.

Senator LA FOLLETTE. It was his brother's?

The CHAIRMAN. To your brother, I mean.

Mr. MANYPENNY. Probably they did.

Senator LA FOLLETTE. You have a claim for labor performed in assisting in that logging?

Mr. MANYPENNY. Yes, sir.

Senator LA FOLLETTE. What is the amount of your claim?

Mr. MANYPENNY. $70.12. I worked sixteen days and a half, at $4.25 a day, and furnished my teams.

Senator LA FOLLETTE. And no part of your claim has been paid?

Mr. MANYPENNY. No, sir; not a cent. The man was furnishing them to us, and I owe him yet on that.

Senator LA FOLLETTE. That is all.

(The witness was thereupon excused.)

STATEMENT OF GEORGE STONE.

GEORGE STONE, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

GEORGE STONE. At Odanah.

The CHAIRMAN. Are you a member of the Bad River band?

GEORGE STONE. Yes, sir.

The CHAIRMAN. Where are you from?

GEORGE STONE. From 25 miles below Shell Lake.

The CHAIRMAN. Are you one of the St. Croix Indians?

GEORGE STONE. Yes, sir.

The CHAIRMAN. Did you have some property here?

GEORGE STONE. Yes, sir; we had a little property.

The CHAIRMAN. What was the property? As a matter of fact, I do not see what we have to do with these matters. What is the other matter?

GEORGE STONE. Well, my wife and this Mrs. Johnson here came together and were going to buy this place.

The CHAIRMAN. What place?

GEORGE STONE. Mrs. Johnson's place. They went together and came down to the farmer here and made out the paper down at the farmer's, and they made out that paper and sent it down to Campbell. Campbell sent that paper back again, and it was here ninety days. I asked Mr. Miles if we could not go up there, and he said yes. Well, this lady came down from there. This lady has been down here now pretty near a year and a half, and she has been after us now for her pay. We were over at the farmer's here several times, and the farmer told us that it would be handed out when we got through down there; that the check would be up here. It has been going on

now for pretty near a year and a half, and that is a matter that we wanted to bring up.

The CHAIRMAN. Were you buying some property?

GEORGE STONE. Yes, sir; from this woman here.

The CHAIRMAN. Did you or your wife have any timber money?

GEORGE STONE. Yes, sir; my wife had.

The CHAIRMAN. And you wanted to get that money to pay for the property; is that it?

GEORGE STONE. Yes, sir.

The CHAIRMAN. Major Campbell, do you know anything about this?

Mr. CAMPBELL. Yes, sir; he is complaining about the negligence in transmitting the papers; that is his complaint from what I can gather now. An attorney at Ashland wrote to the commissioner, and the commissioner referred it to me, and I have made a report on it to the commissioner. The first time it was advertised it was bought under the heirship. This old lady that was settled with, Maggie Green, was heir to this allotment. She was married to a Swede, and the Swede died, and she wanted to sell it, so we advertised it under the heirship act and sold it. The first time there were no bids put in. The second time his wife put in the bid for $2,000, and the papers have been completed and forwarded to Washington, and the money is deposited in the bank there, subject to the approval of the commissioner and the Secretary of the Interior, and will be completed. In the meantime I permitted him to go on there and make improvements this last summer, and he has been on the place. The floods destroyed considerable of his property, among it, he tells me, six horses and seven cows, and he made application to me for relief, and we had a talk over it, and I bought him a span of horses out of the relief fund and a set of harness; that is, he agreed on the horses himself, amounting to nearly $600. How much did you pay for the horses?

GEORGE STONE. Five hundred dollars.

Mr. CAMPBELL. It was $500, and $66 for the other. He said he would try and start again.

The CHAIRMAN. Was the delay with respect to this approval unusual and in excess of the time it took for the readvertisement? Is that the idea?

Mr. CAMPBELL. It may have been delayed in our office there a while in the rush of business that we have had there this last winter. It may have laid there a while longer than they generally do, but Mr. Scott is pretty prompt. He is my clerk and attends to that part of the business. There is no intention on our part in the least to delay it, because we permitted him to go on there, and we supposed that it would be approved, and I think it will be.

The CHAIRMAN. This is the man who was so discouraged afterwards?

Mr. CAMPBELL. Yes, sir; that is the same man.

Senator LA FOLLETTE. What was the loss that you sustained in that flood? About how much did you lose?

GEORGE STONE. There is the paper; I can not read that [exhibiting a paper].

The CHAIRMAN. It is $2,674.

ADDITIONAL STATEMENT OF JOHN J. DOHERTY.

JOHN J. DOHERTY, having been recalled, testified as follows:

The CHAIRMAN. Did you desire to present some other matter?

Mr. DOHERTY. Yes, sir. You are aware, gentlemen, that I was ordered off this reservation from a report formulated by the farmer here, which was submitted to W. E. Johnson by S. W. Campbell, and which he says he thinks he can fully corroborate. One particular item in that report is that I was a disturber and agitator. I want to try to convince this committee that I took part in three or four of the main questions that have arisen on this reservation, that the Indians wanted me to take up for them and help them along with. This is one. It was alleged here that considerable graft had been committed by the Indian police and the constable, and that I took part in it. On the commissioner's orders we tried to show that Norbert Sero had obtained an allotment here without presenting his name for allotment to the allotment committee; that the allotment list had been prepared and forwarded to Washington. It was returned, and on that list appeared Norbert Sero's name for allotment, and on the order of the commissioner, which was posted at the farmer's office, outdoors, he states that Norbert Sero had made application for patent in fee, which no doubt he expected to use in order to draw his money, and asked that if any parties knew of any reason why he should not be given this patent in fee, he had thirty days to present this matter to the farmer. This notice was posted up some two years ago this fall, and the boys got together and talked about it, and Frank Murray and I were selected, and money furnished by many, to ascertain the facts as to his title to land here. We went down to Necedah, Wis., the place where he was born, and got affidavits there from ladies who knew his mother very well, and two affidavits from prominent men there who had known his grandfather, or her father, who certified that they knew him to be a Menominee Indian. We got those affidavits, and along with the protests signed by some eight or nine of us here, we submitted those things to the farmer, and shortly after that we understood that Sero had been given the privilege of getting affidavits for his side. He also got four or five down here at Flambeau, Wis., I understand, and submitted them also.

The CHAIRMAN. Did he get an allotment finally?

Mr. DOHERTY. He got an allotment here finally. He had it then already.

The CHAIRMAN. He had already got it?

Mr. DOHERTY. Yes, sir; he got an allotment already. He was asking for a fee simple patent, and the commissioner notified us; that is, wrote the Indian agent, and the Indian agent notified us that the commissioner had decided that Norbert Sero had fully shown his rights to an allotment here, and went on further to say that it was his opinion—which was no doubt based on Campbell's or somebody else's report—that those eight men were men who protested against the allotment as a reason of being indicted, and protested against Sero's allotment on account of his activity in trying to suppress the liquor traffic here on the reservation. I have written Mr. Campbell about that, and asked him to furnish me who, of those

eight or ten names, had been indicted. He never answered the letter. I think that is all upon that point.

That is what I did in trying to show up that he had obtained an allotment that he was not entitled to. The other question is: Is my activity in this township—this townsite here—fair? We petitioned the commissioner some time ago to plat out this town, which is all a tribal piece; we wanted this subdivided into lots on which these buildings stood. We petitioned the commissioner, and some time after that an act of Congress was passed authorizing the setting out of this town into blocks, and the cutting of some timber, known as the "cemetery timber." The expense of platting this town was to come out of the proceeds of this timber, and this act was not to become a law until accepted or approved by the band. That was the Menominee act, I think. After the passage of the act, the timber, we understood, was sold to the highest bidder, which was the Stearns Lumber Company, for $11 a thousand, here within a mile of the town, and out of the proceeds of that timber Mr. Campbell and others had this place surveyed, and left a portion of it unsurveyed. I do not know whether the surveyors have been paid for this year or not, but when he had the plat he submitted the plat to the Secretary of the Interior. The Secretary of the Interior found that he had not received the consent of those Indians under the act of Congress, and he was instructed to come there and present this thing to the Indians for their approval or disapproval, and to make minutes of the whole thing and submit it back to him. He put the matter before the Indians there—wrote out the instructions, and the question of liquor arose there, that if any person after receiving one of these lots on which his home was, should be found with liquor, he would lose his property and it would revert back to the tribe.

The CHAIRMAN. Did it not provide that if liquor was ever sold on the premises?

Mr. DOHERTY. Sold or kept for any purpose? We objected to that part and asked Major Campbell at the time if it was still time enough to have a new bill drawn up which would satisfy us. He did not think that it meant that. So we asked him to write for a definition, and the commissioner wrote back and said that the matter explained itself fully, that if any Indian was caught with liquor on that tract he would lose his home. That is one of the reasons why we opposed that thing.

Now, that is why I have been active in these matters that I have just related to you, and in this graft matter which I want to present now. It is alleged by parties who have paid money to other parties for the crime of introducing liquor into this reservation. I assume that that is the stuff upon which they base their report that I am an agitator. Mr. Miles tried very hard yesterday to show that I had caused strife and turmoil here.

The CHAIRMAN. Now, get down to what you have done.

Mr. DOHERTY. That ends it. Now, I will go on with the grafting. I have a list of the names of parties who claim to have been arrested by Sero and the other officers and by the constable. Now, what I want to find out is whether those parties have been arrested and on what record.

The CHAIRMAN. How long have you had that list there?

Mr. DOHERTY. I just made it out to-day. It is just a notice.

The CHAIRMAN. Are any of those parties here?

Mr. DOHERTY. Yes, sir [exhibiting a list].

The CHAIRMAN. Do you mean that these are parties who have paid for not being arrested or paid for the privilege of bringing liquor on the reservation?

Mr. DOHERTY. No, sir; but being arrested for introducing liquor. They paid money to some parties so that it would be dropped.

The CHAIRMAN. Is Mr. Isaacs here?

Mr. DOHERTY. He is at Ashland. He is the only man absent.

The CHAIRMAN. Who is the next man?

Mr. DOHERTY. Lewis Sevallier. I do not know whether he is here now. He was to be here to-day.

The CHAIRMAN. Very well. The committee will now take a recess until 7 o'clock p. m.

(At 6 o'clock p. m. the committee took a recess until 7 o'clock p. m.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Odanah, Wis., September 25, 1909—7 o'clock p. m.

(The committee reassembled, after recess, at 7 o'clock p. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also, E. P. Holcombe, esq., chief supervisor, Indian Service; Maj. Samuel W. Campbell, United States Indian agent; W. T. Cox, esq., assistant forester, Department of Agriculture, V. P. Pierelle, esq., district attorney of Ashland County, Wis., and M. E. Dillion, esq., appearing as attorney for F. Murray and Benjamin Morrison.

ADDITIONAL STATEMENT OF BEN MORRISON.

The CHAIRMAN. The committee understands that you have an additional statement to make. What is it that you desire to say?

BEN MORRISON. It is in regard to John Twobirds coming to our place up here when we were running what is known as the firm of Benny & George Morrison, and asking us for $65 to settle some affair that he had got into himself. This came about on the 16th day of May, 1906. He admitted going to the road house, he and his associates, his associates buying a jug of whisky and bringing it down here, and one was so intoxicated when he got here that he drove to the barn and actually did not know when he got there; but the whisky was taken over to George Messinger's house, and they invited some friends in there, and one of the women got drunk and fell down and broke her leg. Doctor Meyers was called in to treat the woman. This trouble was reported to the policeman, or to the chief of police, and the matter was supposed to have been taken up with him, but instead of arresting Twobirds and his associates he sent him to our place and demanded $65 from us. He came three times and sat in the ice-cream parlor.

The CHAIRMAN. Do you mean that someone sent Twobirds to your place?

BEN MORRISON. Yes, sir; we understood that it was Sero.

The CHAIRMAN. You understood it was Sero. What do you know about it?

BEN MORRISON. This man Twobirds came to our store and asked me to give him $65, and we wanted an explanation, and asked him who sent him there, and he said it was our brother, Norbert Sero.

The CHAIRMAN. Did he say that Sero put him up to get this money?

BEN MORRISON. Either to get the money or he would be compelled to go and give testimony before the grand jury; and we absolutely refused to give him this money, and the consequence was that he did go before the grand jury. That is how this indictment came out against me.

The CHAIRMAN. Did you bring that matter up when the indictment was obtained?

BEN MORRISON. I intended to, but it never came to trial on my part. That was the case I was to be tried on.

The CHAIRMAN. When did you first mention this matter to anyone connected with the law?

BEN MORRISON. I said I would be willing to go and testify before the grand jury if I was subpœnaed.

The CHAIRMAN. You said that to whom?

BEN MORRISON. I think I told Mr. Doherty when he was looking into this grafting matter, and I was called before the grand jury at La Crosse on last October, but I failed to give my testimony, for the reason that I got sick and laid in the hospital until the session of the grand jury was over.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF GEORGE MORRISON.

GEORGE MORRISON was recalled for further examination:

The CHAIRMAN. What statement do you desire to make?

GEORGE MORRISON. I can make just the same statement. I made a statement to the same effect once before.

The CHAIRMAN. To this committee?

GEORGE MORRISON. No, sir; to the grand jury.

The CHAIRMAN. What statement have you to make to the committee now?

GEORGE MORRISON. It is about this money business. This man Twobirds came from the Halfway House with some liquor. He came down here and got into some trouble at Messinger's place, and he came up to our store in the morning and wanted us to give him $65. We were both there at the time. I asked him what he wanted it for, and he said Sero had sent him there to get that much money.

The CHAIRMAN. What for?

GEORGE MORRISON. To crush something; he said to keep something quiet, whatever it was. He came there three times.

The CHAIRMAN. Why did he come to you for it?

GEORGE MORRISON. He said if we did not give it to him he was going to give us trouble.

The CHAIRMAN. What for?

GEORGE MORRISON. About liquor—what he brought up here to-day; this same thing.

The CHAIRMAN. Tell us what Twobirds told you.

GEORGE MORRISON. Twobirds told us that he would give us trouble.

The CHAIRMAN. About what?

GEORGE MORRISON. About liquor.

The CHAIRMAN. Can you not tell us then what he told you? Tell us what Twobirds told you.

GEORGE MORRISON. Twobirds told us that he would have to squeal on us, or something like that, if we did not give him $65.

The CHAIRMAN. Was that all he said?

GEORGE MORRISON. Yes, sir.

The CHAIRMAN. What was he going to squeal about?

GEORGE MORRISON. About giving him some liquor.

The CHAIRMAN. Did he say that?

GEORGE MORRISON. Yes, sir.

The CHAIRMAN. Then what he said about squealing against you was not all of it?

GEORGE MORRISON. He wanted us to give him $65, and I told him, no, I would not give him anything, and he went away and came back and repeated it, and I asked him who sent him there, and he said Norbert Sero. That was all there was to it, that I know.

The CHAIRMAN. Did he say anything about liquor?

GEORGE MORRISON. Yes, sir.

The CHAIRMAN. Now, start in and tell us what Twobirds said to you.

GEORGE MORRISON. He said he would get us in trouble, and so he did. That is how that indictment came against me, at the time I paid the fine.

The CHAIRMAN. Is that all he said?

GEORGE MORRISON. Yes, sir.

The CHAIRMAN. Didn't he say something about liquor?

GEORGE MORRISON. At that time; yes, sir, he did.

The CHAIRMAN. Then tell us what he said.

GEORGE MORRISON. He said that he would say he got liquor from us. That was it.

The CHAIRMAN. Is that all?

GEORGE MORRISON. Yes, sir.

(The witness was thereupon excused.)

STATEMENT OF FRANK LA FERNIA.

FRANK LA FRENIA, having been first duly sworn, testified as follows:

The CHAIRMAN. Were you ever arrested for selling liquor or bringing liquor on the reservation?

FRANK LA FERNIA. No, sir.

The CHAIRMAN. Were you ever present when anybody who was arrested was offered to be let off if they would pay some money?

FRANK LA FERNIA. No, sir; I never was.

The CHAIRMAN. Do you know Sero, the officer here?

FRANK LA FERNIA. Yes, sir.

The CHAIRMAN. Did he ever take any whisky from you?

FRANK LA FERNIA. No, sir; I will tell you the same as I told the grand jury at Lacrosse last fall. I told them I had nothing to do with this business on the reservation; he never took any whisky away from me, and never paid him anything at all.

The CHAIRMAN. Did he ever demand any money of you?

FRANK LA FERNIA. No, sir; not more than going to the government office, or something, to get anything across the river.

JOHN J. DOHERTY. What was the reason that you told this to George Morrison?

FRANK LA FERNIA. Me and George Morrison did talk about that, and he said to my brother Jim that he saw nothing there and asked me if it was true, and I told Jim that it was all a joshing; they were joshing together with George, just as I told the grand jury last fall at Lacrosse.

The CHAIRMAN. What was the joshing?

FRANK LA FERNIA. Well, we were joshing together, one thing or another.

The CHAIRMAN. How much money did you state you gave him there in that joshing?

FRANK LA FERNIA. I told George I would give him $10 in coupons.

The CHAIRMAN. No cash?

FRANK LA FERNIA. No, sir; I never gave him anything.

Mr. DOHERTY. I would like to have George repeat what he told him.

Senator LA FOLLETTE. He admits that he told him that.

FRANK LA FERNIA. Yes, sir.

Mr. DOHERTY. And it is based on such reports as that that I would like to have him make a statement before this committee. It turns out to be a "josh" now, but it was a serious thing at the time.

FRANK LA FERNIA. I told you just what I told the grand jury at Lacrosse—the very same thing.

The CHAIRMAN. How did you happen to be talking with George about this?

FRANK LA FERNIA. Me and him were talking together and explaining one thing or another to the other. George never took any bottle away from me anywhere on the reservation.

The CHAIRMAN. Is George here?

FRANK LA FERNIA. Yes, sir.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF GEORGE MORRISON.

GEORGE MORRISON was recalled and testified as follows:

The CHAIRMAN. Did you ever see this man La Fernia with a bottle of whisky on the reservation?

GEORGE MORRISON. No, sir; not that I know of.

The CHAIRMAN. Did you see Sero take a bottle from him?

GEORGE MORRISON. I saw Sero jump off of a rig and get something from him, and he told me it was a bottle.

The CHAIRMAN. Did you not see what it was?

GEORGE MORRISON. No, sir; I did not. He told me himself afterwards that it was a bottle—Frank did.

(The witness was thereupon excused.)

STATEMENT OF JAMES M'EWAN.

JAMES MCEWAN, having been first duly sworn, testified as follows:

The CHAIRMAN. Were you arrested here a couple of years ago?

JAMES MCEWAN. Yes, sir; I guess I was.

The CHAIRMAN. Who arrested you?

JAMES MCEWAN. John Marksman and John Blackbird.

The CHAIRMAN. What did they arrest you for?
JAMES MCEWAN. For having whisky.
The CHAIRMAN. Did they take any whisky from you?
JAMES MCEWAN. No, sir.
The CHAIRMAN. You were not keeping any place here at the time, were you?
JAMES MCEWAN. No, sir.
The CHAIRMAN. Did they arrest you for having whisky on your person or in your possession—what were the circumstances?
JAMES MCEWAN. They had seen me with whisky.
The CHAIRMAN. How long before?
JAMES MCEWAN. Ten or fifteen minutes.
The CHAIRMAN. How much whisky did you have?
JAMES MCEWAN. A half a pint.
The CHAIRMAN. Where did you get it?
JAMES MCEWAN. At Charlie Morrison's.
The CHAIRMAN. And you disposed of it before they arrested you?
JAMES MCEWAN. Yes, sir.
The CHAIRMAN. Had you bought it?
JAMES MCEWAN. Yes, sir.
The CHAIRMAN. Well, after they arrested you, did you have any talk with them, or they with you, that they would let you off if you would pay them money?
JAMES MCEWAN. No, sir.
The CHAIRMAN. Do you know Norbert Sero?
JAMES MCEWAN. Yes, sir.
The CHAIRMAN. After these men arrested you at this time, about two years ago, did you have any talk with Mr. Sero?
JAMES MCEWAN. No, sir.
The CHAIRMAN. Did you have any talk with any one or did any one have any talk with you in regard to your paying them money and they would let you off?
JAMES MCEWAN. No, sir.
The CHAIRMAN. What became of you after they arrested you? Were you tried?
JAMES MCEWAN. Yes, sir; I was going to a dance over there, and I went back to the dance after I paid my fine.
The CHAIRMAN. They fined you here?
JAMES MCEWAN. Yes, sir.
The CHAIRMAN. Who fined you?
JAMES MCEWAN. Mr. Blackbird and Mr. Marksman.
The CHAIRMAN. Did they not have any justice of the peace?
JAMES MCEWAN. No, sir.
The CHAIRMAN. How did they fine you; just tell you to pay so much?
JAMES MCEWAN. Yes, sir; they did not tell me there, but some of the boys came over from across the river where we had the party there and asked them if they would not let me out, and they said no. They asked them what the sentence was, and they said it was $25. I did not have the money on my person, and I wrote them out an order that I would pay them in the morning at 9 o'clock.
The CHAIRMAN. You wrote them out an order?
JAMES MCEWAN. Yes, sir.

The CHAIRMAN. That you would pay them in the morning at 9 o'clock?

JAMES MCEWAN. Yes, sir.

The CHAIRMAN. Where did they take you?

JAMES MCEWAN. Over the bridge.

The CHAIRMAN. Where did you write the order?

JAMES MCEWAN. Over in the jail.

The CHAIRMAN. They took you to jail, did they?

JAMES MCEWAN. Yes, sir.

The CHAIRMAN. Do you know whether either one of them was a justice of the peace?

JAMES MCEWAN. No, sir; I did not.

The CHAIRMAN. Which one was the constable?

Mr. DOHERTY. John Blackbird.

The CHAIRMAN. Did you ever talk to Sero about this afterwards?

JAMES MCEWAN. No, sir.

The CHAIRMAN. Did you ever talk to the farmer?

JAMES MCEWAN. No, sir; I talked to nobody.

The CHAIRMAN. Did you suppose they had a right to fine you?

JAMES MCEWAN. I did not know; I supposed I was out of it after I paid my fine. I did not know.

The CHAIRMAN. Of course you know that there are certain law officers who can fine people if they do illegal things?

JAMES MCEWAN. Yes, sir.

The CHAIRMAN. Did you suppose these men were regularly fining you or simply making you pay for their benefit? What did you understand about it?

JAMES MCEWAN. I supposed it was for my benefit after I paid it and——

The CHAIRMAN. But you paid out $25 which they called a fine.

JAMES MCEWAN. Yes, sir.

The CHAIRMAN. Now, did you suppose that was for the public, or that those men were going to keep that $25?

JAMES MCEWAN. I supposed that that was clearing me.

The CHAIRMAN. You did not care much about what became of it?

JAMES MCEWAN. They told me that was all; that I was cleared after I paid my fine.

The CHAIRMAN. Who did you talk with about first paying this fine after you had paid it that night?

JAMES MCEWAN. I did not talk myself; it was some of the boys across the river that talked for me. Mr. Blackbird—I do not just recollect—I think it was Blackbird.

The CHAIRMAN. Which one of those men did you pay that to, Blackbird or Marksman?

JAMES MCEWAN. It was Blackbird.

The CHAIRMAN. Have you ever been arrested at any other time and paid anything?

JAMES MCEWAN. No, sir.

The CHAIRMAN. Have you ever paid any of those officials any money except that time?

JAMES MCEWAN. No, sir.

(The witness was thereupon excused.)

STATEMENT OF JOHN MARKSMAN.

JOHN MARKSMAN, having been first duly sworn, testified as follows:

The CHAIRMAN. Do you know James McEwan?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Did you and Blackbird arrest McEwan about two years ago for having some whisky?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. How much whisky did you find on him?

JOHN MARKSMAN. A pint.

The CHAIRMAN. You found a pint?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Did you take it away from him?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Are you sure he had the whisky when you arrested him?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Where did you arrest him?

JOHN MARKSMAN. Over here on the bridge.

The CHAIRMAN. What did you do with him after you arrested him?

JOHN MARKSMAN. I took him to jail.

The CHAIRMAN. Then what did you do with him?

JOHN MARKSMAN. I left him to Blackbird. He was the constable.

The CHAIRMAN. Were you there when he paid a fine to Blackbird?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. You went out and left them?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Were you there when any order was given?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. Did you see McEwan write out an order for coupons?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. Did you see him write anything?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. You are sure that McEwan had the whisky on him when you arrested him?

JOHN MARKSMAN. Yes, sir.

Senator BROWN. Do you know whether McEwan did give Blackbird an order or not?

JOHN MARKSMAN. No, sir; I do not.

The CHAIRMAN. Did you hear anything about it afterwards, about Blackbird collecting a fine from McEwan?

JOHN MARKSMAN. Yes, sir; I did.

The CHAIRMAN. What did you hear about it?

JOHN MARKSMAN. I think the next morning he gave me $8.

The CHAIRMAN. Blackbird gave you $8?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. What did you do with the $8?

JOHN MARKSMAN. I kept it.

The CHAIRMAN. At that time you were a policeman here, were you not?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. You did not turn it over to the farmer, or anybody else, did you?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. Did you understand that you had the right to keep that money?

JOHN MARKSMAN. He paid me part of that money.

The CHAIRMAN. Who paid you?

JOHN MARKSMAN. John Blackbird.

The CHAIRMAN. What did he pay it for? Did he owe you anything?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. You knew it was part of the money he got from McEwan?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Do you think you had a right to take money that men paid for fines and appropriate it yourself?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. How many times have you taken money from men who have been arrested?

JOHN MARKSMAN. That was only once.

The CHAIRMAN. How did you happen to make McEwan pay? You have arrested other men, have you not, when you were a policeman?

JOHN MARKSMAN. Yes, sir. Well, Blackbird used to pay me 50 cents every time I arrested a man.

The CHAIRMAN. You were paid as an Indian policeman, were you not, by the Government?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. What pay did you get from the Government?

JOHN MARKSMAN. The first two years I got $10 a month.

The CHAIRMAN. Did you board yourself?

JOHN MARKSMAN. No, sir; they used to give me some rations.

The CHAIRMAN. What did you get the balance of the time?

JOHN MARKSMAN. What wages, do you mean?

The CHAIRMAN. Yes.

JOHN MARKSMAN. Ten dollars a month.

The CHAIRMAN. What did Sero know about your getting this money, this $8?

JOHN MARKSMAN. I do not know.

The CHAIRMAN. Did you tell him anything about it?

JOHN MARKSMAN. No, sir; I did not.

The CHAIRMAN. Now you swear that was the only time that you ever took money that way except these amounts of 50 cents each time?

JOHN MARKSMAN. Yes, sir.

The CHAIRMAN. Do you know whether Sero got a part of that money that McEwan paid to Blackbird?

JOHN MARKSMAN. I do not.

The CHAIRMAN. Did you ever talk with him about it?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. Did you ever talk with him about taking money from anybody who was arrested?

JOHN MARKSMAN. No, sir.

The CHAIRMAN. You are sure of that?

JOHN MARKSMAN. I am sure.
The CHAIRMAN. Did you ever arrest Lewis Sevallia?
JOHN MARKSMAN. Yes, sir; I did.
The CHAIRMAN. What did you arrest him for?
JOHN MARKSMAN. Introducing whisky on the reservation.
The CHAIRMAN. Did he have whisky when you arrested him?
JOHN MARKSMAN. Yes, sir.
The CHAIRMAN. How much whisky did you take from him?
JOHN MARKSMAN. I took one quart.
The CHAIRMAN. What did you do with the whisky?
JOHN MARKSMAN. I turned it over to Sero.
The CHAIRMAN. What did you do with Sevallia?
JOHN MARKSMAN. I think we locked him up.
The CHAIRMAN. Who was with you when you arrested him?
JOHN MARKSMAN. Sero.
The CHAIRMAN. When did you let him out again?
JOHN MARKSMAN. I do not know.
The CHAIRMAN. Did you get anything from Sevallia?
JOHN MARKSMAN. No, sir.
The CHAIRMAN. Are you sure of that?
JOHN MARKSMAN. Sure.
The CHAIRMAN. Do you know whether he paid anybody anything?
JOHN MARKSMAN. No, sir.
The CHAIRMAN. Do you know whether he paid Sero anything?
JOHN MARKSMAN. No, sir.
The CHAIRMAN. You never saw him pay anything?
JOHN MARKSMAN. No, sir.
The CHAIRMAN. Did you ever hear him say that he paid anybody anything?
JOHN MARKSMAN. No, sir.
The CHAIRMAN. Did he not tell you afterwards that he had to pay Sero?
JOHN MARKSMAN. No, sir.
Senator BROWN. Are you a policeman now?
JOHN MARKSMAN. No, sir.
Senator BROWN. How long ago did you cease being policeman?
JOHN MARKSMAN. I think it is about three years.
Senator LA FOLLETTE. How did you happen to quit?
JOHN MARKSMAN. I bought a farm at Saxon and moved there.
Senator LA FOLLETTE. Did you go onto your farm?
JOHN MARKSMAN. Yes, sir.
Senator LA FOLLETTE. Did you resign as policeman?
JOHN MARKSMAN. Yes, sir.
Senator LA FOLLETTE. Where did you get your money to buy a farm?
JOHN MARKSMAN. I got the money from the pine allotment.
(The witness was thereupon excused.)

STATEMENT OF ROBERT BOYD.

ROBERT BOYD, having been first duly sworn, testified as follows:
The CHAIRMAN. You live here in Odanah?
ROBERT BOYD. Yes, sir.
The CHAIRMAN. How long have you lived here?

ROBERT BOYD. I have lived here about twenty-two years.
The CHAIRMAN. Were you ever arrested?
ROBERT BOYD. Yes, sir.
The CHAIRMAN. More than once?
ROBERT BOYD. Not that I know of, here.
The CHAIRMAN. How long ago was that?
ROBERT BOYD. I do not recollect exactly just what time it was.
The CHAIRMAN. About when was it?
ROBERT BOYD. About three years ago—two or three years ago.
The CHAIRMAN. What was it claimed that you were arrested for?
ROBERT BOYD. I had a little whisky with me.
The CHAIRMAN. Who arrested you?
ROBERT BOYD. Sero.
The CHAIRMAN. Was anybody with you when he arrested you?
ROBERT BOYD. No, sir.
The CHAIRMAN. How much whisky did you have when you were arrested?
ROBERT BOYD. A half a pint.
The CHAIRMAN. What time of the day was it when you were arrested?
ROBERT BOYD. Along in the afternoon, about 3 or half-past 3 o'clock.
The CHAIRMAN. What did he do with you after he arrested you?
ROBERT BOYD. He took me to jail.
The CHAIRMAN. How long did you stay there?
ROBERT BOYD. I stayed there over night, until 8 o'clock the next morning.
The CHAIRMAN. Then did he let you out?
ROBERT BOYD. We had a kind of a trial there.
The CHAIRMAN. They gave you a kind of trial?
ROBERT BOYD. Yes, sir; I suppose it was a trial.
The CHAIRMAN. Who was there when he was trying you?
ROBERT BOYD. Mr. Obern, justice of the peace.
The CHAIRMAN. Did he take you before Obern?
ROBERT BOYD. Yes, sir.
The CHAIRMAN. Were you convicted?
ROBERT BOYD. Yes, sir.
The CHAIRMAN. Were you fined?
ROBERT BOYD. Yes, sir.
The CHAIRMAN. How much?
ROBERT BOYD. Ten dollars.
The CHAIRMAN. Who did you pay it to?
ROBERT BOYD. I paid it to Obern, the justice of the peace.
The CHAIRMAN. In this matter, did you pay Sero anything?
ROBERT BOYD. No, sir.
The CHAIRMAN. Did you at any other time?
ROBERT BOYD. No, sir; not that I know of.
The CHAIRMAN. Did you pay any officer here anything for being let off when you were arrested?
ROBERT BOYD. No, sir.
The CHAIRMAN. Or on account of their not arresting you?
ROBERT BOYD. No, sir.
The CHAIRMAN. This is the only time you were arrested?

ROBERT BOYD. Yes, sir; that is the only time I was arrested that I know of.

The CHAIRMAN. Mr. Obern was justice of the peace, was he?

ROBERT BOYD. Yes, sir.

The CHAIRMAN. And he held a regular trial?

ROBERT BOYD. Yes, sir. I think he is justice of the peace yet.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF MAJ. S. W. CAMPBELL, UNITED STATES INDIAN AGENT.

Maj. S. W. CAMPBELL, having been recalled, testified as follows:

Senator LA FOLLETTE. Major Campbell, what amount was appropriated by the Government on account of the damage done by the flood here?

Mr. CAMPBELL. Ten thousand dollars.

Senator LA FOLLETTE. What amount of that money has been expended, if anything, to relieve the suffering, and to meet the damage, and reimburse those who lost their property?

Mr. CAMPBELL. There has been expended in labor here on the streets and for fixing up their places something less than $1,000. I could not tell you the amount until I go to Ashland.

Senator LA FOLLETTE. I do not expect you to give it exactly.

Mr. CAMPBELL. Three houses are going up, and I have ordered to be built three houses that were destroyed.

Senator LA FOLLETTE. How much is the contract price of those houses?

Mr. CAMPBELL. About $500 apiece, I think, and there has been this team harness that I spoke of this afternoon.

Senator LA FOLLETTE. That is $600?

Mr. CAMPBELL. Yes, sir; that is all I can remember now. They have made some more applications which are being investigated.

Senator LA FOLLETTE. What steps are being taken to ascertain the loss sustained by the Indians?

Mr. CAMPBELL. I have had the farmer have a carpenter go over and see and investigate every one who made application.

Senator LA FOLLETTE. That is with respect to the damage to their homes and their property?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. What record has been made of that?

Mr. CAMPBELL. I think there is a list of it that has been handed to Mr. Holcombe.

Senator LA FOLLETTE. What has been done with reference to the loss of their personal property?

Mr. CAMPBELL. That is included with the others. The majority of those that have lost have been making application out of their own money.

Senator LA FOLLETTE. I do not understand that answer.

Mr. CAMPBELL. I say, the majority of those who have lost have got credit, and they have made application to pay out of their own money for the fixing of their houses, and also buying furniture, but not out of this appropriation.

Senator LA FOLLETTE. You say the Indians themselves have asked to have their losses made good to them out of their own money?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Instead of out of the money that was appropriated for that purpose by Congress?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. In what form have the Indians indicated to you their desire to pay this loss themselves instead of having it paid out of the money appropriated by Congress?

Mr. CAMPBELL. Making an application for it—requests for it, and making application. In addition to the amount that I have spoken of there are some who have been boarded up at Ashland.

Senator LA FOLLETTE. That amounts to a few hundred dollars only; is that not a fact?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Do you remember the case of the Indian who was on the stand this afternoon, who lost a team of horses, and for whom you purchased a team?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Has that man any money to his credit?

Mr. CAMPBELL. No, sir; his wife has.

Senator LA FOLLETTE. Did you say to him that he would have to have $600 charged to his wife's account and paid back?

Mr. CAMPBELL. No, sir; I did not say any such thing.

Senator LA FOLLETTE. Have any of the Indians, so far as you know, presented to the farmer here, or to you—if they have presented it to you, of course you know—but do you know of their attempting to file with the farmer here claims for losses, and have had their applications rejected?

Mr. CAMPBELL. I think not. I do not know of any.

Senator LA FOLLETTE. Did you give any instructions not to receive any filings from those Indians of their losses?

Mr. CAMPBELL. Why no, sir; I never did. Not only that, but I told him if an Indian had a good allotment against uncut timber to send in the application, and I would forward it to the commissioner.

Senator LA FOLLETTE. That is their statement of losses?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. On account of the flood?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Have you turned over to Mr. Holcombe a complete list of the claims filed against you for damages done by the flood up to the present time with the names of the Indians?

Mr. CAMPBELL. I think so, of the names of the Indians who made application.

Senator LA FOLLETTE. Who made application for reimbursement?

Mr. CAMPBELL. Yes, sir; it was in the nature of going over the matter to see how much there would be. Mr. Stone came to my office and told me about his damage. I heard of it before and requested him to make up a statement for the office. We talked the matter over; I asked him about it, and he said he was discouraged; I think that was before the money was paid to my credit. He told me what it was. I said, "Suppose I buy you a team—a good team—and a set of harness out of that appropriation." He said he had a wagon and a bobsleigh; and I told him if he had a team and a good set of harness, as he had lost his harness, I thought he could try again; and he said he would, and would go home and talk to his wife with

reference to it. I wanted to get him back on the farm that he had bought, but had not any title to as yet. That is the one case where I was negligent; that he said I was negligent in forwarding the papers, and he said he would go back and talk to his wife. He came back afterwards, I think, with his wife. I am not certain whether his wife was present or not, and I told him to get his team. He, in the meantime, had been looking up a team. That day he took a team from Ashland, and I told him I would see about it; that I could give him all that he claimed he had lost, and he would have to make it go as far as possible.

Senator LA FOLLETTE. What plan are you pursuing with respect to the apportionment of that money that will give each a pro rata share, applying it to those who have no money to their credit?

Mr. CAMPBELL. I am getting what they claimed they have lost, and try as nearly and as equally as I can to replace it.

Senator LA FOLLETTE. Some Indians have spoken to me here to-day, and have shown lists—I recall one or two such cases—which they say they have presented to the Indian farmer and asked to have him file or present to you, and they have been informed by him that there was no use for them to present their lists.

Mr. CAMPBELL. Claims presented to me? Will you please call those ones?

Senator LA FOLLETTE. I do not know their names. I was called out this afternoon into the anteroom and shown some lists there. In so far as you have ascertained the loss of those entitled to receive this money that was appropriated by the Government, what have you ascertained the total amount to be?

Mr. CAMPBELL. The amount of the losses?

Senator LA FOLLETTE. Yes.

Mr. CAMPBELL. I had not figured that up as yet. I had not thoroughly examined it as yet. Mr. Blackbird has put in a claim, I think; I saw something of that of the old chief who was sitting here, but I have not thoroughly examined it as yet. I do not think he has made a formal claim to me.

Senator LA FOLLETTE. Have you done anything further toward getting at this matter, aside from employing a carpenter and receiving just such of those complaints as reach you up at Ashland?

Mr. CAMPBELL. I have been down here once or twice with them.

Senator LA FOLLETTE. How many Indians have seen you personally about their losses?

Mr. CAMPBELL. I can not tell you.

Senator LA FOLLETTE. Well, about how many?

Mr. CAMPBELL. I recall Stone.

Senator LA FOLLETTE. That was a matter that I understood at the time to be very urgent; that this appropriation should be made and the money gotten up here to relieve distress and help these Indians who were suffering, and I would like to know what you have done about it.

Mr. CAMPBELL. It was not quite as bad as was represented.

Senator LA FOLLETTE. You were gotten on the long-distance telephone that day, and I took the statement as the commissioner gave it to me.

Mr. CAMPBELL. The estimate of their gardens, and so forth, they have not presented what they have lost in that respect.

Senator LA FOLLETTE. I would like to see, either to-day or at some other time while this committee is in session, a record list of exactly what you have done, Major Campbell, up to the present time in that matter.

Mr. CAMPBELL. I will see at Ashland what has been presented there for payment, and the requisitions to the commissioner.

Senator LA FOLLETTE. When was this flood—what was the date of it?

Mr. CAMPBELL. I can not give you the date.

Senator LA FOLLETTE. Can you not tell when it was; you can tell what month it was, can you not?

Mr. CAMPBELL. It was in July, I think the first of July; along in July or June.

Senator LA FOLLETTE. Of this year?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Upon whose recommendation was the farmer, Mr. Miles, appointed here, Major Campbell?

Mr. CAMPBELL. On my recommendation.

Senator LA FOLLETTE. Upon whose recommendation was Norbert Sero appointed here as policeman and assistant farmer?

Mr. CAMPBELL. I think that was Patterson, who got him appointed. He was disciplinarian at the Flambeau School, and came up here and worked a year.

Senator LA FOLLETTE. Did you recommend his appointment?

Mr. CAMPBELL. I think so.

Senator LA FOLLETTE. A great many complaints have been made to you about Sero from time to time, have there not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. What have you done with those complaints?

Mr. CAMPBELL. I have forwarded them to Washington and they have been investigated.

Senator LA FOLLETTE. Forwarded to Washington with what recommendation?

Mr. CAMPBELL. With the recommendation that an agent be sent here to investigate the matter.

Senator LA FOLLETTE. What reports or recommendations have you made with respect to the charges yourself, if any?

Mr. CAMPBELL. What do you mean?

Senator LA FOLLETTE. I mean any of the charges that have been filed against him since you have been here, and he has been a policeman, since you have been superintendent. I believe that is your title?

Mr. CAMPBELL. I have always referred them to the commissioner—everything that came to me—all of the complaints except one.

Senator LA FOLLETTE. Have you made any recommendation yourself with respect to any of the complaints that have been made against him?

Mr. CAMPBELL. I made the recommendation that it be investigated.

Senator LA FOLLETTE. Have you made any recommendation with respect to whether he should be retained in the service or not?

Mr. CAMPBELL. I expected the man who was investigating him would make that recommendation.

Senator LA FOLLETTE. I am not asking you what your expectation was with respect to the work of the inspector here, but I asked you

whether you have made any recommendation with respect to his being retained in the service following any of those charges and investigations against him?

Mr. CAMPBELL. I do not think I have made any recommendation.

Senator LA FOLLETTE. That is all.

Mr. CAMPBELL. I may have. If I have been asked for anything by the commissioner I may have answered what I thought.

Senator LA FOLLETTE. Any correspondence you may have had with the department with respect to that is of record, I suppose, in your office at Ashland?

Mr. CAMPBELL. Yes, sir; also at the commissioner's office. The original letters would be at the commissioner's office, and there would be a copy of it in my office letter book.

Senator LA FOLLETTE. It is part of your policy of supervision of these Indians to encourage these Indians in agriculture?

Mr. CAMPBELL. Yes, sir; I have discouraged all building in villages since I have been here.

Senator LA FOLLETTE. And it has been a part of your policy to encourage agriculture on the respective reservations?

Mr. CAMPBELL. Yes, sir; and to build upon their own allotments.

Senator LA FOLLETTE. You depend, I supose, mainly for special instruction and encouragement upon the respective reservations upon the farmers in charge who are there present all the time?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. You visit those several reservations from time to time in the performance of your duties, do you not?

Mr. CAMPBELL. Yes, sir; but not as often as I would like to.

Senator LA FOLLETTE. How many reservations have you in your district or territory?

Mr. CAMPBELL. Five now.

Senator LA FOLLETTE. This is the larger or the largest of the lot, is it not?

Mr. CAMPBELL. It is the richest.

Senator LA FOLLETTE. Is it the largest in area?

Mr. CAMPBELL. I think it is.

Senator LA FOLLETTE. Did you select Mr. Miles as farmer here because of his proficiency in agriculture?

Mr. CAMPBELL. Well, I selected him because he was recommended as being a good, square, honest man, and he was more active than he is now. He has been sick this last summer.

Senator LA FOLLETTE. You regard agriculture as a very important matter upon the reservation, do you not?

Mr. CAMPBELL. I do.

Senator LA FOLLETTE. Has Mr. Miles ever had any experience as a farmer?

Mr. CAMPBELL. He has had some.

Senator LA FOLLETTE. He has been a longshoreman, has he not, most of his life?

Mr. CAMPBELL. Yes, sir. He was raised on a farm the same as I was.

Senator LA FOLLETTE. What is his age?

Mr. CAMPBEL. The same age that I am.

Senator LA FOLLETTE. I asked you what his age was?

Mr. CAMPBELL. He is 66 years of age this year some time. Either a few months younger or a few months older than I am; I think he is a few months older.

Senator LA FOLLETTE. I think that is all for the present, Mr. Chairman.

Mr. HOLCOMBE. I would like to ask a question and I do it for my own information.

The CHAIRMAN. You may proceed.

Mr. HOLCOMBE. Did you understand that this money that was appropriated by Congress to relieve the distress here as a result of that flood was an emergency fund or a fund that was to be paid out in its entirety regardless of the fact as to whether the residents demanded or needed it all, or not?

Mr. CAMPBELL. It is an emergency fund, I expect. It was because I had wired the commissioner that I would become responsible for the people in Ashland.

Mr. HOLCOMBE. Do you understand that it is expected of you to expend all of that fund unless it is needed?

Mr. CAMPBELL. No, sir. I have only placed $5,000 of it to my credit.

Mr. HOLCOMBE. Do you understand that you are to expend that money for persons who are able to have money to their credit and can relieve their own distress?

Mr. CAMPBELL. I think not.

Mr. HOLCOMBE. Can you do that under the law if they have money of their own; can you expend money for them?

Mr. CAMPBELL. I can not tell you whether I can do it by law or not. I am not a lawyer.

Mr. HOLCOMBE. You could advance it, could you not? I want to know what policy you are pursuing. If a man has money, are you giving him additional money?

Mr. CAMPBELL. No, sir; I am not. I am making applications to the commissioner, and that is what I was telling the farmer to make an application to the commissioner against uncut timber for this emergency, and I would explain it to the commissioner.

Mr. HOLCOMBE. You are advancing money if there is immediate need for it, as I understand?

Mr. CAMPBELL. Yes, sir.

(The witness was thereupon excused, temporarily.)

Senator LA FOLLETTE (to the interpreter). Will you stand up and repeat what I say. (The interpreter did as requested.) Are there any Indians present who suffered loss as a result of the flood who have prepared a list of the property lost or damaged and presented it or offered it to the Indian farmer or the superintendent or agent, Major Campbell, and been refused its acceptance and filing?

(The interpreter having interpreted the above to the Indians)—

A VOICE. Here is one.

STATEMENT OF FRANK CHOSA.

FRANK CHOSA, having first been duly sworn, testified as follows:

The CHAIRMAN. Do you live here on the Odanah Reservation?

FRANK CHOSA. Yes, sir.

The CHAIRMAN. How long have you lived here?

FRANK CHOSA. About fourteen years.

The CHAIRMAN. Did you have some property destroyed by the flood here this summer?

FRANK CHOSA. I had a garden.

The CHAIRMAN. Did you have any buildings?

FRANK CHOSA. No, sir.

The CHAIRMAN. Or any fences?

FRANK CHOSA. No, sir.

The CHAIRMAN. Any furniture?

FRANK CHOSA. Not any furniture, just a garden, potatoes and vegetables.

The CHAIRMAN. Have you got any allotment?

FRANK CHOSA. No, sir; but I am on the roll here.

The CHAIRMAN. But you have not been allotted as yet?

FRANK CHOSA. No, sir.

The CHAIRMAN. Did you make out a list of your damage?

FRANK CHOSA. Yes, sir.

The CHAIRMAN. What did you do with it?

FRANK CHOSA. I took it over to the farmer's office; I can not just remember whether it was Monday or Tuesday. Mr. Lapointe was in here at the time.

Senator LA FOLLETTE. What Monday or Tuesday?

FRANK CHOSA. I believe this week, but I can not just place it. So I called up Mr. Miles and told him—I said that "I understand you are taking up the losses;" I said, "I have an amount, not very much amount; $85;" he said, "You are too late; I have made a list of them out, and we have sent them off." He said, "It would not do any good anyway because I will probably have to go to Congress, and I do not believe it will amount to anything anyhow." He said, "It is no use."

The CHAIRMAN. Did you have the papers showing the statement of what you lost?

FRANK CHOSA. Yes, sir.

The CHAIRMAN. Did you offer to give it to him?

FRANK CHOSA. I had it in my hands before him but he did not offer to take it; he just told me it was of no use, and I simply told him that settled the matter and walked out.

Senator LA FOLLETTE. Was the garden the only ground that you cultivated?

FRANK CHOSA. Yes, sir.

Senator LA FOLLETTE. Upon which you depended for the vegetables that were to carry you through the winter?

FRANK CHOSA. Yes, sir.

Senator LA FOLLETTE. You have a family, have you?

FRANK CHOSA. I have a wife.

Mr. HOLCOMBE. What is your employment here?

FRANK CHOSA. Mostly carpenter. When I have not anything to do I do most anything else, work around the sawmill, sometimes drive the team.

Mr. HOLCOMBE. Are you at work now?

FRANK CHOSA. Yes, sir.

Mr. HOLCOMBE. And have been working ever since the flood?

FRANK CHOSA. Yes, sir.

Mr. HOLCOMBE. What wages are you earning?

FRANK CHOSA. Two dollars and a half a day.

Mr. HOLCOMBE. What does your family consist of?

FRANK CHOSA. Just my wife; I am living with my mother-in-law.

Mr. HOLCOMBE. Have you suffered any for want of food since the flood?

FRANK CHOSA. Well, not while I have been working.

Mr. HOLCOMBE. You have been working since the flood regularly?

FRANK CHOSA. Yes, sir.

Mr. HOLCOMBE. Were you working before the flood?

FRANK CHOSA. Oh, yes, sir.

Mr. HOLCOMBE. I mean that last flood, of course.

FRANK CHOSA. The same.

Mr. HOLCOMBE. What did you have in your garden?

FRANK CHOSA. I have not got the list; it is at home, but I believe I had potatoes and onions, carrots, tobagoes, beans, sweet corn, radish, cucumbers, squash, and lotus. I have a list of it at home.

Mr. HOLCOMBE. How many acres did you have in cultivation?

FRANK CHOSA. I did not measure it; it must be in the neighborhood of about an acre, more or less.

(The witness was thereupon excused.)

STATEMENT OF JAMES SMART.

JAMES SMART, having been first duly sworn, testified as follows:

The CHAIRMAN. You live here at Odanah?

JAMES SMART. Yes, sir.

The CHAIRMAN. Were you here at the time of the flood?

JAMES SMART. Yes, sir.

The CHAIRMAN. Did you have any damage?

JAMES SMART. Yes, sir.

The CHAIRMAN. What was it?

(The witness here handed the chairman a paper.)

The CHAIRMAN. Was your house damaged?

JAMES SMART. Yes, sir; I have a farm over there.

The CHAIRMAN. Did the flood damage your house?

JAMES SMART. Yes, sir.

The CHAIRMAN. Did it wash it out?

JAMES SMART. It washed it out.

The CHAIRMAN. Did it damage any other building?

JAMES SMART. Yes, sir, the barn.

The CHAIRMAN. How much do you think the whole damage to you was?

JAMES SMART. About $1,300.

The CHAIRMAN. Did you have a garden?

JAMES SMART. Yes, sir.

The CHAIRMAN. How large a garden?

JAMES SMART. About 35 acres.

The CHAIRMAN. What was it planted with?

JAMES SMART. Potatoes, corn, cabbage, tomatoes, and turnips.

The CHAIRMAN. Did the flood destroy all this crop?

JAMES SMART. Yes, sir; also hay.

The CHAIRMAN. Have you an allotment?

JAMES SMART. Yes, sir.

The CHAIRMAN. Is it being cut?

JAMES SMART. Yes, sir; it was cut about twenty years ago.
The CHAIRMAN. Have you had the money for it?
JAMES SMART. Yes, sir.
The CHAIRMAN. All the money?
JAMES SMART. I got all the money.
The CHAIRMAN. Was this farm on your allotment?
JAMES SMART. No, sir.
The CHAIRMAN. Was it a farm that you had bought?
JAMES SMART. I got it from my folks.
The CHAIRMAN. You know Mr. Miles, the farmer here, do you not?
JAMES SMART. Yes, sir.
The CHAIRMAN. Did you see him about this?
JAMES SMART. Yes, sir.
The CHAIRMAN. When was it, as near as you can remember?
JAMES SMART. Last week.
The CHAIRMAN. Where did you see him?
JAMES SMART. In the outside office.
The CHAIRMAN. What did you say to him?
JAMES SMART. I asked him is there anything about the damages. He said it did not amount to anything.
The CHAIRMAN. Did you offer to leave the paper with him?
JAMES SMART. Yes, sir; I was just going to hand it to him, but he said it is no use.
The CHAIRMAN. Did he give any reason; do you know what reason he gave? Did he say why it was no use?
JAMES SMART. He said it does not amount to anything; it is no use to take it.
Senator LA FOLLETTE. What did he say did not amount to anything, your loss?
JAMES SMART. My loss.
Senator LA FOLLETTE. That your loss did not amount to anything?
JAMES SMART. Yes, sir; what was lost was totally lost is just what he meant.
Senator LA FOLLETTE. Or that you could not get any money no matter how much you lost?
JAMES SMART. No, sir.
Senator LA FOLLETTE. What was it that he gave you to understand, that he did not deny that you had lost by the flood, did he?
JAMES SMART. No, sir.
Senator LA FOLLETTE. What did you understand from what he said, that no matter how much you had lost you could not get any money?
JAMES SMART. Yes, sir.
The CHAIRMAN. You say that timber had been sold about twenty years ago and cut?
JAMES SMART. Yes, sir.
The CHAIRMAN. Was any of the money that you received from that left, or had it been spent?
JAMES SMART. I spent some of it in that ground.
Senator LA FOLLETTE. Did you have any of it left to your credit anywhere, any money?
JAMES SMART. No, sir.
Mr. HOLCOMBE. Have you any money?

JAMES SMART. Yes, sir.

Mr. HOLCOMBE. Were you living in that house at the time of the flood?

JAMES SMART. No, sir; I was just coming down to camp meeting that Friday and I was staying over Sunday on the camping ground.

Mr. HOLCOMBE. You did not live in this house, did you?

JAMES SMART. No, sir; I have another house here in town.

Mr. HOLCOMBE. Was anybody living in this house at the time?

JAMES SMART. No, sir.

The CHAIRMAN. Where is this farm that you claim the damage occurred on?

JAMES SMART. It is about 4 miles from here, up the river.

Senator LA FOLLETTE. How much is there of it?

JAMES SMART. Eighty acres.

Senator LA FOLLETTE. You say you got it from your folks?

JAMES SMART. Yes, sir.

Senator LA FOLLETTE. Do you own all of it?

JAMES SMART. Yes, sir.

Senator LA FOLLETTE. I would like to ask Major Campbell a question. Major Campbell, after the passage of that amendment making the appropriation, did you post any notices here on this reservation at Odanah informing the Indians of the terms of that appropriation so that they might know who was entitled to reimbursement for loss?

Mr. CAMPBELL. No, sir; I did not.

Senator LA FOLLETTE. Did you take any steps to advise them or inform them how to present their claims for loss, those that were entitled to reimbursement?

Mr. CAMPBELL. Not more than that I told the farmer to take in the claims and then thoroughly investigate the allotment and report.

Senator LA FOLLETTE. Did you tell him what claims to take in and what claims to reject?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. Did you tell him what class of people were entitled to renumeration for loss in that flood?

Mr. CAMPBELL. All Indians that had no money to their credit.

Senator LA FOLLETTE. All Indians that had no money to their credit?

Mr. CAMPBELL. Yes, sir; and to make application immediately for those that had credit and forward it, and not wait until the application, if it was needed immediately, that they could purchase the things——

Senator LA FOLLETTE. Did you not advise him about making any communication of any kind through any means to those Indians so that they might know where they could go to make their applications for reimbursement for their losses?

Mr. CAMPBELL. I do not remember that I did instruct him in that particular thing, because they all knew of it. They all go to the farmer to make their applications.

Senator LA FOLLETTE. You assumed that they would know just what the terms of that act of Congress, or that amendment adopted to the appropriation bill, were, did you?

Mr. CAMPBELL. It was published in the papers.

Senator LA FOLLETTE. And you expected them to get that information from the papers?

Mr. CAMPBELL. Well, I thought they would know it any way, with regard to that.

Senator LA FOLLETTE. How did you think they would know it if they were not informed of it?

Mr. CAMPBELL. There were several ways of knowing about it; there were several ways that they could find out. I do not know that I instructed the farmer to make any particular notice of it, or to publish it.

Senator LA FOLLETTE. There are a good many Indians who do not understand English, are there not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. A good many of them who are unable to read newspapers, are they not?

Mr. CAMPBELL. Yes, sir.

STATEMENT OF DAN CAMERON, JR.

DAN CAMERON, Jr., a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You live here in Odanah?

Mr. CAMERON. Yes.

The CHAIRMAN. How long have you lived here?

Mr. CAMERON. Thirteen years.

The CHAIRMAN. Did you have any property destroyed by the flood?

Mr. CAMERON. Yes, sir.

The CHAIRMAN. Your house?

Mr. CAMERON. Yes, sir; my house.

The CHAIRMAN. Any buildings?

Mr. CAMERON. My barn.

The CHAIRMAN. Any furniture?

Mr. CAMERON. I lost all the furniture I had.

The CHAIRMAN. Any stock?

Mr. CAMERON. Only 30 chickens.

The CHAIRMAN. Did you have an allotment?

Mr. CAMERON. No, sir.

The CHAIRMAN. Never had an allotment?

Mr. CAMERON. No, sir.

The CHAIRMAN. Did you make out a list of what stuff you had damaged?

Mr. CAMERON. Yes, sir.

The CHAIRMAN. What did you do with it?

Mr. CAMERON. I have got it right with me.

The CHAIRMAN. Did you take it to the farmer?

Mr. CAMERON. I didn't take it, but my wife did. He didn't want to see it at all.

The CHAIRMAN. Is your wife here?

Mr. CAMERON. Yes, up here.

The CHAIRMAN. Tell us what you know about it; did she tell you what he said about it?

Mr. CAMERON. Yes, sir.

The CHAIRMAN. What?

Mr. CAMERON. He said there is no use to bring this paper and he could not do nothing with it, and we could not make no headway about it.

The CHAIRMAN. When was this?

Mr. CAMERON. That was yesterday.

Senator LA FOLLETTE. How much did your loss amout to?

Mr. CAMERON. It comes to $575, I think. Here is the bill right here.

The CHAIRMAN. Are you on the roll?

Mr. CAMERON. Yes, sir.

Senator LA FOLLETTE. Have you any money to your credit in the bank or elsewhere?

Mr. CAMERON. No, sir. I earned it by hard labor.

The CHAIRMAN. You are working now?

Mr. CAMERON. I ain't working now, the last two or three days.

The CHAIRMAN. Have you been working during the summer?

Mr. CAMERON. Yes, sir.

The CHAIRMAN. What work did you do generally?

Mr. CAMERON. Driving my own team.

The CHAIRMAN. You have got a team?

Mr. CAMERON. Yes, sir.

The CHAIRMAN. Working for the company?

Mr. CAMERON. No, I didn't work for the company very often. I get work wherever I can get my team to work.

Senator LA FOLLETTE. Have you a family?

Mr. CAMERON. Just my wife.

Mr. HOLCOMBE. Where have you been living since the flood?

Mr. CAMERON. I was at work for the company on the bridge.

Mr. HOLCOMBE. Where was your wife living?

Mr. CAMERON. She was cooking for me down there making ties for the company.

Mr. HOLCOMBE. Were you living in the house at the time of the flood?

Mr. CAMERON. Yes, sir.

Mr. HOLCOMBE. Have you lived in it since?

Mr. CAMERON. Our house?

Mr. HOLCOMBE. Yes.

Mr. CAMERON. It was damaged so bad I can't live in it.

Mr. HOLCOMBE. Have you done anything to repair the damage?

Mr. CAMERON. No; just left it the way the flood left it; about 300 feet of logs piled up against it. How the dickens can I make application when I ain't got any money?

Mr. HOLCOMBE. Do you understand you need money to make an application—have you ever asked the farmer to have your house repaired for you?

Mr. CAMERON. No.

Mr. HOLCOMBE. Or have you merely asked him to pay you for what you lost?

Mr. CAMERON. Yes, sir.

Mr. HOLCOMBE. Which did you do?

Mr. CAMERON. My wife went and asked him for help. She has got a little money left, and he would not give here even a pleasant look.

Mr. HOLCOMBE. Did she ask money for what is on that list, or tell him that she wanted the money to repair the house?

Mr. CAMERON. She did ask him.
Mr. HOLCOMBE. What?
Mr. CAMERON. To repair the house.
Mr. HOLCOMBE. And what did he say?
Mr. CAMERON. I wasn't there at the time. And so he told her; he said we couldn't get nothing.
The CHAIRMAN. Is this your wife's house?
Mr. CAMERON. Yes, sir.
The CHAIRMAN. Has she an allotment?
Mr. CAMERON. Yes, sir.
The CHAIRMAN. Has the timber been cut on it?
Mr. CAMERON. Yes, sir.
The CHAIRMAN. Has she ever got the money?
Mr. CAMERON. Spent most of it, I guess.
The CHAIRMAN. Do you know whether there is any money left to her credit?
Mr. CAMERON. She must have got some yet.
Senator LA FOLLETTE. Do you know how much?
Mr. CAMERON. I don't know, sir.
Senator LA FOLLETTE. Is your wife here?
Mr. CAMERON. Yes, she is up there somewhere.

STATEMENT OF ANGELINE CHARLOW.

ANGELINE CHARLOW, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?
Mrs. CHARLOW. I live at Odanah.
The CHAIRMAN. How long have you lived here?
Mrs. CHARLOW. Fifteen years.
The CHAIRMAN. Were you here at the time of the flood?
Mrs. CHARLOW. Yes, sir.
The CHAIRMAN. Did you have a house?
Mrs. CHARLOW. Yes, sir.
The CHAIRMAN. Was the house destroyed or damaged?
Mrs. CHARLOW. Yes, pretty bad.
The CHAIRMAN. Badly damaged?
Mrs. CHARLOW. Yes.
The CHAIRMAN. Did you lose any other property?
Mrs. CHARLOW. Yes, all my furniture.
The CHAIRMAN. Any stock?
Mrs. CHARLOW. Yes, sir.
The CHAIRMAN. Do you know what I mean by stock, horses or cows?
Mrs. CHARLOW. No, no; not that.
The CHAIRMAN. Have you got an allotment?
Mrs. CHARLOW. No, sir; not an allotment yet. I am on the list.
The CHAIRMAN. Your name is on the list, but you have no allotment?
Mrs. CHARLOW. No.
The CHAIRMAN. Did you go to the farmer to see about this damage?
Mrs. CHARLOW. He came up to my house there.
The CHAIRMAN. When?

Mrs. CHARLOW. About a week ago now, I guess.

The CHAIRMAN. What did he tell you?

Mrs. CHARLOW. Well, I told him what I lost and he put in the book, and he said I am making a list of your losses here, but I don't know whether you will get anything or not.

The CHAIRMAN. He told you he was making a list of your losses?

Mrs. CHARLOW. Yes, sir; I told the Indian agent that our things had spoiled very bad, and so forth, and he told me I could wash them and they would be all right afterward, and some of my things I could not use them. All my tables were spoiled. We are poor people, very poor people, my old man he can't work hard at all. He is all the time sick, you know.

Senator LA FOLLETTE. Was your house damaged?

Mrs. CHARLOW. Yes, very bad; the floor all up like that [illustrating].

Senator LA FOLLETTE. And you are living in it that way?

Mrs. CHARLOW. Yes.

Senator LA FOLLETTE. Has anyone been down to repair it?

Mrs. CHARLOW. No, nothing. We are poor, you know, and have got nothing to fix it like that, you know.

Senator LA FOLLETTE. Didn't anyone see you about the house or about the damage until last week?

Mrs. CHARLOW. No. The farmer didn't come in my house, only he was standing outside. Everything in my house, chairs and furniture and everything, was spoiled, bed and everything.

Senator LA FOLLETTE. That is all.

STATEMENT OF ANTOINE QUEBEC.

ANTOINE QUEBEC, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. Do you live here at Odanah?

Mr. QUEBEC. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mr. QUEBEC. Forty years.

The CHAIRMAN. Were you here at the time of the flood?

Mr. QUEBEC. Yes, sir.

The CHAIRMAN. Did you have any property destroyed?

Mr. QUEBEC. I lose everything except what I have on myself now.

The CHAIRMAN. Did you have a house?

Mr. QUEBEC. I had no house.

The CHAIRMAN. Did you have any stock?

Mr. QUEBEC. No, sir.

The CHAIRMAN. Are you married?

Mr. QUEBEC. Yes, sir.

The CHAIRMAN. Whose house were you living in?

Mr. QUEBEC. Angelic Dakota's house.

The CHAIRMAN. How many children have you?

Mr. QUEBEC. We have one child of our own. There is my wife, myself, and one small child, and my wife's daughter.

The CHAIRMAN. What do you do for a living?

Mr. QUEBEC. I work as a common laborer mostly.

The CHAIRMAN. What you lost then was furniture, clothing, and provisions, perhaps?

Mr. QUEBEC (producing a paper). Here is a list of all I have lost.

The CHAIRMAN. How much do you call it worth?

Mr. QUEBEC. Three hundred and seventy-five dollars.

The CHAIRMAN. Do you know the farmer?

Mr. QUEBEC. Yes, sir.

The CHAIRMAN. Did you talk with him about this?

Mr. QUEBEC. Yes, sir.

The CHAIRMAN. When?

Mr. QUEBEC. I think it was last Monday.

The CHAIRMAN. Where?

Mr. QUEBEC. At his office.

The CHAIRMAN. What did you say to him?

Mr. QUEBEC. Am I to be paid for my losses in this flood?

The CHAIRMAN. What did he say to you?

Mr. QUEBEC. I have sent a list of the damages to the Indian agent. I don't know whether it will amount to anything or not.

The CHAIRMAN. Did you understand that your stuff was in the list—what you had lost?

Mr. QUEBEC. I don't know whether my list of damages was there or not.

Senator LA FOLLETTE (addressing the interpreter). You just stated for the witness that he had sent a list.

The CHAIRMAN. The farmer told him that he had sent it. That is what I understood—wasn't that it?

Mr. OBERN. Yes, sir.

Mr. HOLCOMBE. Have you got an allotment?

Mr. QUEBEC. Yes, sir.

Mr. HOLCOMBE. Have you any money to your credit?

Mr. QUEBEC. Yes, sir; but I have had no settlement with the Indian agent so far. He has not told me how much money I have got to my credit.

Mr. HOLCOMBE. Haven't you made application to the Indian agent for $2,500 to buy a farm?

Mr. QUEBEC. I didn't go to the Indian agent direct. I went to an attorney. I did make an application for $2,500.

STATEMENT OF FRANK SCOTT.

FRANK SCOTT, a Bad River Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. You live here in Odanah?

Mr. SCOTT. Yes; I was born and raised here and always lived here.

The CHAIRMAN. Did you have a house here?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Was your house damaged by the flood?

Mr. SCOTT. It sank down.

The CHAIRMAN. Did you have any other damage to your property?

Mr. SCOTT. That was all the loss I had.

The CHAIRMAN. Have you got an allotment?

Mr. SCOTT. I had an allotment, and it was a good many years ago, and the Indian agent informed me that my money had been all spent long ago.

The CHAIRMAN. Do you know Farmer Miles?

Mr. SCOTT. I am not very well acquainted with him. That is the first time I ever spoke to him when he spoke to me regarding my damages.

The CHAIRMAN. Have you got a wife?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Any children?

Mr. SCOTT. No, sir.

The CHAIRMAN. What do you do for a living?

Mr. SCOTT. I always worked in the mill.

The CHAIRMAN. Work about all the time?

Mr. SCOTT. In the past two years I haven't worked so very steady, but before that I worked continually or steady all the time.

The CHAIRMAN. Are you unwell, so you aren't able to work?

Mr. SCOTT. I am not able to work as hard as I used to by reason of having worked too hard heretofore and it has disabled me more or less. I haven't the strength to do the same work I used to, and I thought I would let up a little.

The CHAIRMAN. How much damage do you claim from the flood?

Mr. SCOTT. The Indian policeman instructed me to get a carpenter to estimate the damages, and he instructed me also to instruct the carpenter to make the damages as small as possible, and I did so. I got a carpenter and instructed him to make an estimate of the damages for replacing the house, as small as possible, and he estimated the damages at $180.

The CHAIRMAN. Did you talk with Farmer Miles about this?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. When?

Mr. SCOTT. About two weeks ago.

The CHAIRMAN. Where did you talk with him?

Mr. SCOTT. There at his office.

The CHAIRMAN. What did he say about it?

Mr. SCOTT. "If you had any money I would do something for you, but you haven't any money and I am not able to do anything for you." I went home and the Indian policeman came down shortly after and told me, so he says, "You had better go back and talk to the assistant farmer, Sero," he says, "I have been talking to him about it and told him I thought you ought to get something," and I did come back and the Indian agent was there in the office present.

The CHAIRMAN. Major Campbell?

Mr. SCOTT. Major Campbell was there also, and the assistant farmer, Sero, talked to me there with Indian Agent Campbell, and after thinking it over for some time the farmer came to me and told me he thought he could not do anything with my case. Then the assistant farmer, Sero, came down to my place with me and he looked over the damages and seen the house and the shape it was in, and he says, "Well, I am sorry I can't help you out. If I would have been able to help you out some way I would." The policeman came to me again and he said, "I have talked with the assistant farmer about it again

and it will be fixed," and finally some carpenters came down there and went at it and partly finished the work, and finally left it and left it undone, unfinished.

The CHAIRMAN. How long ago did they leave it?

Mr. SCOTT. It is over a week since they left.

The CHAIRMAN. Do you know who those carpenters are?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Do you know where they have been working since?

Mr. SCOTT. I have known them to work at Jim Doolittle's place.

The CHAIRMAN. You are living in the house?

Mr. SCOTT. Yes, sir; I occupy one part of the house and Big Boy, the policeman, occupies the other.

STATEMENT OF JOHN F. MILES—Continued.

JOHN F. MILES resumed the stand and testified as follows:

The CHAIRMAN. Have you been able to hear the evidence this evening?

Mr. MILES. Most of it; of those that have been in here about this flood business.

The CHAIRMAN. Do you know this woman [indicating]?

Mr. MILES. Yes, sir.

The CHAIRMAN. Now, Mr. Miles, you may tell us what there is to this matter.

Mr. MILES. Well, commencing with the flood——

The CHAIRMAN. No; commence with these people who claim that they went to you and you told them that there was no show for them.

Mr. MILES. Every one of these people that have been here this evening in the chair came this week. About something over two weeks ago Major Campbell wrote me to make up a list to be reported to the Senatorial committee when they come here, of the losses on the reservation. I commenced on that list by going from house to house, every house in the village here, commencing on the other side—that is, all the Indian houses, not the white people—and finishing up on that side I then come over here and commenced at the lower side and canvassed from house to house until I had finished every house there was in the village, and the report was to be up to the Major's office by as early as possible, that is, before the Senatorial committee come here, so I informed all of them that it would be necessary to get it here by Saturday night so as to have arrangements made up there to put it in shape. Every one of these people that has been in this chair has come to me since that report was sent in last Saturday night. This week they have been here, and consequently I have told them it was no use to bring those reports in, for the simple reason that the report had already gone forward and it could not be put in now, but in nearly every one of the instances the report of their losses has been sent in.

The CHAIRMAN. How about this woman?

Mr. MILES. I don't remember just what the report was of her case. I think she was not at home when I was there. There were quite a number of them that weren't at home when I made the canvass, and the consequences was I had to estimate the best I could.

The CHAIRMAN. Do you know whether you have intended or planned up to this time—whether you have included in this thing any idea of helping her?

Mr. MILES. Yes, sir.

Senator LA FOLLETTE. You mean in this list, Mr. Chairman?

The CHAIRMAN. In this list or in the former list. Wasn't there a list sent away?

Mr. MILES. The list went up Saturday night.

Senator LA FOLLETTE. Has there been any former list?

Mr. MILES. No, sir.

The CHAIRMAN. Haven't other applications been sent to Washington?

Mr. MILES. Oh, any quantity of them; just as soon as the flood was over they commenced to make applications. Let me state one thing you heard here to-night—when you were asking Major Campbell whether the people had been taken care of—the Major wrote me right after the flood, which occurred on the 21st to the 23d of July, to see that there was no distress on the reservation. I gave orders on the company's store to provide clothing and food for every one that came in who was destitute, if we knew they were destitute. A great many cases came in that we knew they were not destitute, just as there always is in calamities of this kind, they came in to get what they could out of it. In those cases we had to discriminate. Every one we knew was destitute, they were supplied with food and clothing. When the bills that have been sent in here and that have come in from different quarters are padded all the way from two to ten times what the actual amount of loss was. For instance, the loss on furniture would be the loss when it was new, even if it had been used ten or twelve years, and was old or second hand, but those losses were all put in as first-class furniture and brand new. The actual loss was very much less than they were put in at.

The CHAIRMAN. Do you consider now that if you discovered a case here that needed help it is too late to send that to Washington and have it acted on?

Mr. MILES. No, sir; I am doing it right along every day.

The CHAIRMAN. This list that you talk about was simply a list for the convenience of the committee?

Mr. MILES. That was all. It amounts to some forty to fifty thousand dollars, and they commenced with the upper farms next to the falls and come clear down through the bay here. Another thing, I have told the people that they seem to expect the Government is going to reimburse them for all they have lost and all they put in. I have told them repeatedly that the Government never, to my judgment, had put up in any calamity for the whole losses of a community.

The CHAIRMAN. Do you know anything about the carpenters going down to the house of this man who was just on the stand?

Mr. MILES. I was down at the house the other day and saw it was fixed up and, as he says, Joe Big Boy lives in the other part of the house, and I asked Joe Big Boy about it, and he said it was all right and all fixed up. I think it is as good now as it ever was.

The CHAIRMAN. Did you explain to any of these people that where they had money standing to their credit that their damage would have to be paid out of that money?

Mr. MILES. I carried that idea to all of them; that whatever the Government appropriated would be appropriated for the benefit of the poor and not for those who were able to help themselves.

The CHAIRMAN. Have you ever intended to tell any of these people that they could not have their applications sent to Washington?

Mr. MILES. No, sir; not if they had any money. If they had no money, of course I told them they could not. Oh, no; not on the flood account.

The CHAIRMAN. I mean on this flood business.

Mr. MILES. No; I have never told anyone that they could not; not a single one.

The CHAIRMAN. Did you explain to these people, or didn't you, that this list that you were talking about was simply a list to lay before the committee?

Mr. MILES. I did. That is just what I told them, and that the committee would report it to Congress next winter, and then the Congress would act on it and appropriate what they saw fit, but that would be for the benefit of the poor people and not for the people who were able to take care of themselves.

The CHAIRMAN. You don't know how much provision you are making for this woman?

Mr. MILES. No; I don't remember what it was. That is a case—that is one of the best cases in this village—it is a case that certainly should be cared for.

The CHAIRMAN. When you say "best" you mean it appeals the strongest?

Mr. MILES. Appeals the strongest. We could not get a worse one if we wanted to. They are old people, and the old gentleman works wherever he gets a chance, works all the time he can, but he ain't able to do much. The old lady is not strong, and it is a meritorious case.

The CHAIRMAN. I am inclined to think that these people got the impression from you that it was too late to send applications to Washington, from the way they have talked.

Mr. MILES. That they thought it was too late to get an appropriation to reimburse them?

The CHAIRMAN. They would want you to take their papers and you told them it was too late. They evidently have thought you were talking about sending the application to Washington.

Mr. MILES. They haven't intended to make an application at all. They simply brought this in as a statement of all losses. I told them that it was no good, that it had already been sent in, those losses.

The CHAIRMAN. What was the total amount of the loss to the poor people—that is, those people who had no money to their credit?

Mr. MILES. I did not distinguish it at all. I was simply making up the list as Major Campbell told me, for the benefit of the committee, of what losses there had been on the reservation, to lay before the senatorial committee. I didn't distinguish between rich and poor.

Senator LA FOLLETTE. Have you made up any list at all with reference to the adjustment of these losses at any time?

Mr. MILES. No.

Senator LA FOLLETTE. What has been done to inform the department as to who was entitled to be reimbursed and how much they ought to receive?

Mr. MILES. There has been no list of that kind made out. Simply when the people came in we put it down on the application that it was on account of the flood, and would say that this was a meritorious case—that is, poor people who were not able to help themselves.

Senator LA FOLLETTE. You say you put it down on the list?

Mr. MILES. On the application.

Senator LA FOLLETTE. What was done with the application?

Mr. MILES. The application was sent up to Major Campbell and he sends it to Washington.

Senator LA FOLLETTE. Did that application show those who were entitled to receive assistance under that amendment?

Mr. MILES. That is the way they were intended to do.

Senator LA FOLLETTE. Did you put anybody on that application who had money to his credit?

Mr. MILES. Not on the application that had money to their credit, on account of the flood.

Senator LA FOLLETTE. I am not talking about any loss of any kind or any application except those that were made on account of the flood. You don't understand that you have been testifying here about applications that have been made for money for other purposes, do you?

Mr. MILES. No; I do not.

Senator LA FOLLETTE. This only has relation to the applications made on account of the flood?

Mr. MILES. Yes.

Senator LA FOLLETTE. Did you put anybody on the list or on the application who had money to their credit?

Mr. MILES. No; not on that list. Of course, there have been applications coming up all this time.

Senator LA FOLLETTE. What list did you mean when you said, "Not on that list?"

Mr. MILES. I won't say any list at all. For instance, a party right here has made application that has plenty of money. I said nothing about that. I put it up as an ordinary application.

Senator LA FOLLETTE. What do you mean by "ordinary application?"

Mr. MILES. The ones we put up all the time, during the year, before the flood.

Senator LA FOLLETTE. That is, requests for money for other uses?

Mr. MILES. Yes, sir; just the same as we have always done if they had money to do it with. For instance, there is one here I guess has got about $16,000 to her credit. We put up an application to fix her house, but never said anything about the flood business.

Senator LA FOLLETTE. That repair would be made out of her own money?

Mr. MILES. Yes, sir; but the next one that had no money we would say on that application "on account of flood."

Senator LA FOLLETTE. What was the total amount of those you forwarded on account of flood?

Mr. MILES. I could not tell you.

Senator LA FOLLETTE. You don't know?

Mr. MILES. No, sir; I do not. I would have to go and look the record over.

Senator LA FOLLETTE. That is all.

STATEMENT OF JOHN BLACKBIRD—Continued.

JOHN BLACKBIRD resumed the stand and testified as follows:

The CHAIRMAN. Do you know McCann?

Mr. BLACKBIRD. McCann?

The CHAIRMAN. Yes—did you and Marksman arrest a man here named McCann a couple of years ago, or such a matter, for having whisky on him?

Mr. BLACKBIRD. I don't remember.

The CHAIRMAN. Don't you remember arresting a man on the bridge here, a young fellow, and taking a bottle of whisky away from him?

Mr. BLACKBIRD. No.

The CHAIRMAN. And taking him up to jail?

Mr. BLACKBIRD. I don't remember it.

The CHAIRMAN. And fining him $25?

Mr. BLACKBIRD. No; I don't remember it.

The CHAIRMAN. And then you gave Marksman $8 the next day?

Mr. BLACKBIRD. No; I don't remember it.

The CHAIRMAN. You remember being a policeman, don't you?

Mr. BLACKBIRD. Yes; I was constable at that time.

The CHAIRMAN. Constable for the town?

Mr. BLACKBIRD. Yes, sir.

The CHAIRMAN. Did you ever arrest anybody while you were constable?

Mr. BLACKBIRD. Yes, sir.

The CHAIRMAN. Don't you know Jim McCann?

Mr. BLACKBIRD. Yes, sir; I know him.

The CHAIRMAN. Don't you remember arresting him?

Mr. BLACKBIRD. No; I don't remember ever arresting him.

The CHAIRMAN. Were you ever with Marksman when Marksman arrested him?

Mr. BLACKBIRD. I don't remember Marksman ever arresting him.

The CHAIRMAN. Don't you remember the two of you being together and arresting him out here on the bridge?

Mr. BLACKBIRD. We have been together lots of times, but I don't remember we ever arrested McCann.

The CHAIRMAN. Did you ever get any money from Jim McCann—did you ever get an order from him for coupons?

Mr. BLACKBIRD. No.

The CHAIRMAN. Didn't he write out an order up in the jail one time for $25 of coupons?

Mr. BLACKBIRD. No.

The CHAIRMAN. And didn't you get the money and give $8 of it to Marksman?

Mr. BLACKBIRD. No.

Senator LA FOLLETTE. Are you a policeman now?

Mr. BLACKBIRD. Yes, sir.

STATEMENT OF WILLIAM COUTURE.

WILLIAM COUTURE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Senator LA FOLLETTE. You stated to me yesterday that your son, I think, a minor, has some land here on this reservation. Is that patented land?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. Does your son live with you?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. Have you been clearing that land? Did you clear it yourself; some of it?

Mr. COUTURE. No; yes, I cleared 10 acres of it.

Senator LA FOLLETTE. You cleared 10 acres of it?

Mr. COUTURE. Yes, about seven years ago.

Senator LA FOLLETTE. What did it cost you to clear it?

Mr. COUTURE. About $30 for an acre.

Senator LA FOLLETTE. Now, will you state what your complaint is about the further clearing of any portion of that land?

Mr. COUTURE. I made application to clear the rest part of that land, about twenty-four or twenty-five acres.

Senator LA FOLLETTE. About twenty-four or twenty-five acres more?

Mr. COUTURE. Yes.

Senator LA FOLLETTE. To whom did you apply?

Mr. COUTURE. To the farmer, and I thought it would cost about $30 to $35 an acre, and I made application to send down provided it was no more than $30 or $35 an acre, and I thought it was about 25 acres to be cleared. I figured it would amount up to $875 if it is cleared and plowed up and seeded down. That is the way the application was, and I sent a check for $600—two checks——

Senator LA FOLLETTE. Did you make application to clear that yourself?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. To the farmer?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. After the application to clear it had been approved, did you then make application to do the clearing yourself?

Mr. COUTURE. I asked him.

Senator LA FOLLETTE. You asked him to allow you to clear it?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. What did you state to him you could clear it for?

Mr. COUTURE. I told him I could clear it for thirty or thirty-five dollars; no more.

Senator LA FOLLETTE. Were you allowed to clear it yourself?

Mr. COUTURE. No, sir.

Senator LA FOLLETTE. Why?

Mr. COUTURE. Well, the farmer says that he got a letter from the Indian agent that the farmer should look after it himself instead of me, so the farmer went to work and hired a man.

Senator LA FOLLETTE. Did he show you that letter?

Mr. COUTURE. No; he didn't show me that letter, but just simply told me that he got the letter from the Indian agent.

Senator LA FOLLETTE. Well, what did he do?

Mr. COUTURE. He hired a couple of men, two or three men, and went at it last fall, last summer—they cleared up about 10 acres, pulled a part of the stump and the underbrush on the other 10, so they stopped there, and the winter came. They stopped right there, and this spring they went to work and hired one Frenchman to clear that land. The other 5 acres he pulled the stumps—the other 10 acres—and then that is where it came in I didn't like it. It cost me now $47 the way I figured, instead of $30 or $35.

Senator LA FOLLETTE. Have you signed checks?

Mr. COUTURE. I signed one check.

Senator LA FOLLETTE. To pay for the clearing of any portion of that land?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. In what amount?

Mr. COUTURE. I signed one there for $300, between $300 and $200, and I signed another one between $200 and $300; that makes $600.

Senator LA FOLLETTE. You have already signed checks for $600?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. For clearing how much?

Mr. COUTURE. That is paying for the labor to clear that land; for an acre it don't say how much.

Senator LA FOLLETTE. Have they presented any other bills for you to sign checks for?

Mr. COUTURE. There is another check, another $584, I believe, somewheres there; and I have refused to sign that check.

Senator LA FOLLETTE. You have refused to sign that?

Mr. COUTURE. I have refused to sign that.

Senator LA FOLLETTE. So that the checks you have signed for whatever work they have done amounts to $600, and the check lying in the farmer's office, amounting to five hundred and eighty-odd dollars, making eleven hundred and eighty-odd dollars for clearing, which, according to the amount of work done, you say amounts to over $47 per acre?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. Is any portion of the clearing upon your child's land which has been done under the farmer cleared and plowed up and seeded down?

Mr. COUTURE. That is what he says.

Senator LA FOLLETTE. Have you seen it?

Mr. COUTURE. No; I haven't seen it. They haven't got that far yet. They haven't plowed up yet.

Senator LA FOLLETTE. That is, they haven't plowed the clearing, or any of it, according to the contract, as you understand it; is that it?

Mr. COUTURE. No; not yet.

Senator LA FOLLETTE. You offered yourself to clear that?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. At $30 to $35 per acre?

Mr. COUTURE. Yes, sir.

Senator LA FOLLETTE. Have you complained to the farmer about the work costing too much?

Mr. COUTURE. No; I haven't said anything to him; only Sero told me to come and sign that check. They didn't force me to sign it.

They always told me there was a check there to sign. I went there to see how we could fix it. I turned it back. I didn't sign it. The way I figured it, I figured $35. I figured out 25 acres to be $875, to be plowed up and seeded down. That is the way they promised me.

Senator LA FOLLETTE. Yes.

Mr. COUTURE. They promised me last summer I should have some oats and wheat there this summer. I went over there that day, me and Blackbird, and the poplars was growing about three feet from the ground where it was cleared last summer. There ain't any oats.

Senator LA FOLLETTE. That is all.

STATEMENT OF FRANK B. MURRAY—Continued.

FRANK B. MURRAY resumed the stand and testified as follows:

The CHAIRMAN. Do you know something about the time Blackbird and Marksman arrested Jim McCann?

Mr. MURRAY. I know a little about it. I saw a little and what I was told by Blackbird himself and McCann both.

The CHAIRMAN. What did you see?

Mr. MURRAY. It was in the evening, I don't know just what time it was, probably 9 o'clock, and McCann come into my place and Blackbird and Marksman were both policemen, they were sitting in my place, and McCann came in and bought some pop or something like that—he was feeling pretty good. He finally started outside, and when he got out he flashed up a little bottle through the window so that Marksman and Blackbird saw it. I noticed one of them nudge the other and they started out after him, and they got him about half way across the bridge. It was in the winter time and snow was on the ice, and they asked him about the bottle, and he said he had none. In the meantime he threw the bottle over and it fell down on the ice and snow, so he had none when they got him. The moon was shining, and I went out about this time and I saw them out there together in a bunch. Blackbird told me that Marksman held him while he went around down on the ice and got this bottle, and he seen the bottle, and instead of picking it up, he covered it up.

Senator LA FOLLETTE. Blackbird covered it up?

Mr. MURRAY (continuing). And he came back and told Marksman he could not find any bottle, and Marksman said, "You hold him and I will go down and get the bottle." Blackbird held him, and Marksman went down and got the bottle. Probably half an hour or an hour after that Blackbird came back to my place, he was boarding with me at the time. "Well," he says, "We got him and we got the whisky, and we are going to get some money out of it." That is all there was to that until the next morning. "Well," he says, "I am getting hard up. I will have to go over and collect this money."

Senator LA FOLLETTE. Who said that?

Mr. MURRAY. John Blackbird. So he went over in the morning and he come back with a twenty-dollar gold certificate and a five-dollar bill, and he wanted the twenty dollar bill changed. I changed it for him. That is about all I know about it.

The CHAIRMAN. That was all?

Mr. MURRAY. That is all.

The CHAIRMAN. That is all, unless the committee wants something further.

Mr. HOLCOMBE. Did you see Blackbird and Marksman after they had made the arrest.

Mr. MURRAY. Blackbird.

Mr. HOLCOMBE. Did he say anything about having received any money?

Mr. MURRAY. Not that night; he didn't.

Mr. HOLCOMBE. Did he say that he had received an order for the money?

Mr. MURRAY. An order for the money?

Mr. HOLCOMBE. Yes.

Mr. MURRAY. Now, I just got mixed there a little bit about that part of it. I think he had to go over the second time to get the money. McCann refused to pay it. McCann finally paid it and wanted a receipt of Blackbird, and he would not give him a receipt, and that is where the jangle was.

Mr. HOLCOMBE. You remember the $20 gold certificate?

Mr. MURRAY. Yes; I remember the color of it.

Mr. HOLCOMBE. And the $5 bill?

Mr. MURRAY. The $5 bill.

Mr. HOLCOMBE. You changed the $20 gold certificate?

Mr. MURRAY. Yes.

Mr. HOLCOMBE. What change did you make of it?

Mr. MURRAY. I don't just remember. I think it may have been all in fives.

Mr. HOLCOMBE. Did he spend any of that money there with you?

Mr. MURRAY. At that time, I don't know that he did. He was boarding with me and paying me weekly for his board.

Mr. HOLCOMBE. Do you know whether he had any other money with him at the time?

Mr. MURRAY. I don't think he had anything, because he said when he started out that he would have to hustle and get money. He had been in the habit of getting money that way to pay his board.

Mr. HOLCOMBE. You say McCann flashed up a bottle after he went out of your place of business?

Mr. MURRAY. Yes.

Mr. HOLCOMBE. Where did he get that bottle?

Mr. MURRAY. I don't know. I guess he had it when he came down from Ashland.

Mr. HOLCOMBE. He was buying something in your place?

Mr. MURRAY. He came in and bought some pop. I don't remember who was with him. There was some one with him.

Mr. HOLCOMBE. Did he drink in your place?

Mr. MURRAY. He drank something. I don't know whether he drank or not. He come in and he bought something and stopped a few minutes and then started out. I would also say that McCann told me the next day that he didn't think Marksman had ought to have taken this whisky from him, because they belonged to the same order. I don't know what order it was; and that when he flashed the bottle up he done it in fun and didn't think Marksman would touch him for it.

Mr. HOLCOMBE. To what order does he belong?

Mr. MURRAY. I don't know what order it was—some Catholic order.

STATEMENT OF MARY ARBUCKLE.

MARY ARBUCKLE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mrs. ARBUCKLE. My name was Mary Laguë before I was married.

The CHAIRMAN. Where were you born?

Mrs. ARBUCKLE. I was born up to Marion.

The CHAIRMAN. In Minnesota.

Mrs. ARBUCKLE. Yes, sir.

The CHAIRMAN. You are of Indian blood?

Mrs. ARBUCKLE. Yes; I am a half breed.

The CHAIRMAN. Of what tribe?

Mrs. ARBUCKLE. Well, the La Pointe tribe. That is what we belonged to.

The CHAIRMAN. La Pointe band of Chippewa Indians?

Mrs. ARBUCKLE. My mother was born there. She was raised there and married there.

The CHAIRMAN. What was her name?

Mrs. ARBUCKLE. Charlotte Cadot. Her father was Gus Cadot, and he used to keep the trading posts all over there—La Pointe and Duperior. He used to trade with the Indians all the time. Of course, my mother, she was quite young when her mother died. After her mother died then the old folks took her. Then the old folks died, and they put her in the missionary school. Then she was married from there to a man by the name of Lagué.

The CHAIRMAN. Where was she married?

Mrs. ARBUCKLE. At La Pointe.

The CHAIRMAN. And then afterwards they went down to Marion?

Mrs. ARBUCKLE. Yes, sir.

The CHAIRMAN. Did they live there long?

Mrs. ARBUCKLE. No, sir; I was not a year old when they moved there. They moved up to the Falls.

The CHAIRMAN. St. Croix Falls?

Mrs. ARBUCKLE. Yes; St. Croix Falls on the Wisconsin.

The CHAIRMAN. On the Wisconsin side?

Mrs. ARBUCKLE. Yes; the Wisconsin side.

The CHAIRMAN. How long did they live there?

Mrs. ARBUCKLE. They lived there until I was quite a girl. I guess I must have been about——

The CHAIRMAN. Where did you move to then?

Mrs. ARBUCKLE. From there we—well, we lived there on along until she raised her family, and then we were on a farm a little ways from there.

The CHAIRMAN. How long have you lived here at Odanah?

Mrs. ARBUCKLE. Well, it is going on eight months since we moved up here.

The CHAIRMAN. And you moved up from St. Croix Falls?

Mrs. ARBUCKLE. No; from Shell Lake; about 11 miles from Shell Lake we had our farm, and we sold our farm.

The CHAIRMAN. Is your husband a white man.

Mrs. ARBUCKLE. Yes, sir; he is a white man.

The CHAIRMAN. And you have never been put on the rolls here?

Mrs. ARBUCKLE. No, sir; not here, but in Shell Lake; there was an agent there, and he called up all of the Indians, you know, there that belonged there.

The CHAIRMAN. That was Mr. Allen, wasn't it?

Mrs. ARBUCKLE. Yes, sir. That belonged up here, and so——

The CHAIRMAN. Have you ever applied to the council or committee up here?

Mrs. ARBUCKLE. No, sir; I did not. I was going to. I came down here when they were holding the council, of course, and I asked about it.

The CHAIRMAN. Your name is on the Allen list.

Mrs. ARBUCKLE. Yes; it was down there.

The CHAIRMAN. That is all, I guess.

Mrs. ARBUCKLE. So they didn't have time to bother with me, they were putting down other names, and I have got my two girls I would like to put on.

The CHAIRMAN. Aren't they on the Allen list?

Mrs. ARBUCKLE. Yes, sir; I think they are. Here is the paper that was made out [producing a paper].

The CHAIRMAN. All you can do here is to give this evidence. If they are on the Allen list then they will follow whatever becomes of the Allen list, probably. We can't do anything except take the evidence.

Mrs. ARBUCKLE. I think they are.

The CHAIRMAN. Are your girls married?

Mrs. ARBUCKLE. Yes, sir; two girls married. Only one now, and the other one is a widow. She lost her husband.

The CHAIRMAN. What was your daughter's husband's name?

Mrs. ARBUCKLE. Ferguson, and one is named Nell Powers. That is the oldest girl. I didn't have them all on, I don't think. One was John Arbuckle, one Matty Arbuckle, the other one was Joe, the other Lizzie, one Ledy Arbuckle, and Mary Arbuckle. I don't know whether he put them all on or not.

The CHAIRMAN. Was Ben Lague a member of your family?

Mrs. ARBUCKLE. He is a brother of mine.

The CHAIRMAN. Do you know where he is enrolled?

Mrs. ARBUCKLE. Well, I know he was at White Earth, but I haven't heard since. I don't know what he is doing there. I haven't heard from him for years, only what I get from other people that goes over there.

The CHAIRMAN. That is all, I think. Now, Mr. Lamoreux, we will hear you.

Mr. LAMOREUX. May I be excused for stating briefly what I desire to put before the committee. Mr. Martin has two claims he wishes to have heard. Mr. Martin is one of the successful men Mr. Miles spoke of, a temperate man, a Christian man, well-known to Senator La Follette. The first claim, gentlemen, is one really of Mrs. Martin's, Nancy M. Martin. She is an Indian, has lived here for years, and claims to have some $16,000 on deposit with the Government for pine sold from her allotment. Mr. and Mrs. Martin live in this village, suffered from the flood, so that their house became almost uninhabitable. They are about fifty years of age, and they think they ought to have $3,500 to build them a new home instead of repairing the old

one. Recently they applied, by application, for $1,000, which was recommended by the circuit judge of this circuit, the county officials, business men of Ashland, and was recommended by Major Campbell, and they received $1,000. Right after this the flood came, and they made application for $3,500 to do that, and without asking that they be given permission to pay out a cent, but that it all be done under the supervision of the superintendent or the Indian farmer. I understand the application has been recommended by the Indian farmer, that it be allowed for $3,500, and it has been returned to Mr. Martin and the farmer has furnished him a statement that gives this information: "Agent's letter, September 14, 1909. Nancy M. Martin, $3,500, approved at $1,000. This is to fix up her home at Odanah, repair her house, and so forth, the commissioner says, 'to be expended under the supervision of the superintendent.' You will act as my substitute for this. Authority number, so and so, check inclosed." Mr. Martin is 50 years old, is a good man and has a good family. We want this committee to hear him briefly and have the order changed so that he may get the money to build him a home at this time in his life, which will leave him some twelve or fourteen thousand dollars on deposit for after years, as may be proper. May Mr. Martin be sworn. I want to ask him a few questions.

STATEMENT OF JOSEPH D. MARTIN.

JOSEPH D. MARTIN, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. LAMOREUX. How old are you?

Mr. MARTIN. Fifty-two.

Mr. LAMOREUX. How old is Nancy M. Martin?

Mr. MARTIN. I think she is somewhere in the neighborhood of 49.

The CHAIRMAN. Your wife?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. You reside in this village?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. For how long have you lived here?

Mr. MARTIN. I have lived most of my life here.

Mr. LAMOREUX. Where were you and Mrs. Martin educated?

Mr. MARTIN. Lake Forest.

Mr. LAMOREUX. Both at the same school?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. How did you get your money to get your education?

Mr. MARTIN. By the help of good, charitable people—white people.

Mr. LAMOREUX. The contributions came from white people to educate you and your wife?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. You attended this school, Mr. Martin, after your marriage?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. How long do you say you have lived here at Odanah?

Mr. MARTIN. I have lived most of my life here.

Mr. LAMOREUX. How long have you and Mrs. Martin lived here since your school days?

Mr. MARTIN. Since in the year 1873.
Mr. LAMOREUX. Lived here all this time?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. What is your profession or business?
Mr. MARTIN. Missionary.
Mr. LAMOREUX. You are a Methodist missionary?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. Mrs. Martin had an allotment upon this reservation?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. Was the timber cut from it?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. How much money is there due her from that timber?
Mr. MARTIN. Somewhere in the neighborhood of $15,000 or $16,000.
Mr. LAMOREUX. Don't you know exactly what it is?
Mr. MARTIN. For this reason, that I am unable to get a statement.
Mr. LAMOREUX. You have applied for it?
Mr. MARTIN. I have made application for it.
Mr. LAMOREUX. To whom?
Mr. MARTIN. Through the farmer.
Mr. LAMOREUX. Mr. Miles?
Mr. MARTIN. Yes, sir; Mr. Miles.
Mr. LAMOREUX. Have you ever been able to get an exact statement of the amount of your wife's due?
Mr. MARTIN. No, sir.
Mr. LAMOREUX. You have had at different times some money paid you through the superintendent upon application?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. How many different times during the last four or five years have you made application?
Mr. MARTIN. I think I made two applications.
Mr. LAMOREUX. You have received $1,000 within the last few months?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. Upon recommendation of Superintendent Campbell?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. When before that did you receive any money?
Mr. MARTIN. I couldn't say.
Mr. LAMOREUX. Some years ago?
Mr. MARTIN. Within five or six years ago, I should say.
Mr. LAMOREUX. You live how far from this opera house?
Mr. MARTIN. It is about three blocks, I guess.
Mr. LAMOREUX. Were you damaged by the flood?
Mr. MARTIN. Yes, sir.
Mr. LAMOREUX. Briefly, in a few words, tell the committee what you were damaged—what the damage consisted of.
Mr. MARTIN. My house has been damaged; the floor has been warped up.
Mr. LAMOREUX. Did the water rise over the floor?
Mr. MARTIN. Fifteen or sixteen inches.
Mr. LAMOREUX. How are the doors and window cases?
Mr. MARTIN. We could not use the doors.

Mr. LAMOREUX. Do you and Mrs. Martin feel that you can afford and desire to build from the moneys that she has a new home?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Did you make application for $3,500 for that purpose?

Mr. MARTIN. I did, sir.

Mr. LAMOREUX. That application was left with Mr. Sero and forwarded on to the superintendent?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Have you ever had any information until yesterday what was done with that application?

Mr. MARTIN. No; only just yesterday.

Mr. LAMOREUX. You learned through me that Mr. Sero said there was $1,000 allowed, when I got this statement?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Are you a drinking man?

Mr. MARTIN. No, sir.

Mr. LAMOREUX. Do you drink any intoxicating liquors?

Mr. MARTIN. No, sir.

Mr. LAMOREUX. Do you use your influence to try to quell any kind of disturbances here among the Indians and to stop the drinking of liquors?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Do you know of any reason why you should be denied the $3,500?

Mr. MARTIN. No, sir.

Mr. LAMOREUX. Are you able with a home of that kind to enjoy life better—you and Mrs. Martin?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Who are the members of your family besides yourself and wife?

Mr. MARTIN. I have two children, two small children.

Mr. LAMOREUX. Are those adopted children?

Mr. MARTIN. Yes.

Mr. LAMOREUX. Both?

Mr. MARTIN. Yes.

Mr. LAMOREUX. What is the age of both of them?

Mr. MARTIN. About 26 months, I think.

Mr. LAMOREUX. And the next one?

Mr. MARTIN. About 16 months.

Mr. LAMOREUX. That was a child that was given to you from some charitable hospital at St. Paul?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. And you adopted it?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Who besides these two children and your wife and yourself are members of your family?

Mr. MARTIN. My mother.

Mr. LAMOREUX. Your wife's mother?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. Who else?

Mr. MARTIN. Mrs. Antoine Charette's little girl.

Mr. LAMOREUX. That is a child of the woman who was raised in your family as an adopted child?

Mr. MARTIN. Yes.

Mr. LAMOREUX. Now, gentlemen, is there any reason that this man should not have that $3,500 to build him a home here, under the supervision, if you please, of the superintendent or any other proper man?

The CHAIRMAN. Have you got a report there on his case?

Mr. LAMOREUX. I only have a letter furnished us by Mr. Sero, copies, evidently, from the instructions to him. The one that Colonel Hannen speaks of was adjusted satisfactorily. We made a good deal of complaint because Major Campbell didn't hand out the money, but I became convinced that he handled it as best it could be handled and finally paid the $1,000 that we complained to the Senator of that we could not get.

The CHAIRMAN. When was that?

Mr. LAMOREUX. About June. We made an application for $1,000 and didn't get it, and we growled a good deal to Major Campbell.

The CHAIRMAN. You mean at the major?

Mr. LAMOREUX. At him and to him, and he finally, to my entire satisfaction, showed that he had recommended it, and it came in time and Mr. Martin got it. That disposes of that, unless there is some further information desired by you gentlemen. We think we ought to have, with your help, that $2,500 added to the $1,000 to build these old people a home. We think that a great mass of people who have $14,000 are entitled to a $2,500 home. I think it would be an example and a good influence in this town. Are there any questions of Mr. Martin on that subject?

The CHAIRMAN. I don't care to ask him any.

Mr. LAMOREUX. The next claim is one that needs just a little explanation also. It is the claim of Mr. Martin that there has been some misunderstanding of misinformation or false information conveyed with it. Mr. Martin raised, as he has stated, a woman who married one Antoine Charette. When she became old enough she was married to this Indian. They had several children. They weren't very thrifty people. They have always sort of had their home with Mr. Martin. He has looked out for them and protected them and has, since he has got this money, to my personal knowledge, aided them in getting some needed things. Along some years ago they had a boy that they weren't able to care for, and, in accordance with the Indian custom, not going to any proper court to properly adopt him, they took that child into their home, cared for him as no other people in Odanah could have done better than they did.

The CHAIRMAN. Was he an Indian boy?

Mr. LAMOREUX. He was an Indian boy.

The CHAIRMAN. Of this band?

Mr. LAMOREUX. Of the adopted daughter that he raised. They gave him that child. Mr. Martin took a great deal of interest in him. When that boy was 3 or 4 years of age he applied for and had him given an allotment. Mr. Martin went into the woods himself and selected that allotment. He cared for him with that kindness that that kind of man can do, and Mrs. Martin—if you have met her, you will see that she would be a good mother. At about 5 or 6 years of age the boy was taken sick. Mr. Martin provided two physicians, Doctor Dodd and Doctor Andrews, of Ashland, the best of the physicians there, cared for the little one during his sickness at a great

deal of expense, but the child died. After the child's death the Charettes became his heir—not in accordance with the universal custom, because, as I understand it, in the Indian custom they gave the child to another, and that amounts to an adoption. After that child's death Mr. Martin sought, through the department by petition through the superintendent, to have the department, at the request of the father and mother of the child, the natural parents, who gave a deed to a one-third interest, I believe, Mr. Martin——

Mr. MARTIN. Yes.

The CHAIRMAN. Gave it to whom?

Mr. LAMOREUX. Gave it to Mr. and Mrs. Martin—this allotment—a one-third or a one-half interest.

The CHAIRMAN. Did this adopted child have a brother or a sister in the Charette family?

Mr. LAMOREUX. It had several, but upon the death of this minor child the property would descend to the father and mother if living. They gave a deed to Joseph Martin and Nancy Martin of one-half or one-third in settlement of any claim that they might have for having cared for, an adjustment which they amongst themselves agreed would be a proper division. When that deed went to Washington, the report came back that Mr. and Mrs. Martin had already been settled with, because they had received $600 from the pine that had been sold from that allotment. Mr. Martin felt that he had not got his rights. He felt, as a matter of fact, that he was entitled to all of it, but he was perfectly willing to take a share from the pine that had been cut, and asked, in addition to that $600, that he be given one-third of the balance. The parents were willing; Antoine Charette and his wife both signed the deed. Then the report came back from Senator La Follette's secretary and from the department that Charette had repudiated the deed and had claimed that there had been a full settlement with Martin upon the payment of $600. Just a few days ago, for the purpose of coming before this committee, Mr. Charette called at my office—and I think they are here in this room—and stated that they wanted to convey to this man and his wife a one-third interest in that land. That is the second claim of Mr. Martin, which we ask the committee to consider and do as they think proper under the circumstances. Is there any evidence, gentlemen, that we can give you?

The CHAIRMAN. Possibly you might produce Mr. and Mrs. Charette.

Mr. LAMOREUX. I will do that. Perhaps I had better ask Mr. Martian a few questions [addressing the witness]. You adopted this boy when he was a few months old, taking him into your family?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. What was his name?

Mr. MARTIN. Edward W. Charette.

Mr. LAMOREUX. You selected his patent for him?

Mr. MARTIN. Yes, sir; his allotment.

Mr. LAMOREUX. Where did you get the allotment and how did you get it?

Mr. MARTIN. Well, after that act was passed, I think it is 1901, the 11th day of February; that is, giving the married women who had not received any allotments, and also the children—the minors—the right to allotments——

Mr. LAMOREUX. What did you do?

Mr. MARTIN. I went out in the woods and selected it.

Mr. LAMOREUX. Did you have the charge of that boy from the time he was a few months old up to the time of his death?

Mr. MARTIN. Yes, sir.

Mr. LAMOREUX. You have heard my statement as to what was done about the deed; is that correct?

Mr. MARTIN. Yes, sir; that is correct.

Mr. LAMOREUX. Is Mr. Antoine Charette in the room? If he is, please come forward, and Mrs. Charette also. The next claim of Mr. Martin—and I will be short about it—Mr. Martin is administrator of the estate of an Indian who died at a reservation in Michigan——

The CHAIRMAN (addressing Mrs. Charette). Can you read and write in English?

Mrs. CHARETTE. I would rather have an interpreter.

The CHAIRMAN. Do you read and write English?

Mrs. CHARETTE. Yes.

The CHAIRMAN. How many children have you got?

Mrs. CHARETTE. Seven of them.

The CHAIRMAN. You may be sworn.

STATEMENT OF CATHERINE CHARETTE.

CATHERINE CHARETTE, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

Mr. LAMOREUX. How old are you, Mrs. Charette?

Mrs. CHARETTE. Thirty-five.

Mr. LAMOREUX. In whose family were you raised?

Mrs. CHARETTE. Mr. Martin's.

Mr. LAMOREUX. Joseph D. Martin and Nancy M. Martin?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. How old were you when you went to their home—were you a small child?

Mrs. CHARETTE. Yes, sir; I must have been a small child.

Mr. LAMOREUX. Where did you live from the time you were a small child until you were married—at whose home?

Mrs. CHARETTE. I lived with them.

Mr. LAMOREUX. All the time?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Were they kind to you?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. And treated you properly?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Since your marriage you have lived here at Odanah?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Your husband is an Indian?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you remember of Mr. Martin and Mrs. Martin taking the child Edward W. Charette to live with them?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. How did they come to take the child with them to live in their home?

Mrs. CHARETTE. The child used to go to Mrs. Martin's place and wished to stay with them.

Mr. LAMOREUX. Was he a small baby when he was taken there?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Did you want them to take the child?

Mrs. CHARETTE. After a while I kind of thought they were able to take care of him.

Mr. LAMOREUX. How many children have you had?

Mrs. CHARETTE. Seven of them.

Mr. LAMOREUX. Have you had children since Edward's death?

Mrs. CHARETTE. I have one girl.

Mr. LAMOREUX. One girl after that?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Now, did you know that Mr. Martin got a selection out here, had an allotment for this boy?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you remember when he was sick?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Who paid for the doctor and took care of him?

Mrs. CHARETTE. Mr. and Mrs. Martin.

Mr. LAMOREUX. Who paid the expenses of that child from the time it went into Mr. Martin's house up to the time of his death?

Mrs. CHARETTE. Mr. and Mrs. Martin.

Mr. LAMOREUX. Were they good to him?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Were you there often?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you remember making a deed to Mr. Martin for a one-third interest in that allotment and the moneys coming from the allotment?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Are you willing to have them have that?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you think it is right?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you ask this committee to aid him in getting that?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Six hundred dollars was paid out of this fund once to Mr. Martin. Do you understand that?

Mrs. CHARETTE. In the first place.

Mr. LAMOREUX. This was by your consent?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. Do you still want him to have one-third of the moneys coming from the allotment?

Mrs. CHARETTE. Yes, sir.

The CHAIRMAN. Did you know that this $600 had been paid when you signed the deed?

Mrs. CHARETTE. Yes, sir.

The CHAIRMAN. That is all, unless the committee wants something.

Mr. LAMOREUX. That $600, Mrs. Charette, was paid some years ago?

Mrs. CHARETTE. Yes, sir; about four years ago.

Mr. LAMOREUX. And the deed has been given within the last few months; you understood that—this deed you and your husband signed?

Mrs. CHARETTE. Yes, sir.

Mr. LAMOREUX. This deed, gentlemen, was executed——

The CHAIRMAN. Do they record deeds in this county for reservation lands?

Mr. LAMOREUX. They are usually recorded in the Indian office.

The CHAIRMAN. Under the laws of Wisconsin, could not that deed be recorded?

Mr. LAMOREUX. I think it could be, unquestionably. The custom is for the record of the titles to be kept in the Indian office.

The CHAIRMAN. I know; but now suppose some one else gets a deed to that land, could not that deed be recorded in the office of the register of deeds?

Mr. LAMOREUX. No; because the patent won't allow the land to be transferred without the approval of the President.

The CHAIRMAN. The allottee has the deed in this case.

Mr. LAMOREUX. True; therefore his representative should, by petition, as we proceeded, get his authority of the Government to convey that land, and unless you get that authority the patent itself says the transfer would be void. That is why we come to you. If we could take the deed and record it, that would end it. Question: If this Indian woman died to-day leaving an allotment, instead of proceeding to go through the probate court and be disposed of in that way, the business committee, consisting of the chief and one or two others, would pass upon who were the heirs, and that would be sent to the superintendent, who would approve of it, and the department at Washington ratify it; and that would be a transfer, not going through the probate court at all, except in certain cases where the superintendent usually asks the authority from Washington and the department lets it go through the probate court, and then after going through that court certain copies are sent by the agent to the department at Washington, where it is ratified and comes back.

The CHAIRMAN. Are these allotments under the general allotment law?

Mr. LAMOREUX. Yes, sir; and not one of them but has it provided that they shall not be transfered except with the approval of the President.

The CHAIRMAN. That is true enough; but do you contend that if the allottee should die after he had received a trust patent in that form, restricting alienation, that this council could deprive one of his heirs of his or her share of that property?

Mr. LAMOREUX. I don't think they could. I don't think the proceeding of the council amounts to anything. I think every estate ought to go through the probate court. I think the mistake, and the need of this committee being here to-day, is that the laws of Wisconsin do not come out and reach the property and the rights of these people, which are being held in the department and through department officers, so you can not reach them in the courts. The business committee might act honestly and fairly and still oftentimes make

mistakes. Then the permission of the department to have it probated would be obtained through the agent; and when the probate has been passed upon and approved by the department, the transfer is complete.

Now, as to the other claim, Mr. Martin was administrator of an estate at Barega, Mich. The heirs of that estate were a widow and two boys; one of the sons died after the death of the father. This was away back in 1901. Mr. Martin has been endeavoring during all of these years, in a sort of timid way, to get for the estate or for the heirs the money that the Government has received through its special agent at Barega turned over to the heirs as the administrator, as the law in the state court would warrant. Recently the superintendent of the Barega Agency, Mr. Buckley, wrote Major Campbell that if he would recommend the transfer and the proper application was made that he would forward it on and recommend that the transfer be made of that estate. We made out the petition and it was sent to Major Campbell and a copy to Mr. Buckley. The correspondence has continued from last spring, not two weeks going by that there has not been letters. We have received every courtesy we could ask from our local superintendent, and the last letter that we have gotten is that the agent at Barega has concluded, in view of the letter he received from Major Campbell on the 11th of March, not to recommend this transfer. There stands that estate. Here is the administrator, and we can not reach it.

The CHAIRMAN. What was the nature of that letter?

Mr. LAMOREUX. What letter do you mean?

The CHAIRMAN. The letter of March 11.

Mr. LAMOREUX. I do not know; I think I have seen a copy of it. The substance of it was, as I remember it, that the superintendent here recommended if the agent there deemed proper, that the transfer be made. That is the substance of the letter as I remember it.

Mr. CAMPBELL. I can not remember. There is a copy in my office.

Mr. LAMOREUX. At least a copy of the letter sent to Baraga by the agent here has been sent us very courteously. I have no fault to find with the agent here in that respect, but I say that this petition coming from those officers should be acted upon by the department, and that money paid to the proper heirs, or at least credit be given in the department here to be handled as may be proper in this locality where the people all live now.

The CHAIRMAN. Is the estate all personal property?

Mr. LAMOREUX. The land was sold and the money paid into the agency. So it is all in money. The title of that proceeding is the estate of John Wesley, deceased, of Baraga, Michigan, the heirs being the Indian woman Naw we cun e gi quay and the only living child, Edward Wesley, who is now in the family of Joseph W. Martin, in this city, and the administrator of the estate of James W. Martin. We ask that such influence as this committee may have in the transfer of that property from the Baraga, Michigan Indian Agency to the Ashland Indian Agency may be had, in order that we may there take it up as may be proper, and as the department may direct. That is all of our matter, gentlemen.

(The witness was thereupon excused.)

STATEMENT OF ANTOINE CHARRETTE.

ANTOINE CHARRETTE, having been first duly sworn, testified as follows:

The CHAIRMAN. Did you and your wife make a deed to Mr. Martin of one-third of the child's allotment?

Mr. CHARRETTE. Yes, sir.

The CHAIRMAN. When did you make that deed?

Mr. CHARRETTE. I do not know the day of the month.

The CHAIRMAN. About when was it?

Mr. CHARRETTE. Some time this summer.

The CHAIRMAN. Did you know what you were doing when you made that deed; did you understand what it was?

Mr. CHARRETTE. Yes, sir.

The CHAIRMAN. Did you understand that he had already had $600?

Mr. CHARRETTE. Yes, sir.

The CHAIRMAN. Do you want him to have that one-third interest in that land?

Mr. CHARRETTE. Yes, sir.

The CHAIRMAN. Have you ever tried to recall the deed? Do you know what "recall" means—call it back?

Mr. CHARRETTE. No, sir.

The CHAIRMAN. Did you ever write to the Commissioner of Indian Affairs that you wanted the deed called back?

Mr. CHARRETTE. No, sir.

The CHAIRMAN. Did you ever tell anybody that you did?

Mr. CHARRETTE. Not that I know of.

The CHAIRMAN. Did you ever tell anybody to write to the Indian Commissioner?

Mr. CHARRETTE. No, sir.

The CHAIRMAN. And you still want Mr. Martin to have that one-third interest in that allotment?

Mr. CHARRETTE. Yes, sir; I do.

Mr. LAMOREAUX. Do you also want him to have one-third of the money from the timber that has been cut on that allotment?

Mr. CHARRETTE. Yes, sir.

(The witness was thereupon excused.)

STATEMENT OF MARGARET GREELEY.

MARGARET GREELEY, having been first duly sworn, and her interpreter, William Obern, having been similarly sworn to correctly and accurately interpret her, testified as follows:

The CHAIRMAN. Where do you live?

Mrs. GREELEY. At Bad River Reservation, Wis.

The CHAIRMAN. Have you an allotment?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. Has the timber been cut on your allotment?

Mrs. GREELEY. One forty has been cut off of the eighty.

The CHAIRMAN. Did you ever get any money from that?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. Do you know how much?

Mrs. GREELEY. I do not know.

The CHAIRMAN. Can you count money?

Mrs. GREELEY. I could count up a small amount.

The CHAIRMAN. Could you count $25?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. How did you get the money?

Mrs. GREELEY. On a monthly allowance.

The CHAIRMAN. How much a month?

Mrs. GREELEY. Twenty dollars a month.

The CHAIRMAN. Does this come in the form of checks? Do you know what a check is?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. What did you have to do when you got the checks? How did you get the money on the checks? What did you have to do with the checks?

Mrs. GREELEY. I used to go to the farmer's office, and I used to make a thumb mark on my check.

The CHAIRMAN. Then did the farmer pay you the money when you put your mark on the check?

Mrs. GREELEY. Sometimes when I had been over across the river to the company's store they would not give me a check; they would hold the check.

The CHAIRMAN. Did you tell them whether you had a bill? How did they know you had a bill?

Mrs. GREELEY. I used to go there and ask for orders enabling me to go over and get credit at the company's store.

The CHAIRMAN. Then when you came to put your mark on the check would they have any paper showing how much to take out of the check?

Mrs. GREELEY. No, sir.

The CHAIRMAN. How do you know that what they took out of the check was the right amount?

Mrs. GREELEY. I do not know.

The CHAIRMAN. If you were owing anything at the store and you went to the farmer to get the money on the check, you would put your thumb mark on the check and then he would only pay you what money would be left after taking out what you owed the store; is that not the case? Is that not the way it was done?

Mrs. GREELEY. No, sir.

The CHAIRMAN (to the interpreter). I want you to explain it to her. She says that sometimes she was owing money at the store, and I understood her that then they took out what she was owing at the store, and paid her the balance. I do not know whether you have a word for "balance," but I wish you would explain that to her, and then ask her if they had anything there in the farmer's office to show, any paper or book or writing, to show how much they must keep out for the store.

(The interpreter having interpreted the above—)

Mrs. GREELEY. I do not know as to whether or not they have any way of keeping accounts of my bills here at the Indian office.

The CHAIRMAN. It is a fact that sometimes instead of paying you the whole $20 in money, they would take out some for the bill, and pay you the balance, is that not so?

Mrs. GREELEY. If there was any balance due me on a check, I used to get it over at the company's store.

The CHAIRMAN. Did they cash the checks over there?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. Then, when you would put your thumb on the check and mark it, would you take the check over to the company's store and get the money?

Mrs. GREELEY. No, sir.

Mr. CAMPBELL. I think I can give you an explanation of that that will help you some. During the month when any of those old Indians needed something before their monthly allowance came, they would go to the farmer's office and get an order for so much from the farmer for trade somewhere, anywhere they wanted to go. Then the farmer notes it in his book and he has to protect himself and see that that trader gets that money that he has given the order for. That is what she means.

The CHAIRMAN. That is what I supposed. The check is paid at the farmer's office, is it?

Mr. CAMPBELL. It is either that, or sometimes, if it is over at the company's, she gets an order for the balance to go and get it anywhere.

The CHAIRMAN. But the settlement is made at the farmer's office?

Mr. CAMPBELL. Yes, sir; the balance of the check is paid over when the order is taken.

The CHAIRMAN. Now, you claim that one of those checks you did not get the money on, do you not?

Mrs. GREELEY. I received a check at the Indian farmer's office at Odanah, and I signed it, and the assistant farmer took back the check, or the policeman——

The INTERPRETER. She did not say the assistant farmer; the policeman.

Mrs. GREELEY (through the interpreter). And I owed $10 at the company's store and that ten-dollar bill was paid, but I never received the balance of that $20, which would be $10 balance due me.

The CHAIRMAN. Who was the man who took the check back?

Mrs. GREELEY. John Blackbird.

The CHAIRMAN. How long ago was this?

Mrs. GREELEY. I could not say the very date, but I think it was about the 7th or 8th of this month.

The CHAIRMAN. Who was there when you marked this check and gave it to Blackbird?

Mrs. GREELEY. Norbert Sero and Indian Agent Campbell were there, and also a woman.

The CHAIRMAN. Major Campbell, do you know anything about this?

Mr. CAMPBELL. No, sir; I can not tell you anything about that check. Sero may be able to tell you. I can not remember it.

The CHAIRMAN. Sero, do you remember anything about this woman coming in there and marking a check and giving it to Blackbird?

Mr. SERO. I do.

The CHAIRMAN. What did Blackbird do?

Mr. SERO. He merely had her put her thumb mark on the check and return it to me.

The CHAIRMAN. He returned the check to you?

Mr. SERO. Yes, sir.

The CHAIRMAN. How much was the check for?

Mr. SERO. Twenty dollars.

The CHAIRMAN. What did you do?

Mr. SERO. I put the check back in the safe.

The CHAIRMAN. Did you pay her?

Mr. SERO. No, I did not.

The CHAIRMAN. Why?

Mr. SERO. Because she wanted the money.

The CHAIRMAN. Because she wanted the money?

Mr. SERO. Yes, sir. The instructions from the agent were that all people who spent their money for liquor we were not to give them money; that they could get what they needed at the stores; and that is why I did not give her the money. I told her at the time that if she needed anything at the stores we would give her an order for it, but we had heard that she was drunk in a saloon down at Necedah and had spent some money that we gave her before, and this time we were not going to give her the money.

The CHAIRMAN. Was she owing $10 at the time?

Mr. SERO. Yes, sir.

The CHAIRMAN. You remember about that, do you?

Mr. SERO. Yes, sir; she had taken an order for $10 at the store.

The CHAIRMAN. Mrs. Greeley, do you know Mr. Sero?

Mrs. GREELEY. I am not acquainted with him.

The CHAIRMAN. Sero, you may stand up.

(Sero stood up.)

The CHAIRMAN. Did you see that man there?

Mrs. GREELEY. Yes, sir.

The CHAIRMAN. Now, did Blackbird, after you put your thumb on the check, turn the check over to that man [indicating Sero]?

Mrs. GREELEY. He did not hand it to Sero; he placed it over on the table.

The CHAIRMAN. Did Mr. Sero tell you then that if you wanted anything more at the store he would give you an order?

Mrs. GREELEY. I did not hear him say anything of the kind.

The CHAIRMAN. Did you ask him for the other $10?

Mrs. GREELEY. Yes, sir; I did.

The CHAIRMAN. What did he say?

Mrs. GREELEY. He said, "No; you won't get anything at all."

The CHAIRMAN. Did he not tell you you could get some goods at the store?

Mrs. GREELEY. He did not say anything. He was very angry.

Mr. CAMPBELL. I will state that that is my instruction, since Mr. Sero has called my attention to it. I remember it now.

The CHAIRMAN. You may state it.

Mr. CAMPBELL. And I am responsible for that. I do not put that on Mr. Sero. When he told me about their being drunk down at Necedah, I told him from that time on, where he knew positively that they spent their checks for whisky, not to allow them to use the money for that purpose, but give them an order on any store that they might wish to trade at and see that it was paid.

The CHAIRMAN. Do you remember this woman?

Mr. CAMPBELL. I remember this incident, now, since he called my attention at her being drunk at Necedah. I was in the office at the time.

The CHAIRMAN. And Sero at that time called your attention to her as a woman who was in the habit of being drunk?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. And you heard some talk between her and Sero?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. That, I suppose, was in Chippewa. [Laughter.] Of course you could not understand what they said to one another, could you?

Mr. CAMPBELL. Who?

The CHAIRMAN. Sero and this woman.

Mr. CAMPBELL. Why?

The CHAIRMAN. Did they talk in English?

Mr. CAMPBELL. There was an interpreter. He did not talk Chippewa.

The CHAIRMAN. Does not Sero talk Chippewa? [Laughter.]

Mr. CAMPBELL. No, sir.

The CHAIRMAN. I suppose he did.

Mr. CAMPBELL. I think the laugh is on the other side.

The CHAIRMAN. Who was interpreting?

Mr. CAMPBELL. I could not tell you. Blackbird, I think, if he was there.

The CHAIRMAN. Do you remember this occasion?

Mr. CAMPBELL. I remember this occasion now.

The CHAIRMAN. And the reason he would not give her the other $10?

Mr. CAMPBELL. Yes, sir; I am responsible for that order.

Senator LA FOLLETTE. I would like to ask you, Mrs. Greeley, if you had been drunk down at Necedah—if that is the name of the place?

Mrs. GREELEY. I never have been drunk.

(The witness was thereupon excused.)

The CHAIRMAN. We are going to close this hearing very shortly, and if there is anyone here who has a statement that he desires to make and to lay before the committee, he may come forward and be sworn.

(The above having been interpreted by Interpreter Obern—)

STATEMENT OF MAGGIE D. GREEN.

MAGGIE GREEN having been first duly sworn, testified as follows:

The CHAIRMAN. Are you a member of the Bad River band of Indians?

MAGGIE GREEN. Yes, sir.

The CHAIRMAN. Have you an allotment?

MAGGIE GREEN. Yes, sir.

The CHAIRMAN. What is it that you desire to state to the committee?

MAGGIE GREEN. I want to ask the committee about my check.

The CHAIRMAN. What about your check?

MAGGIE GREEN. I made an application here some time in August, and I went and asked for it and they rejected me. They told me I made an application for too much.

The CHAIRMAN. You had made an application for some of your money, did you?

MAGGIE GREEN. Yes, sir.

The CHAIRMAN. And they said it was for too much?

MAGGIE GREEN. Yes, sir.

The CHAIRMAN. What did you want to do with your money?

MAGGIE GREEN. I was going to buy different things for what I had spoiled in the flood.

The CHAIRMAN. Did they tell you how much you ought to make it for?

MAGGIE GREEN. Yes, sir; they wanted me to make it $150.

The CHAIRMAN. How much did you make it for?

MAGGIE GREEN. For two hundred and fifty-eight dollars and some odd cents.

The CHAIRMAN. Do you know about how much you have to your credit?

MAGGIE GREEN. Yes, sir; I do.

The CHAIRMAN. How much have you?

MAGGIE GREEN. I had more than that.

The CHAIRMAN. I know, but do you know how much you had to your credit?

MAGGIE GREEN. No, sir; I do not.

The CHAIRMAN. You have no idea?

MAGGIE GREEN. Yes, sir; I know——

The CHAIRMAN. About how much?

MAGGIE GREEN. Well, I had something about $300.

Mr. CAMPBELL. I am also responsible for that, not the farmer. I remember her application. She had got a farm up here along the road which she spent most of her money in clearing up and building upon. For some reason she moved here to town. She has a small credit, and one part of that application was $150 to complete the payment on a house here in Odanah. That was recommended, and the balance was not.

MAGGIE GREEN. Another thing; I want to find out about that flood. I lost a cow, and I told Mr. Miles about it and he said I would never get paid for that.

The CHAIRMAN. Very well, we will consider the matter.

(The witness was thereupon excused.)

STATEMENT OF MARY C. STODDARD.

MARY C. STODDARD having been first duly sworn testified as follows:

The CHAIRMAN. State your Indian name.

MARY STODDARD. My name is Ne-gon-ogo-sho-que.

The CHAIRMAN. What statement do you desire to make to the committee?

MARY STODDARD. I have an allotment that I have held for about fifteen years, and it was not cut until last winter. I went to the farmer's office to make an application for some money to work on my eighty or make some improvements on my allotment. I spoke to Mr. Miles about it and he said it was all right, that it was the intention of the Government that they would clean up their own land. I went home and was afterwards notified that the requisition would be no good, and Sero notified me after I got up there that I would not have anything, as he saw the way I was wasting my money, and he did not want me to do so. I wish to state that I did not waste my money.

Mr. CAMPBELL. The assistant farmer informs me that that application was sent in approved.

MARY STODDARD. They need not blame me for the money I spent. The money that I spent on the purchase of the house and furniture was my father's money. Sero also told me "You had better pay for this house before you go spending any money out on your allotment."

The CHAIRMAN. Do you owe anything on the house that you have here?

MARY STODDARD. No, sir.

The CHAIRMAN. Is it all paid for?

MARY STODDARD. Yes, sir.

The CHAIRMAN. How much did you pay for it?

MARY STODDARD. My father bought the house.

The CHAIRMAN. And gave it to you?

MARY STODDARD. Yes, sir. I want to know why it is that my money won't be given to me? What is the Indian agent going to do with that money? It belongs to me.

Senator LA FOLLETTE. They would not have refused it unless it was sent in with some recommendation that led to the refusal.

The CHAIRMAN. What do you know about this case, Major Campbell?

Mr. CAMPBELL. Only from just what I have from the farmer here now. He says that the application was for a buggy instead of improvements upon the farm.

The CHAIRMAN. Is that a fact?

MARY STODDARD. That was another requisition that I was requesting a buggy for. That farmer over there is always fighting me and the other is very agreeable.

The CHAIRMAN. When did you make the other requisition for the buggy?

MARY STODDARD. The first requisition I made was for the improvement of my land. It was since the flood that I made that requisition for a light wagon for our horse. We have a horse, but no wagon; and I also asked him at the time for the buggy. At the time I asked for the light wagon I also asked for hay, for our meadow was spoiled.

The CHAIRMAN. That was on account of the damage by the flood?

MARY STODDARD. Yes, sir; it was on account of the damage by the flood.

The CHAIRMAN. Now, Mr. Sero, do you know anything about either of these applications, or both of them?

Mr. SERO. I do.

The CHAIRMAN. What about the one for the improvements?

Mr. SERO. She came to the office with an application to make improvements on the allotment she owned.

The CHAIRMAN. How much money did she want?

Mr. SERO. I forget the amount; at any rate, looking up her allotment, I found that it was down in the lower part of the reservation where there was no road to it, and I told her that I did not believe it was advisable for her to make any improvements there until there was a road so that she could get there.

The CHAIRMAN. What did she say?

Mr. SERO. Well, she said they were going to make a road and try to get there some way. She had spent quite a bit of money, as we

found in looking over her account, and building a house on some land that she did not own, and she afterwards had to move the house a long way away from there to the other end of the village down on tribal lands, and her house cost her a great deal of money. She had spent considerable money.

The CHAIRMAN. Did not her father own the land?

Mr. SERO. No, sir. She afterwards asked for an application to buy a buggy, which would cost, I think, something like sixty or sixty-five dollars.

The CHAIRMAN. As to this first application, what became of that? Did you reject it?

Mr. SERO. I advised her that it was not proper for her to spend her money on that allotment until there was a road there.

The CHAIRMAN. Was that application sent to Washington?

Mr. SERO. I do not remember whether it was or not. It may have gone to the agent. I do not know.

The CHAIRMAN. It would go through this office, would it not?

Mr. SERO. Yes, sir.

The CHAIRMAN. Do you remember whether it was approved and sent on or marked for rejection?

Mr. SERO. I do not remember whether it was or not. It was not approved, I know that.

The CHAIRMAN. I mean by this office.

Mr. SERO. I do not think it was by this office. We would not recommend it.

The CHAIRMAN. Now, how about the other one?

Mr. SERO. I did not believe that she needed such an expensive buggy. She had no use for it.

The CHAIRMAN. What did you do with her application?

Mr. SERO. I sent it to the agent.

The CHAIRMAN. With any recommendation?

Mr. SERO. We did not recommend it at all; just sent it up as she requested.

The CHAIRMAN. I thought that one of those had just come back from Washington?

Mr. SERO. Yes, sir; it did.

The CHAIRMAN. Which one was it?

Mr. SERO. It was the one in which she wanted the buggy. That came back to-night.

Senator LA FOLLETTE. Just state where your allotment is.

MARY STODDARD. It is at Marble Point; that is at the northeast corner of the reservation toward the lake—toward the railroad.

The CHAIRMAN. How far is it from here?

MARY STODDARD. My husband knows.

Mr. STODDARD. It is 1½ miles from Birch north.

Senator LA FOLLETTE. Is there any road to your allotment?

MARY STODDARD. There is a road to it.

Senator LA FOLLETTE. Is it a road over which you can drive a team and wagon?

MARY STODDARD. Yes, sir.

Senator LA FOLLETTE. Is it a good road or a bad road?

MARY STODDARD. Yes, sir; it is a good road.

The CHAIRMAN. What improvements did you wish to make on your allotment?

MARY STODDARD. I wanted to make a garden there to farm.

Senator LA FOLLETTE. You wanted to clear some land?

MARY STODDARD. Yes, sir.

Senator LA FOLLETTE. Is there any improvement upon it at all?

MARY STODDARD. No, sir.

Senator LA FOLLETTE. What kind of a wagon did you want to buy?

MARY STODDARD. A strong, light wagon.

Senator LA FOLLETTE. Not a buggy?

MARY STODDARD. A light and strong wagon.

Senator LA FOLLETTE. What use did you want to make of it?

MARY STODDARD. We also plant my father's land. We have a piece of land over the river and have to have a horse and wagon to go up there, backward and forward.

Senator LA FOLLETTE. Had you had a horse and wagon before the flood?

MARY STODDARD. We had a horse and my husband's brother-in-law loaned him an old wagon, but it is now broken up, so we can not use it.

Senator LA FOLLETTE. How much have you to your credit, if you know, or about how much?

MARY STODDARD. I do not know.

The CHAIRMAN. Have you any idea, Sero?

Mr. SERO. I think she has in the neighborhood of $2,000. I gave her a slip with the amount on it to-day.

Senator LA FOLLETTE. She has about $2,000 to her credit?

Mr. SERO. I think so; yes, sir.

Senator LA FOLLETTE. Mrs. Stoddard, did Sero tell you there was no road to your allotment, and that that was the reason why you ought not to have that application for money approved?

MARY STODDARD. Yes, sir; he told me there was no road there, and it would be hard for me to get there; and he also told me that I did not have much money. He also told me, "You had better leave your money here; you do not want to spend all your money in one day. You may find a chance to buy a farm somewhere, an improved farm, cheap." I did not want to buy any more land; I have land enough. I do not want two parcels of land. I want to know who is making the best use of their own money, I or Sero. He has had his money and I have had mine. Who is wasting the most money?

Senator LA FOLLETTE. Mr. Interpreter, just tell her that we understand her complaint fully now.

The above having been interpreted to the witness by the interpreter, she was thereupon excused.

ADDITIONAL STATEMENT OF MAGGIE D. GREEN.

MAGGIE D. GREEN was recalled and testified as follows:

MAGGIE GREEN. I want to see about that check. It seems that we are always compelled to trade at the company's store when we do have money, and when we sign the check to get it.

The CHAIRMAN. When you do not owe anything at the store when your check comes, won't they give you the money on it?

MAGGIE GREEN. No, sir.

The CHAIRMAN. Why not?

MAGGIE GREEN. They make us trade at the company's store, and we can not buy everything we want to at the company's store. We can get things cheaper. Of course I am willing to pay what little I owe at the company's store, but what is left I want to study about buying where I please. I know where to buy. I go to the stores.

The CHAIRMAN. Do they put it on the ground that you would spend your money foolishly, or what reason do they give?

MAGGIE GREEN. I do not know. I never spend money foolishly.

The CHAIRMAN. I am asking you what reason they give.

MAGGIE GREEN. They do not give any reason. That is the orders, I suppose. That is what I want to know about.

The CHAIRMAN. Major Campbell, this woman says that they are all compelled to go to one store, that they can not get their money on their checks, nor can they get orders except on one store. How is that?

Mr. CAMPBELL. I will take my oath that I never directed an Indian during the last eleven years to go to any particular store. I have told them to go wherever they got their goods the cheapest, and the same quality of goods. If they had a list that they wanted to buy, I told them I would not buy at any particular place until I went around and saw where I could get the best from the different stores.

Senator LA FOLLETTE. Do you allow any of them to have money and go and spend it and make their selections at the store for themselves?

Mr. CAMPBELL. Yes, sir.

Senator LAFOLLETTE. Take this lady here for instance.

MAGGIE GREEN. I never had any money to go and spend wherever I pleased. I spend most of my money at the Stearns Lumber Company's store.

Mr. CAMPBELL. Then you do it of your own free will and accord.

MAGGIE GREEN. Because they never let me have any money, that is, what I get from the Government. When I get my own money that I earn, or get money from my husband, I can spend it wherever I please.

The CHAIRMAN. If you go over here with a check, and the account is not equal to the check, so that there is something left coming to you, will they not give you an order on any store except the Stearns store?

MAGGIE GREEN. No, sir.

The CHAIRMAN. Won't they give you any money?

MAGGIE GREEN. No, sir.

The CHAIRMAN. Now, who does this, the farmer or Sero, or whom?

MAGGIE GREEN. They both of them do it—Sero and Mr. Miles.

The CHAIRMAN. Sero, you have heard this woman's story. What have you to say about it?

Mr. SERO. I will have to deny what she said, that we compelled her to go to one store. That is not true.

MAGGIE GREEN. That is the only store we have here.

The CHAIRMAN. Do you ever give orders on other stores?

Mr. SERO. Yes, sir; we do give orders on any store they ask for.

The CHAIRMAN. As a matter of fact, do you give them?

Mr. SERO. Yes, sir; we do.

Senator LA FOLLETTE. On what stores?

Mr. SERO. Any store that they want to go and trade at.

Senator LA FOLLETTE. Have you ever given Mrs. Green any money to go—after her account was fully paid at the store here, if she had one—have you ever given her money to go to any store that she wanted to trade at?

Mr. SERO. If she had the money.

Senator LA FOLLETTE. Have you, as a matter of fact, in this woman's case, given her any money?

Mr. SERO. I think we paid her several checks. We have given her checks when they used to give a monthly allowance.

Senator LA FOLLETTE. Have you any definite recollection about it?

Mr. SERO. I am quite positive about it—when they were drawing a monthly allowance.

Senator LA FOLLETTE. That was only suspended a few months ago. Name some particular time, if you have any in your memory, when this woman has been given a check for money which she could go and draw at the bank and spend in her own way.

Mr. SERO. That would be pretty hard for me to remember back so far.

The CHAIRMAN. Do you remember that you have refused to do that?

Mr. SERO. Yes, sir; I remember refusing to do that under the instruction of the agent.

The CHAIRMAN. With this woman?

Mr. SERO. Yes, sir.

The CHAIRMAN. On what account?

Mr. SERO. Because the instructions from the agent were such that we could not give her the money.

The CHAIRMAN. Why not?

Mr. SERO. Because the agent told us that we had to see that the money from that check was spent for a certain purpose. For instance, she has an application now for $251.

The CHAIRMAN. I am speaking now of these $10 payments, when you used to be making those payments. Would you refuse her, or did you ever refuse her, money when you had it, or did you ever refuse her orders on other stores when she asked for them?

Mr. SERO. No, sir; we did not.

The CHAIRMAN. Did you refuse anyone?

Mr. SERO. No, sir; we did not.

Mr. CAMPBELL. Monthly allowance was always given to them if they had not anticipated it before; that is, run in debt for it before, and we become responsible.

The CHAIRMAN. But what I want to get at is whether there has been a custom here, independently of the rule—I want to know what the custom has been, whether it has been the custom here to refuse these people orders on any store that they ask for when they were entitled to any order?

Mr. SERO. I will say that of my own knowledge it has not been.

Mr. CAMPBELL. An application was made to me to-day, since I have been in this building, to buy a certain amount of goods up at Ashland from Augvick's store; in fact, where he claims I told him to take it to the farmer, and if approved that bill will be bought at that place for them as he directed.

Senator LA FOLLETTE. I understand that, but I would like to know this: I understood you to say that you have given orders on other stores for the purchase of articles named in the order.

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. But I have been impressed with the fact that some of these people are of as good character and as capable of making their own purchases as anybody else; and what I want to know, for my part, is whether it is the custom and practice of this agency to treat these people just as if they had not any intelligence or any character or any ability to spend their own money and do it properly, or whether they are directed to this store? Will you state, Major Campbell, what the fact is with respect to this matter which I have just put to you in the previous question?

Mr. CAMPBELL. They make application, for instance, for a span of horses, or they make application for a cow, and they make application for furniture.

Senator LA FOLLETTE. I understand that.

Mr. CAMPBELL. That is approved; the commissioner——

Senator LA FOLLETTE. I understand that these applications for considerable sums of money for specific purposes are forwarded to the Indian office to be passed upon there. But until a few moments ago, when I think an order was issued from the department changing the practice, the Indians were allowed a certain amount of money each month to be expended, when they had money to their credit. I think that was about $10 a month.

Mr. CAMPBELL. Ten dollars, $15, $20, $25, and $30.

Senator LA FOLLETTE. Now, with respect to that money, when an intelligent Indian, of character, capable of making his own purchases and his own selection, applied here, for instance, for the allowance that was due to him under that practice, was he given that money to go and make his purchases—was it in the form of money?

Mr. CAMPBELL. Yes, sir; in the form of a check.

Senator LA FOLLETTE. Were they permitted to make their purchases at their own discretion?

Mr. CAMPBELL. Anywhere on the monthly allowance, and all other goods, on application they were allowed to go anywhere, but I paid the bills myself and got the receipts, or the farmer would do it.

Senator LA FOLLETTE. Now, I understand that the answer that you have made—that they were allowed to expend this money according to their own discretion, in the cases such as I have named—merely indicates that that was your direction to these subordinate officials of yours in charge here all the time, because I suppose you did not draw those checks yourself and deliver them to the Indians yourself; it was done here at the farmer's office, was it not?

Mr. CAMPBELL. We drew the checks.

Senator LA FOLLETTE. You drew the checks, and they were sent here with your signature and delivered or held to be expended, according to the direction of the office, as the case might be, depending upon the Indians. Now, I understand that you claim that you gave the proper direction; that is, that you gave the direction in the case of the intelligent Indians of character, that they should be given their money.

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. To expend themselves. I want to ask Mr. Sero now whether that direction was complied with in giving the checks to those Indians?

Mr. SERO. I want to know if that applies to monthly allowances?

Senator LA FOLLETTE. Yes; to the monthly allowances.

Mr. SERO. I say it was.

Senator LA FOLLETTE. Will you name some Indians here who were given their money to expend in their own way?

Mr. SERO. There are many of them. I do not know that I can recall their names.

Senator LA FOLLETTE. You stated a few moments ago that, with respect to this woman, she never was given her check to expend in that way, because you were under orders not to do that?

Mr. CAMPBELL. It was on an application——

Senator LA FOLLETTE. Wait one moment, Mr. Campbell.

Mr. SERO. I meant on her application.

Senator LA FOLLETTE. Did you say that you had given Mrs. Green checks which she could go and get the money on—monthly allowance checks that she could go and get the money on and expend in her own way?

Mr. SERO. When she was on monthly allowance she got her checks the same as the rest.

Senator LA FOLLETTE. That does not answer the question. I ask you whether you have ever given her checks for monthly allowance which she was permitted to go and expend according to her own desire, and at any place she chose?

Mr. SERO. I can not recall any specific instance where she drew a check; it has been some months ago——

Senator LA FOLLETTE. Was she ever given a check for monthly allowance to go and spend in any store when she pleased?

Mr. SERO. I believe she was; yes, sir.

Senator LA FOLLETTE. Do you swear that she was?

Mr. SERO. Yes, sir; I do.

Senator LA FOLLETTE. When?

Mr. SERO. During the time she was receiving a monthly allowance.

Senator LA FOLLETTE. When?

Mr. SERO. Prior to the discontinuance of the allowance.

Senator LA FOLLETTE. Of course, it would be prior to the discontinuance of the monthly allowance if it was for the monthly allowance; but when, at what particular time, on what occasion?

Mr. SERO. The 1st of each month.

Senator LA FOLLETTE. Do you mean to say that you gave her her checks the 1st of each month—the monthly allowance checks—to go and spend where she pleased?

Mr. SERO. If she had not anticipated an order against it, she got her check.

Senator LA FOLLETTE. She has just stated that she never was paid a check that she could draw the money on and expend as she chose. In the face of that statement, do you still say that you did give her checks to be used in that way?

Mr. SERO. Yes, sir; I do. I do not believe the woman will deny but what she got some checks in that manner.

Senator LA FOLLETTE. Have you ever received a check, Mrs. Green?

MAGGIE GREEN. Yes, sir.

Senator LA FOLLETTE. Which you could go and spend in your own way?

MAGGIE GREEN. Yes, sir; I could spend it in my own way. I always had money to spend somewhere else, but when I did get a check he would not let me get the chance to get my check at the company store.

Senator LA FOLLETTE. I understood you to say that you never could get your checks to spend in your own way.

MAGGIE GREEN. When we owed anything we could not do it. We would go across the river to the company's store.

Senator LA FOLLETTE. Do you mean to say, if you owed anything, that the only times when you were refused your checks, to spend in your own way for monthly allowance, that you were already in debt at that store and the check was held to meet that debt?

MAGGIE GREEN. Yes, sir; that is what I mean; what I meant is this money I have. I would go and sign my check, but did not get the money.

Senator LA FOLLETTE. I think we understand the case now.

The CHAIRMAN. If you did not owe anything at the store and your monthly check came, they gave you the money on the check, did they?

MAGGIE GREEN. Yes, sir; and it seems when we make the application, when they compel us to buy at the company's store, and when we do buy there, we have to pay big prices for everything we buy. When the company knows that we have to buy there they charge as much as they please.

The CHAIRMAN. When making what application; for your monthly payment?

MAGGIE GREEN. For anything we want; clothing or anything or furniture.

The CHAIRMAN. If you make application for money from your timber money—I am not speaking of your monthly allowance—did they not let you buy wherever you pleased?

MAGGIE GREEN. No, sir.

The CHAIRMAN. Do they let you buy at Ashland?

MAGGIE GREEN. No, sir; I never bought at Ashland.

The CHAIRMAN. Have you ever asked to?

MAGGIE GREEN. No, sir; I do not feel like asking when I do not have any money to go——

The CHAIRMAN. I mean, when you have made application for money to buy things with—not your monthly allowance, but other applications—and wanted to buy in Ashland, did you ask them if you could buy in Ashland?

MAGGIE GREEN. No, sir; I did not.

The CHAIRMAN. Then how do you know they would not let you buy in Ashland?

MAGGIE GREEN. Well, this is the way I feel: When I have money in my pocketbook it seems that I can not go and buy where I please; I can not go to the different stores and do what I want with my money. I feel like I want my money when I sign the check.

The CHAIRMAN. Whenever you have signed the check and were not owing the store, they gave you the money, did they not?

MAGGIE GREEN. I want the balance of the money.

The CHAIRMAN. Just answer my question. Whenever you signed a check and were not owing at the store, they would give you the money on your check, would they not?

MAGGIE GREEN. The $10 a month; yes, sir. They would give me that.

Senator PAGE. Do you say that you have ever been to the agent here and asked him for an order on some other store than the company's store and have been refused?

MAGGIE GREEN. I never——

Senator PAGE. Just answer yes or no, if you ever asked for an order on some other store than the company's store?

MAGGIE GREEN. No, sir.

Senator LA FOLLETTE. Why did you say, then, that you feel that you have to trade at this store?

MAGGIE GREEN. That is the only store we have here.

Senator LA FOLLETTE. If you asked the farmer or the assistant farmer or the superintendent for an order on an Ashland store, would that be denied? Do you understand the question?

MAGGIE GREEN. No, sir.

Senator LA FOLLETTE. Would it be denied?

MAGGIE GREEN. I am just like this: When I have money I go to different stores and different places and do as I like with my money. That is what I am talking about.

Senator LA FOLLETTE. I think we understand the situation.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF HENRY E. HOLLIDAY.

HENRY E. HOLLIDAY, having been recalled, testified as follows:

The CHAIRMAN. You live at Odanah, do you not?

HENRY HOLLIDAY. Yes, sir.

The CHAIRMAN. And have for some years?

HENRY HOLLIDAY. Yes, sir.

The CHAIRMAN. You used to draw your monthly payments, did you not?

HENRY HOLLIDAY. No, sir; I ran a little grocery store here. I ran a little grocery store, until I was notified not to allow any Indian to draw; that I would not be assisted to collect my bills from their trust funds after a certain time—after March 15.

The CHAIRMAN. After March 15 of what year?

HENRY HOLLIDAY. Last year—this spring, I mean. Now, in the method of handling these checks at the office, I thought I was discriminated against from the fact that I could not go there, even when I did have a farmer's order, for the next monthly check; I could not go there until the Stearns Lumber Company's representative had been there ahead of me, until he had come there and taken all the checks that were coming to them. If there was $5 coming to the Indian, or if the Indian owed $5 and had a $10 check, the company took that entire check over to their office, and even if I did have an order it sometimes happened that they drew also on the company and I had to wait until the next month to collect my bill. Another case——

Mr. CAMPBELL. Can I ask a question?

HENRY E. HOLLIDAY. Just wait a moment. Now, with regard to the requisitions. I owe the company some $56 and something; I deal with them. They are also wholesalers, and I have a claim against them, which I believe is right, for something over $100, and I believe this office has taken upon themselves to act as the collecting agency for the Stearns Lumber Company. Here is a requisition that I had applied for to pay a bill that I did not apply for, but Joseph She-bin-gus told me that check had come in payment for his bill. Since I have been closed up he signed the check; that is the result of it.

The CHAIRMAN. This is an order dated Odanah, Wis., September 10, 1909:

J. S. STEARNS LUMBER COMPANY:

Please advance to Henry Holliday $15.45, and collect from application checks.

JOSEPH SHE-BIN-GUS.

Balance account.

JOHN F. MILES,
Government Farmer.

Has that been paid?

HENRY HOLLIDAY. No, sir.

The CHAIRMAN. Have you presented it?

HENRY HOLLIDAY. No, sir; that check was for me.

The CHAIRMAN. Of course it is for you.

HENRY HOLLIDAY. That check has been turned over to the Stearns Lumber Company.

The CHAIRMAN. This check?

HENRY HOLLIDAY. The check to pay me that $15.45. That was an application check.

The CHAIRMAN. How do you know it has been turned over?

HENRY HOLLIDAY. It must be, when the Stearns Company go to pay it. That check should be turned over to me, I should think.

The CHAIRMAN. Where did you get this?

HENRY HOLLIDAY. From that office—the farmer's office.

The CHAIRMAN. Well, it is a check, or order, on Stearns to advance you $15.45 on this application.

HENRY HOLLIDAY. That is the contention I make, that they make that a sort of collecting agency. Here the check was for $15.45, made to Joseph She-bin-gus. The company gets that check which should have come to me, and they issue an order on the Stearns Lumber Company to pay me.

The CHAIRMAN. Then there may have been more than that in the application check?

HENRY HOLLIDAY. The man signed the check right. He said it was made out for $15.45.

Mr. HOLLIDAY. When I present that check the lumber company can present their bill against me.

The CHAIRMAN. The Stearns Lumber Company claims that you are owing them?

Mr. HOLLIDAY. Yes, I owe them $50 but I have a claim against them of something over $100.

Senator PAGE. And instead of paying you the money or a check you are given an order on the lumber company against which they can offset their claims against you when you present it for payment?

Mr. HOLLIDAY. Yes, sir; that was done in several cases. I had small bills and checks to send over to that office and I was told to go over and give the Stearns people a chance to collect from me.

Senator PAGE. You had a business here did you?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. Why did you quit?

Mr. HOLLIDAY. If I could not collect from the trust funds, I did not see how I was going to get my money for anything I was going to issue to the Indians.

Senator PAGE. How long were you in business here?

Mr. HOLLIDAY. Almost two years.

Senator PAGE. You were notified that you could not collect from those trust funds, did you say?

Mr. HOLLIDAY. Yes, sir; that is the way I understood it at least.

Senator LA FOLLETTE. Who notified you.

Mr. HOLLIDAY. The Indian Office.

Senator LA FOLLETTE. Miles or Sero?

Mr. HOLLIDAY. I think it was a circular letter from Campbell.

Senator LA FOLLETTE. Did they give like notice to other merchants?

Mr. HOLLIDAY. I think so.

Senator PAGE. Were there other merchants at Odanah?

Mr. HOLLIDAY. There is one clothing man.

Senator PAGE. I mean other than the clothing man—groceries or supply stores?

Mr. HOLLIDAY. No, sir.

Senator PAGE. Do you think they apply the same rule to the Stearns Lumber Company as they applied to you with respect to the payment of these Indian claims out of the trust funds?

Mr. HOLLIDAY. No, sir; they tell me they have a card system over there.

Senator PAGE. What do you mean by a card system?

Mr. HOLLIDAY. I don't know anything about the card system. They have a card there with every Indian's name, I suppose, covering that application, and he can draw whatever he pleases.

Senator PAGE. These orders run to that company?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. And when they come for their checks they hold enough out of their checks to pay any balance that the lumber company has against the Indian?

Mr. HOLLIDAY. That is the contention I make—the company takes the entire check over to their office.

Senator PAGE. At the time you were in trade here, when you had bad accounts against the Indians, did the farmer's office here favor you in the same way by holding out of the checks issued to the Indians enough to pay you?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. So you were treated in that respect just the same as the Stearns Lumber Company?

Mr. HOLLIDAY. It was only in this respect that they discriminated against me: They would allow their representative to come in there first, and I could do no business until Earl had got through.

Senator PAGE. Do you mean to say that that was the general rule?

Mr. HOLLIDAY. That was the general rule.

Senator PAGE. You could not have a hearing there on your claims until after the lumber company had been served?

Mr. HOLLIDAY. That was my experience there.

Senator PAGE. Were you ever there at the same time the lumber company's man was?

Mr. HOLLIDAY. Several times ahead of him, until I found out.

Senator PAGE. You were there in advance of them?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. And you were required to wait?

Mr. HOLLIDAY. Yes; I was required to wait.

Senator PAGE. Until they had finished?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. Even if they had not yet arrived?

Mr. HOLLIDAY. Yes, sir.

Senator PAGE. What was said to you on that subject, or what excuse was given for it?

Mr. HOLLIDAY. Well, the company had a lot of orders, and they must be attended to first, and I must wait until everything was straightened out in the office.

Senator PAGE. Do you mean to say that they withheld paying you until they had paid the lumber company, unless the party who had become your debtor had first directed them to pay the lumber company? Do you get the point? I mean, didn't the person who traded with you had given them an order to pay the lumber company first?

Mr. HOLLIDAY. No, sir; in some cases I had a trial order, and still the company got the check.

Senator LA FOLLETTE. Did you ever lose any debts on that account that you could not collect?

Mr. HOLLIDAY. No, sir; they would pay me, but I would have to wait until another month.

Senator LA FOLLETTE. Did you have a large capital?

Mr. HOLLIDAY. No, sir; a very small capital.

Senator LA FOLLETTE. Was it an embarrassment in your business to have to carry the credits over another month?

Mr. HOLLIDAY. It certainly was.

Senator LA FOLLETTE. Now state, Mr. Holliday, whether that was the reason why you went out of business.

Mr. HOLLIDAY. That was the reason why I went out of business.

Senator LA FOLLETTE. You are a member of this band, are you?

Mr. HOLLIDAY. I am on this roll.

Senator LA FOLLETTE. You are on the roll?

Mr. HOLLIDAY. Yes, sir.

The CHAIRMAN. Are you a member of the band?

Mr. HOLLIDAY. Well, yes; I am a member of the band—I am a Chippewa. My former home was in L'Anse.

Senator LA FOLLETTE. How long have you been away?

Mr. HOLLIDAY. Something like seven years; my grandparents, of course, belong here.

Mr. CAMPBELL. I want to ask him this: Supposing that a person drew $20 a month monthly allowance, did you ever know the farmer to let that Indian anticipate more than that $20?

Mr. HOLLIDAY. Not with me.

Mr. CAMPBELL. Nor with anybody else?

Mr. HOLLIDAY. I don't know.

Mr. CAMPBELL. If he gave you an order for $10 on that monthly allowance or allowed that Indian to anticipate with you the $10 and $10 with the company, didn't you get your pay when that monthly allowance check was drawn?

Mr. HOLLIDAY. Not in some cases.

Mr. CAMPBELL. Wouldn't you in all cases?

Mr. HOLLIDAY. No, sir.

Mr. CAMPBELL. The farmer would have to protect his orders?

Mr. HOLLIDAY. He certainly would. Sometimes he duplicated that order. Where the Indian had $10 coming to him sometimes through some mistake at the office that order was duplicated. He issued one to the company and one to me, and the method they had of getting their checks the Stearns Lumber Company got theirs first and deprived me of getting my order for another month.

Mr. CAMPBELL. But that would not be very often, would it? It was only a mistake when he duplicated the orders? That is the only time he could do it, because he could not issue any more orders than what the Indian was drawing as a monthly allowance.

The CHAIRMAN. What do you know about this, Mr. Baker?

Mr. BAKER. Personally, I don't know much about it. I was going to say that the boys in the office have made complaints to me that the other fellows were all taken care of first. I don't know there has ever been a case of the kind unless there was one order out ahead of the other. I know in a good many cases we have carried them simply to accommodate the other fellows along that line. I don't know personally, but that is what our boys are telling me. They have even complained that we have had to carry the burden to help the other fellows out.

The CHAIRMAN. Major Campbell, do you or Sero want to make any reference to this $15 order, dated September 15, 1909, where this man claims that order is made on the company and he is owing the company or the company claims he is owing them? Do you recollect that matter?

Mr. SERO. I do. If I remember rightly, the applicant had an allowance to buy some lumber and other things in connection with some improvements on his farm, and the application included the bill of Mr. Holliday. The check was turned over to the company and an order given to this man on the company for his part of it. The check was so large, if I remember correctly, that we could not cash it. We have no way of cashing checks here. There is no bank here, and the only way we can get money out of any of the checks is to go to the company's store. They usually carry cash on hand there and cash the checks.

Mr. BAKER. In that connection, I want to make a little statement. There are no banking facilities here, and every month—these checks are paid monthly—we prepare for cashing them by having a lot of money sent down from the bank regularly, and do that purely as a matter of accommodation without any charge at all, because there are no banking facilities here.

Senator PAGE. On these pay days you pay out considerable sums of money?

Mr. BAKER. Yes; lots of money. I could get the figures from the office. We do lots of that.

Mr. HOLCOMBE. When these checks are presented to you for these monthly payments, do you offset any credits that there may be?

Mr. BAKER. I do, if they owe us anything.

Mr. HOLCOMBE. Take this check, for instance; here is an order on you for $15.45. This is a cash payment, as I understand, due this man from the office.

Mr. BAKER. Yes.

Mr. HOLCOMBE. Can he get the cash on that?

Mr. BAKER. I don't know personally.

Mr. HOLCOMBE. Will he get the cash on that if he owes you any money?

Mr. BAKER. If he owes us, we will certainly try to make an offset.

Mr. HOLCOMBE. Isn't that a cash order on you?

Mr. BAKER. Yes.

Mr. HOLCOMBE. Just the same as a bank order?

Mr. BAKER. Absolutely; we could not probably make any offset, if he refused to pay the account. It would be simply a matter of arrangement between us.

Mr. HOLCOMBE. Between whom?

Mr. BAKER. He and us.

Mr. HOLCOMBE. Is it customary for you to make that arrangement after you get the money deposited with you?

Mr. BAKER. Yes.

Mr. HOLCOMBE. Is it customary for you to make these arrangements with the person to whom the cash balance is due?

Mr. BAKER. Yes.

Mr. HOLCOMBE. And the reason that he didn't get it at the office was because they didn't have the cash and they turned the check over to you and you would get the offset?

Mr. BAKER. I presume we would try to; yes.

Mr. HOLCOMBE. Then, I think, it is an objectionable practice.

Senator PAGE. Here is an order on the J. S. Stearns Lumber Company to advance to Henry Holliday $15.45. If Mr. Holliday came to you and presented that order and insisted upon having his money, would you feel at liberty to say "We won't pay you that money; we insist upon applying that to your credit?"

Mr. BAKER. I should say offhand, no.

Senator PAGE. You would pay the money, if he insisted upon having it?

Mr. BAKER. I should say we would. I don't know.

Senator LA FOLLETTE. Well, will you?

Mr. BAKER. Yes; sure we will. We have had a lot of transactions with him; we have helped him along with them. I don't know the details, but I do know in a general way that is true.

The CHAIRMAN. That is all.

STATEMENT OF CHARLES E. MORRISON.

CHARLES E. MORRISON, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You live here in Odanah?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. How long have you lived here?

Mr. MORRISON. Fourteen years.

The CHAIRMAN. What business are you engaged in?

Mr. MORRISON. In the clothing business.

The CHAIRMAN. Do you know anything about this matter of payments?

Mr. MORRISON. Some; yes.

The CHAIRMAN. Do you know what the plan has been here in making these monthly payments to the Indians?

Mr. MORRISON. Why, they have been by orders, and they get money on them—orders on stores.

The CHAIRMAN. Any in cash?

Mr. MORRISON. I never knew of any.

The CHAIRMAN. Haven't the Indians come to you immediately after being paid with cash; haven't they bought goods of you for cash?

Mr. MORRISON. Very few Indians have ever spent any money with me, for the reason that they all told me that they were compelled to trade at the company's store; that their monthly wages, when they are working, are taken up in food and clothing.

The CHAIRMAN. Who have you traded with here?

Mr. MORRISON. White people mostly.

The CHAIRMAN. Is your business practically limited to white people here?

Mr. MORRISON. Yes, sir. Only for them I could not live.

The CHAIRMAN. Do you mean to say that the Indians here never have any money?

Mr. MORRISON. Well, they did at the time when this $10 was——

The CHAIRMAN. Exactly; when these payments were being made.

Mr. MORRISON. Yes, sir.

The CHAIRMAN. Those payments were discontinued?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. When they were making these payments, they had money and traded with you, didn't they?

Mr. MORRISON. A little at times.

The CHAIRMAN. It would be about the time of pay day, wouldn't it, or immediately after?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. That is all, unless the committee want to examine you.

Senator PAGE. Do you know of any instance, of your personal knowledge, where an Indian had been to the farmer or his agent and asked for an order on you, on your store, and such an order has been declined and an order given on the company's store?

Mr. MORRISON. In one instance there was a young fellow who is not here at present went to the office and asked for an order and they refused him. He came over and asked me if I knew what the reason was or why he was not given this order—he asked me why it was that the officers there would not issue any orders to them on my store, and a few minutes after that I asked him to go back and ask them for an order on the Stearns Company's store, and he told me that he knew that they knew that he had come from my store and told him to come around a little later and get the order—that he would get an order.

Senator PAGE. On your store?

Mr. MORRISON. Oh, I don't know. He asked for an order then on the Stearns Lumber Company's store and they told him to come around a little later.

Senator PAGE. Is that the only case you ever knew of where they would not give an order on your store?

Mr. MORRISON. It is the only case I could name—the only person that I could name, but I have had lots of them tell me, different people, until I have almost got tired of listening to the stories.

Senator PAGE. Was that when there was a balance due them?

Mr. MORRISON. Yes, sir.

Senator PAGE. And they would ask for an order on your store?

Mr. MORRISON. Yes, sir.

Senator PAGE. And it was declined and an order given on the company's store?

Mr. MORRISON. In this one case.

Senator PAGE. Any other instances than this?

Mr. MORRISON. I have heard of others, but I could not give the names of the people.

Senator PAGE. If it were so, wouldn't you be apt to know it of a certainty?

Mr. MORRISON. It was no use of me going to that bother; I would not accomplish anything by it.

Senator PAGE. We are simply endeavoring to find out whether there is any favoritism shown in this matter.

Mr. MORRISON. I believe there is.

Senator PAGE. If the Stearns Company is being favored we want to know it, and we want to know it by some testimony that is something besides hearsay. Can you find anyone, reliable, responsible person who will say to this committee that they have asked for an order on your store and have been denied?

Mr. MORRISON. I could not just name them.

Senator LA FOLLETTE. Have you had any discrimination used against you in the order in which orders were paid when you applied there at the farmer's office?

Mr. MORRISON. Why, I really think so; yes. We have not done any business in the store since my brother was expelled from the reservation—that is, through that office. Mr. Miles will tell you the same thing. Only a few days ago he told me he thought it was a shame, that he believed I was entitled to some of the trade that was coming through that office. I asked him the amount of business done through the office on behalf of the Stearns Lumber Company, and he told me somewhere in the neighborhood of $20,000 to $22,000 per month, and he asked me how I would like a portion of it. I told him if I could get two-thirds of it one month I could go fishing eleven months in the year.

Senator LA FOLLETTE. You had this conversation with Farmer Miles recently?

Mr. MORRISON. Yes, sir. I have done no business through that office since my brother Ben was expelled from the reservation.

Senator PAGE. That was last January?

Mr. MORRISON. Yes, sir. Never had much before that, although we did have a little more before that. I have visited Mr. Campbell several times, once in particular, but he told me that the Stearns Lumber Company are licensed people and they had a right to conduct

a store here, and for me to move off the reservation and go wherever I might find a place to do business.

Senator LA FOLLETTE. When did you have such a conversation with him?

Mr. MORRISON. Several years ago—three or four years ago.

Senator LA FOLLETTE. Where was that conversation?

Mr. MORRISON. At Ashland in his office.

Senator LA FOLLETTE. Who was there?

Mr. MORRISON. Just Mr. Campbell and myself. The thing got so bad since my brother was taken away from here—this expelling business of a married man and all the capital we had invested that I didn't dare to say much for fear of being expelled myself. As I understand that my name was numbered with the eight that were to be removed.

Senator LA FOLLETTE. Do you mean to say, Mr. Morrison, that you have not transacted any business, that you have not had any orders on your store at all?

Mr. MORRISON. No, sir.

Senator LA FOLLETTE. Since your brother, who was a partner of yours, was expelled from the agency here?

Mr. MORRISON. I have had no business. One order within the last week of $34, and I would not swear that there might not have been another one before that. I have got in a few checks recently of accounts that date back as far as 1907 that I asked the people to make affidavits that they actually got these goods and in the affidavits I itemized it, and in that way I have been able to get a few of those accounts. Of course I will say that I advanced it in a way on my own responsibility.

Senator LA FOLLETTE. That is, advanced goods to these Indians?

Mr. MORRISON. Yes, sir. In some instances I advanced it to schoolboys, and I thought really under those circumstances I would take a chance of losing it. I also have an order issued by that office of $10, something like Mr. Holliday has here, that is still unpaid.

Senator LA FOLLETTE. How old is it?

Mr. MORRISON. Nearly a year old, I believe. Seven or eight months, I should judge.

Senator LA FOLLETTE. Who is it on?

Mr. MORRISON. John A. Stoddard. I want to say, though, that I have been able only recently to collect that through an affidavit.

Senator LA FOLLETTE. Did you ever present an order to the Stearns Lumber Company for payment?

Mr. MORRISON. No; the Stearns Lumber Company was over from the office to my place of business, and I took it there after waiting several months, and they said that there was something wrong; somebody else was ahead of me or something like that; anyway that the major declined to send it down, and I was stood off until the present time; that I ought to go to work and ask this man to make an affidavit to collect this account—that is, that the account was more than $10, because they might put it all in one. Since my brother was taken away from the reservation I wrote Mr. Baker and asked him if he would take over my stock. He didn't at that time. I also was taking a few coupons, and that helped along a little bit, from different places, Indians mostly, and I was notified to stop it, which I done.

Senator LA FOLLETTE. Who notified you to stop it?

Mr. MORRISON. He was the clerk in the office there. It was done. I took the matter up with Mr. Baker again through correspondence, and his reply I have in my pocket, whereby he put the thing down so I could take the coupons in small amounts, as I had suggested and claimed to him, but from white people only. Now, as I look at it, he had knowledge that white people dared not draw any coupons and come to my store for fear of losing their jobs.

Senator PAGE. Have you one of those coupons in your pocket?

Mr. MORRISON. I have not.

Senator LA FOLLETTE. Have you the letter in your pocket?

Mr. MORRISON. The reply of Mr. Baker, yes; he said he had an order from the department not to make coupons or orders to the Indians transferable.

The CHAIRMAN. That is all.

STATEMENT OF JOSEPH STODDARD.

JOSEPH STODDARD, a Bad River Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You live here in Odanah?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. Did you have a building here?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. Were you in the flood last spring?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. Did the flood damage your building?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. Any other buildings except your residence?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. What?

Mr. STODDARD. That outhouse was tipped over.

The CHAIRMAN. Did you have any stock, horses or cows or anything else?

Mr. STODDARD. No, sir.

The CHAIRMAN. Did you have any furniture destroyed?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. And your garden?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. Did you ever make application for the payment of anything to recompense you?

Mr. STODDARD. Yes, sir.

The CHAIRMAN. To whom did you make it?

Mr. STODDARD. The farmer.

The CHAIRMAN. And what did he do about it?

Mr. STODDARD. I handed him this paper and he looked at it, and he says to me, "I guess it won't be any use now, I sent the other Saturday."

The CHAIRMAN. When was it you presented this?

Mr. STODDARD. The next day after we came from Shell Lake.

The CHAIRMAN. Does that paper contain a true statement of the property that was damaged?

Mr. STODDARD. Yes, sir; except the house.

The CHAIRMAN. How much did you think the house was worth?

Mr. STODDARD. Two hundred dollars.

The CHAIRMAN. Have you any money to your credit?

Mr. STODDARD. No, sir.

The CHAIRMAN. Put that statement in.

Furniture and crops ruined by the flood.

6 kitchen chairs, at 85 cents	$5.10
8 dining-room chairs, at $1.85	12.80
1 dining table (extension, 10-foot, oak)	21.00
1 kitchen table (extension, 6-foot)	6.00
1 washstand	3.00
1 sideboard	25.00
2 dressers, at $15.50	31.00
1 bookcase	14.50
2 sets chinaware, at $5.15	10.30
5 window lights	5.00
2 sets of cut glass, at $3.75	7.50
Total loss of furniture	141.20

Thirteen tons of hay, 18 bushels of seed potatoes planted, turnips, and radishes.

Senator LA FOLLETTE. Mr. Obern, will you ask the people here this question: If any of them, having a balance to their credit when the monthly payments were made, and they asked for an order to trade out that balance at Mr. Morrison's store, or any other store—whether that request of theirs was denied at the office here, unless they wanted the order on Stearns's store?

(The interpreter, William Obern, interpreted the above to the Indians assembled, and there was no response.)

WILLIAM OBERN (the interpreter). There is no reply.

Mr. THOMAS. I think that was properly interpreted, as far as I can understand.

(Mr. Thomas here interpreted the same to the Indians.)

GEORGE STONE. Yes.

ADDITIONAL STATEMENT OF GEORGE STONE.

GEORGE STONE, having been recalled, testified as follows:

Senator LA FOLLETTE. Did you, when you had any allowance due you on a monthly payment, ever ask for an order on Mr. Morrison's store and was refused at the office?

GEORGE STONE. I was not refused, but my wife was.

Senator LA FOLLETTE. Is your wife here?

GEORGE STONE. No, sir; she is at the house. She may be here, but I do not know whether she is or not.

Senator LA FOLLETTE. When was it, Mr. Stone?

GEORGE STONE. It was a year ago this spring.

Senator LA FOLLETTE. Did she report it to you at the time?

GEORGE STONE. I was standing right there.

Senator LA FOLLETTE. Oh, you were standing there?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. You were with her when she requested it?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. What reason did they give for refusing?

GEORGE STONE. We owed Charlie, I think, $7, and she went over there and drew coupons, and they took this check for their pay. She wanted to pay half and half.

Senator LA FOLLETTE. She had already bought some goods at Mr. Morrison's store, and owed some at the other store, did she?

GEORGE STONE. Yes, sir; she owed $10 over there.

Senator LA FOLLETTE. She owed $10 over there and $10 at Mr. Morrison's store?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. And she wanted $10 of her allowance applied on each account?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. And you say it was refused?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. And the full amount of $10 was applied on what she owed at the Stearns store?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. And you heard that yourself?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. Who was in the office at the time? Who was the request made of and who denied it?

GEORGE STONE. Earl Lockard was there.

Senator LA FOLLETTE. Is he Mr. Stearns's clerk or agent?

GEORGE STONE. He is the head bookkeeper there.

Senator LA FOLLETTE. What I mean is, who of the officers of the agency were in the office at the time?

GEORGE STONE. I could not say as to that, because this man has an office by himself.

Senator LA FOLLETTE. Where was it that this was refused; at the farmer's office?

GEORGE STONE. No, sir; across the river over there.

Senator LA FOLLETTE. It was at Stearns's store, was it?

GEORGE STONE. Yes, sir.

Senator LA FOLLETTE. What was it, a check or coupon?

GEORGE STONE. It was a check.

Senator LA FOLLETTE. You took the check over, did you?

GEORGE STONE. No, sir. My wife came over here and got the check over here, and she took it over there and got it cashed, and she asked Earl—she told me to ask Earl Lockard to get $5 and pay it to Morrison over there.

Mr. CAMPBELL. May I ask Charlie Morrison a question before this man is through?

The CHAIRMAN. Yes.

Mr. CAMPBELL. Will you please state for the record here what Charlie said that I said to him in my office, so that I will get what he did say? Will you repeat that again?

The CHAIRMAN. Why, you stated that he told you they were licensed traders here. Is that what you refer to?

Mr. CAMPBELL. Yes, sir.

CHARLIE MORRISON. Do you want me to repeat that?

The CHAIRMAN. Yes.

CHARLIE MORRISON. Yes; that they were licensed traders, and if I could not do any business here, or wanted to do more business, to go out and seek other opportunities or other places; get off the reservation.

Mr. CAMPBELL. You say I said that?

CHARLIE MORRISON. You did say that.

Senator BROWN. When?

CHARLIE MORRISON. Some time ago.

Senator LA FOLLETTE. When was this conversation with Mr. Campbell—since your brother was put off the reservation?

CHARLIE MORRISON. No, sir; it was before that; it is over three or four years ago.

Senator LA FOLLETTE. I do not understand it.

Mr. CAMPBELL. Did you ever ask a favor of me but what I granted it to you if it came within the rules and regulations of the department?

CHARLIE MORRISON. I do not know that I ever asked you any favors.

Mr. CAMPBELL. Did you not come to my office and tell me that you wanted a favor of me; that you had taken orders from different Indians here contrary to the rules and regulations of the department, and that you would like to have me, if I could, make an application to get your pay for those orders? Did you not tell me that?

CHARLIE MORRISON. I do not think I asked that of you as a favor.

The CHAIRMAN. Did you ask him to do that?

CHARLIE MORRISON. Yes, sir; I did ask Mr. Campbell that.

Mr. CAMPBELL. Did you not come the second time some time afterwards and do the same thing?

CHARLIE MORRISON. I do not know that I did. I went once, I will admit.

Mr. CAMPBELL. That was some time ago?

CHARLIE MORRISON. Yes, sir.

Mr. CAMPBELL. Did you not have some orders lately—applications lately—that came back that were not irregular—and I am sorry to say they came back from the commissioner when I recommended that they be approved for one-half because you violated the rules of the commissioner, and I resubmitted them to the commissioner, telling him that you were a trader down here, that you were an Indian, and asked him as a favor to allow you to have this, and I got them approved for the full value?

CHARLIE MORRISON. They were in an affidavit form.

Mr. CAMPBELL. They are all sent in affidavit form.

CHARLIE MORRISON. This was an affidavit made before a notary public and sworn to. Mr. Miles advised me that I could not collect one cent. This office directed it positively.

Mr. CAMPBELL. That is right; all applications are made; all bills have got to be itemized and sworn to by the trader with respect to any indebtedness that an Indian owes them. Not only that, but the Indian has got to O. K. it and say that this bill is correct, and that goes with the application.

CHARLIE MORRISON. That is on the arrears account.

Mr. CAMPBELL. Undoubtedly; I said indebtedness; there is a circular letter out to-day that has been issued and posted in this place, and I think you and Stearns and all have got it; it has been published in both of the daily papers in Ashland, that no trader that allows an Indian to run in debt to them after July 1 will be paid out of their trust money.

CHARLIE MORRISON. I am speaking about general information now; I am giving you that straight.

Mr. CAMPBELL. I have been sworn, and I want to swear positively that no such an expression ever came from me to Charlie Morrison

or any other trader in the United States; that I have kept my hands clear of that, and my instructions to all my officers are, Let the Indian go wherever he can trade the cheapest; do not instruct any one of them to the contrary. That I will swear to on a stack of Bibles. If the Stearns Lumber Company can not take care of themselves, I will not be made a puppet for them, for the members of this committee nor any other man. I have too much manhood about me to be controlled by any man. I have lived for sixty-six years, and if there is anything that I am proud of it is my credit and honesty, and I do not want any man to come up here and accuse me of not being so. It takes time to build up a credit and to establish confidence. You know me, Mr. Chairman; you have seen me go through the fire—the financial fire—and you never saw me deviate one step. I have met my obligations.

The CHAIRMAN. I certainly never did, Mr. Campbell.

Mr. CAMPBELL. I met my obligations after they were outlawed legally, but they were never outlawed by me—to the extent of thousands of dollars.

Now, stay here until to-morrow morning, and if you can find an Indian in this whole congregation here who can come up and tell you that I have ever directed one of them in the least to go to the Stearns Lumber Company, and you can prove it, I will resign to-night—if they will speak squarely and honestly. I have no place for anybody to trade. I have no enemies to revenge; I am here to do what the commissioner tells me, and I am trying to do it to the best of my ability and knowledge. I acknowledge that I have made mistakes; I know I have, and why I am so particular about this money, I have been fooled so many times by them that when I got applications for them, they would do other things. One man took $400 and went and spent it in a saloon when it was got to purchase cows. I trusted him, as you, Mr. Senator, want me to do; I trusted him. He went back on me. Others have done the same, and that is why I am careful. I have guarded it better than I ever guarded my own money.

That is all I have to say.

Senator LA FOLLETTE. Now, I would like to ask Mr. Sero what became of that check of Mrs. Greeley's?

Mr. SERO. To what check do you refer?

Senator LA FOLLETTE. I refer to the check which she testified respecting.

Mr. SERO. The $251.80 check?

Senator LA FOLLETTE. No; I refer to the check for $20, out of which you stated you refused to give her $10 because she was on a drunk down at Necedah.

Mr. SERO. I believe she has a credit of $10 yet on that check. If she has not taken an order, she has a credit.

Senator LA FOLLETTE. Where did you hear that she had been drunk?

Mr. SERO. One of our policemen, if I remember rightly, was down at Necedah on a matter.

Senator LA FOLLETTE. Was that Blackbird?

Mr. SERO. That was Blackbird.

Senator LA FOLLETTE. He reported that, did he?

Mr. SERO. Yes, sir.

Senator LA FOLLETTE. You got it from Blackbird?

Mr. SEBO. Yes, sir. I do not base my opinion entirely on that, because I know personally of other instances where this woman has been drunk.

Senator LA FOLLETTE. That is all.

(The witness was thereupon excused.)

STATEMENT OF SIMON DENOMIE.

SIMON DENOMIE, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

SIMON DENOMIE. At Odahah.

The CHAIRMAN. How long have you lived here?

SIMON DENOMIE. All my life.

The CHAIRMAN. What do you want to testify to?

SIMON DENOMIE. I was arrested here in 1907 or 1908, a year ago last summer.

The CHAIRMAN. Who arrested you?

SIMON DENOMIE. The United States marshal.

The CHAIRMAN. Do you know the marshal's name?

SIMON DENOMIE. No.

Mr. LAMOREAUX. Mr. Chairman, will you kindly ask the witness if I may present his case for him?

The CHAIRMAN. Present it how?

Mr. LAMOREAUX. He is very deaf.

Mr. CAMPBELL. Let him tell the whole thing. I know what he is going to tell.

SIMON DENOMIE. My case was thrown out of court—is that what you call it? Now, what is the reason Sam Campbell reported me and had me arrested for trespass? Ask him.

The CHAIRMAN. Did he have you reported for trespass?

SIMON DENOMIE. Yes, sir; he reported it. I have a letter here to show that.

The CHAIRMAN. If you have any statement to make—the committee is not here to answer any questions—but if you have any statement to make to the committee here about anything that happened, we will be glad to hear you.

SIMON DENOMIE. I want to make a statement.

The CHAIRMAN. If you have got any statement to make, you may make it to the committee. Do you understand me?

SIMON DENOMIE. Yes.

The CHAIRMAN. If there is anything that you desire to say to the committee, you may say it, and we will have it put down in writing. Were you arrested for trespass?

SIMON DENOMIE. Yes, sir.

The CHAIRMAN. When was that?

SIMON DENOMIE. It was for trespass.

The CHAIRMAN. When was it?

SIMON DENOMIE. A year ago last summer.

The CHAIRMAN. They claim that you trespassed on somebody's land?

SIMON DENOMIE. My indictment was cutting land on United States land.

The CHAIRMAN. Cutting timber on United States land?

SIMON DENOMIE. Yes, sir.

The CHAIRMAN. Where was the land?

SIMON DENOMIE. The land is located here in the reservation. This land I filed for my father-in-law, John B. Goky. He is an old man.

The CHAIRMAN. You filed them for allotment?

SIMON DENOMIE. Yes, sir. Sam Campbell sent Sero down to stop me from cutting, barring me out from cutting the land, and I quit. I did not touch the timber. I wrote the commissioner about this. I told him that I cut the timber there for the old man. I told him also that I intended to save all the timber that was destroyed on my other allotment that belonged to us. I told him that I was stopped by Sam Campbell.

The CHAIRMAN. Was this on land that you had selected for allotment for your father-in-law?

SIMON DENOMIE. Yes, sir; I was cutting on this land.

The CHAIRMAN. Did you finally get that allotment; did your father-in-law get the land?

SIMON DENOMIE. I do not understand what you want to say.

The CHAIRMAN. Did your father-in-law get the land?

SIMON DENOMIE. No, sir; he selected the land. He is on this allotment, 407, approved by the committee here.

The CHAIRMAN. Is that the land you cut the timber on?

SIMON DENOMIE. Yes, sir.

Mr. CAMPBELL. I will make a statement with regard to that, if you want me to.

The CHAIRMAN. I do not think it is necessary unless you want to.

Mr. CAMPBELL. He was cutting timber on tribal land, and I notified him to stop, and he would not do it, and I had to send an officer to stop him, and I reported the matter to the commissioner, and he was indicted for it and arrested, and he gave bond and I took pity on the old fellow. I said he was a poor man up here and ignorant, and he was born mean, and could not help it; that I thought he could not, and I honestly believed it as truly as I am sitting here.

The CHAIRMAN. Was the case dismissed?

Mr. CAMPBELL. I recommended that it be dismissed, and it was dismissed.

Mr. LAMOREAUX. Mr. Chairman, I looked over the papers of this man. I had the same trouble that the Senator did in talking with him. I found that he was cutting pulp wood and cord wood only from, as he claims, a description owned by his father-in-law. As Major Campbell says, he was arrested, and the case was continued for some time, and the major told me that he recommended that the case be dismissed, and I wrote recently to the United States district attorney, and he said that he had not the matter in charge; that it came from his predecessor, but he would look it up and report to me later; that if the major recommended that it be dismissed he thought it would go through all right.

The CHAIRMAN. Do you know whether it was his father-in-law's allotment?

Mr. CAMPBELL. I could not say positively, but I think I sent my inspector there. It was selected by his father.

Mr. LAMOREAUX. It was the man who cut some pulp wood some years before, and he thought he was all right. What he really wants

to know is if this committee can not help him get the money for this pulp wood that it was sold for and turned in to the Government—seventy or eightly dollars, something like that.

Mr. WILLIAM OBERN (speaking for an Indian woman). This lady wants to know if the list that the farmer has taken of damages that she received from the flood will be all right.

The CHAIRMAN. Tell her we can not tell her whether it will or not. We will have to go down to Washington and find out.

(The interpreter interpreted the above.)

The CHAIRMAN. Major Campbell, we are about to close these proceedings at this place, and I do not know whether you care to take up any of the matters that we have gone over here in the last two days or not. If there is anything that you care to take up we will hear you now.

Mr. CAMPBELL. I will not take up anything now, since the attorneys have left. I had a notion at one time to make a statement, but it has been my policy not to enter into any dispute with the Indians that I had jurisdiction over, and it was against those that we excluded from the reservation. I have a verbal admission, which I will swear that one of them made to me in my office, but I will not make it; I will let it go. I would rather let them come back, if they can come back, and be sworn.

The CHAIRMAN. You mean that you decline to make it on account of the absence of their attorneys?

Mr. CAMPBELL. Not that I could not have made it before, but I want the Indians to know that I have not tried to persecute them. In everything I have tried to do for them since I have been the agent I have thought that it was for their interest that I have done it, and for that reason I withhold my testimony against those people who were put off the reservation. I know I was accused of many things. There are a good many things that I could say, but I refrain from doing it. I let them have the advantage of it.

The CHAIRMAN. Is there anything else?

Mr. CAMPBELL. Not anything. When that man accused me with reference to the matter of licensed traders, I was bound to deny it; but I do not care what these people accuse me of. They have accused me of everything.

The CHAIRMAN. Now, Major Campbell, if there is anything in these proceedings of yesterday and to-day with regard to which you care to make a statement, the committee will be glad to hear you.

Mr. CAMPBELL. I do not care to do it. I will just let it go.

FINAL STATEMENT OF GEORGE MESSINGER, THROUGH INTERPRETER.

GEORGE MESSINGER. I was requested by my brother chiefs to say a few words, and thereafter I have a little something that I would like to speak to you about with regard to some personal matters.

The CHAIRMAN (to the interpreter). Do you know anything about what he wants to testify about?

WILLIAM OBERN (the interpreter). Yes.

The CHAIRMAN. He had better state that first.

WILLIAM OBERN (the interpreter). He says these papers, I do not understand. They do not belong to him. They belong to his wife.

He would like to know how much money they have. He says, "We can not understand these papers" [exhibiting papers].

The CHAIRMAN. They are regular statements of account.

WILLIAM OBERN. These are scale reports, and this, I believe, is a statement from the bank.

The CHAIRMAN. Yes; some from the bank and some from the office.

Mr. CAMPBELL. All from the office.

The CHAIRMAN (to the interpreter). Tell him they show the amount of money in the bank to his credit. You understand what an account is, do you not?

WILLIAM OBERN. Yes.

The CHAIRMAN (to the interpreter). You can explain the balance to him some other time. You can figure it up. Now, tell him to go ahead and state what he wants to state.

GEORGE MESSINGER (through Interpreter Obern). I have been instructed to say that it is the wish of the people here that the farmers and the policemen on our reservation be discharged, and that we, the people of this reservation, have the privilege of appointing our own farmers and our own policemen.

(There were cries of assent around the hall.)

GEORGE MESSINGER (through the interpreter). Now, as you are here to adjust all these matters and listen to our grievances, we do sincerely hope that you will take steps to do what you can in using your influence in helping us out in our wishes. That is about all that I was instructed to say.

The CHAIRMAN. Now, you desire to say something else, do you not?

GEORGE MESSINGER (through the interpreter). I have not much to say, any more than this: I would like to know where this money is. I presume it is in some bank, and if it is in some bank it must be there on interest, and if it is there on interest what has become of this money? Is it to forever accumulate in these banks? The Indian is aware that this money is in the banks. He is also aware that it is there on interest, and he feels as though he would like to get his money and use it while he is living. It is the wish of every man to handle his money. A man getting $10 a month will never realize that he has any money; it does not seem to do him any good. He does not seem to derive any great benefit from the money; it keeps going and going until the time has gone and he does not realize anything out of his $10 a month. Ten dollars a month does not do any particular good. It is not enough to feed and clothe you, and it does not do anything toward clearing your land. It does not go far in that direction, or making any improvements, and consequently you do not seem to realize much good from $10 a month. That is why the Indians do not approve of getting this money in small installments. So we trust the whole matter to you people, this committee, hoping that you will take steps to adjust our matter to the best interests of the large number of people, and we leave the matter entirely with you.

The CHAIRMAN (to Interpreter William Obern). Please interpret to these people, Mr. Obern, this: Say to them that we are very glad to meet them here. That one of the great questions which this Government has to settle is to deal with the change of the Indian from the tribes to the individual. We quite agree, I think, that it is a mistake to pay Indians $10 a month. A few years ago the most of the Indians

were living in tribal relations, and you must not feel that we feel any better than you when I tell you that it took the white man a great many hundred years to get where he is now, and in that time the white man has learned to love land; he is after land all the time. The Government commenced with the Indians by gradually narrowing down their reservations so that the white man could have more land all the time—more land.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. And then in order to save the land that was left for the Indians the Government took up the policy of allotting lands, so that any time each Indian would have his own land. Now, if each Indian had his own land so that he could sell it, the white man, who has been after land all the time, would get the land away from the Indians, and so we provided that when the Indian got his piece of land he could not sell that land until a number of years had passed. That was so that the Indian could learn year after year to think more of land and learn better how to keep his land—when the time came that we gave him the right to sell his land. Now, I know just how a man feels. He feels that if he has a piece of land he ought to have the right to sell his land, but a great number of the Indians are no match for the white man, and if to-day all the Indians could sell their lands in a little while the white man, who has been taking the Indian lands for these years that are gone by, would take what is left of them. So we have put into these deeds that the Indian can not sell his land at present.

Now, we all realize that in order to do business properly you must first learn how to do business; so we have provided that whenever the Indian Office feels that any particular man has had enough experience so that he can take care of his land then the President can remove the restrictions and give the Indian his full title.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. Now we come to the money. The Indians, or most of them, never made money. They only know about money as they have got the money from the white man, and if we turn this money all over to the Indians in a little while the white man will get it away from them. Now, we do with the money like we do with the lands. Here and there, where an Indian seems to be able to use his money, we propose to give him his money; turn it over to him. We are doing that all over the country. Now, you people must remember that you have children and that those children will have children, and you want to save this property for those children.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. Now, you know about the St. Croix Indians wanted to come up here and get allotments. That is because the land is getting so scarce in this country—public land—that we do not know where else we can put those people. I do not mean to say that we are going to put them here. I say that they are trying to get here. I say this to show you people how scarce land is getting in this country. The white man works all the time to save something for his children that are to come after him, and we are trying to work this question out so that you will have something to save for your children, and then, just as fast as we can, we want to distribute this property, but we have got to be careful. If we turn this property over to-day to people who have had no experience in getting prop-

erly, in a little while the white men will get it all away from the Indians, and, whatever you think about it, you must remember that our only object is to help you people; help you save this property; help you learn to use it so that after a while you, like the white men, can do your own business and meet the white man in trades on a plane of equality with him so that he can not get your property away from you as he can to-day.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. Last winter you sent down to Washington and you wanted an attorney appointed; but this committee was coming up here, so the department decided not to appoint an attorney or to arrange for an attorney this year.

Now, I understand that you want to know whether your money was spent for that trip down there, and I want to say to you that it was not. There was none of your money put aside for that purpose.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. There is another thing that I want to talk with you about for a minute, and that is with regard to whisky. The white man uses whisky, and wherever the white man uses whisky it gets the best of the white man. If you go down to Ashland and see people drunk from the effects of whisky, you will see them on the streets and in the poorhouses, and it is whisky that has brought them there. It will do the same thing for the Indian if he drinks it.

(The above was interpreted to the Indians by Interpreter Obern.)

The CHAIRMAN. Now, the committee has taken all this evidence, and it is going to the other reservations, and when we go back to Washington we will confer with the full committee and with Congress and with the Indian Office, and all I can promise to you is that we will do the best we can for you, and you ought to know that we are your friends or we would not be spending the Government's money and our time in this kind of work. All I want to say to you now is to obey the law and be orderly, and for heaven's sake let whisky alone. It will ruin you, and the Indian never will be what he ought to be in this country is he drinks whisky. It will ruin the Indian just as sure as it has ruined the white man; and the best friend the Indian has is the man who will try to keep whisky away from him, and the worst enemy the Indian has is the man who will put whisky into his mouth. [Applause.]

(The above was interpreted to the Indians by Interpreter Obern.)

ADDITIONAL STATEMENT OF GEORGE MESSINGER.

GEORGE MESSINGER was recalled for further examination and testified as follows:

GEORGE MESSINGER. I want to say to the committee that we have 40 acres of land that we reserved for cemetery purposes here, and it had more or less timber on it. That timber had been cut and removed, and our cemetery is getting altogether too small. It is necessary that we should enlarge it immediately. We have no place to bury our dead there now as it is. There is hardly room to bury any more, and we hope that you will take some step to give us some immediate relief there. There is money that has been raised from the sale of that timber there that we could enlarge it if we had that money to do so.

Mrs. JOE LA POINTE (through Interpreter Obern). I have $500. I have not had anything since last March, and I would like to get at least $15 a month. I am old and more or less disabled from doing my work, and it would be a great help to me.

Mrs. CONTWAY (through Interpreter Obern). I have not received anything since last March, and I would like to get something. I understand that last spring I had $1,700, and I have not received anything since last March, and I would like to get something.

The CHAIRMAN. Are you married?

Mrs. CONTWAY. Yes, sir; but my husband is sick and is quite old.

Mrs. MARGARET GREEN. I have about $2,000, and I would like to pay the debts that I still owe for the burial expenses of my husband.

[NOTE.—Antoine Couture makes complaint about a pair of horses worth $250. He gave an order for $200 to Mr. Patterson. Also a yoke of cattle, $140, and one steer, 3 years old, worth, at the very least, $40.]

STATEMENT OF MRS. JULIA DOHERTY.

Mrs. JULIA DOHERTY, having been first duly sworn, testified as follows:

Mrs. JULIA DOHERTY. I am a member of the La Pointe band of Indians, residing on the La Pointe or Bad River Reservation, in the village of Odanah, Wis. I am now 53 years of age and one of the members of said band to whom allotments in the land were made and who were authorized, December 24, 1894, to contract for the sale of the timber thereon to Justus S. Stearns. A short time thereafter I signed a contract, as authorized, for the sale of the timber on my allotment—the same being the west half of the southeast quarter of section 6, in township 46 north, of range 3 west—80 acres; that during the summer of 1895, I am informed, said timber, while yet standing, was scorched by fire; that the original estimate as to the amount of timber on said allotment was 800,000 feet of white pine. I verily believed that I was protected by contract against any loss by fire less the estimated amount thereof. When the same was cut by Justus S. Stearns I was only allowed $1,238.19, the same being $1,961.81, less the amount due me according to the estimate of said white pine timber. It was then proposed to me that the loss sustained by fire would be made good to me in a new timber allotment; that the said allotment was made, appears as No. 13 on schedule of burnt timber allotments approved February 23, 1898, the limits of which is described as the north half of the southeast quarter of section 27, in township 46 north, of range 3 west; that the timber thereon was also cut by Justus S. Stearns in 1899, the value of the same amounting to $1,660.65. From the sum, less the $1,238.19 allowed me on my original allotment, I was given credit for $376.75.

ODANAH, WIS., *September 22, 1909.*

To the honorable SENATORIAL INVESTIGATING COMMITTEE ON INDIAN AFFAIRS:

The undersigned hereby complains of S. W. Campbell, Indian agent, on the following matter, to wit:

The undersigned leased to E. J. Lockard a certain house that he was the owner of for a period of five years at the rate of $15 per month, payable the first of each month; that said E. J. Lockard accepted the lease and for the first eleven months until October, 1907, paid the monthly rental of $15 per month and from October, 1907, to date paid the sum of $17.50 per month; that until

the 1st day of August, 1908, the undersigned did receive the rent aforesaid from the said E. J. Lockard and on that date the said E. J. Lockard was notified and instructed by Indian Agent S. W. Campbell to discontinue the further payment of any rent to the said undersigned and ever since said date on account of the instructions received from the Indian agent the undersigned has been unable to receive the rent that justly and rightfully belongs to him. That the said E. J. Lockard is employed by the Stearns Lumber Company in the store and that said undersigned had an indebtedness at the company store amounting to $136 and was compelled on account of not receiving his rent to make a requisition to said amount.

The undersigned further states that if he had received this rent from his house it would not have been necessary for him to make this requisition, and the fact that he does not receive the rent on account of the order of the Indian agent, S. W. Campbell, he has been short of money and has suffered a good deal on account of not being able to get what rightfully belongs to him.

ANTOINE G. STARR.

The CHAIRMAN. The committee will now adjourn.

(Accordingly, at 1 o'clock and 10 minutes a. m., September 26, 1909, the committee adjourned to meet at Ashland, Wis.)

ASHLAND, WIS., *September 26, 1909.*

FRANK L. SCOTT, an employee of the Indian office at Ashland, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. What is your official position?

Mr. SCOTT. Financial clerk. This is a statement of the individual bank accounts up to September 20, 1909, of this agency, showing in what bank deposited and the rate of interest at which the trust funds of the Indians are deposited and the amount in each.

The CHAIRMAN. This is a true and correct transcript of the records of this office?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Put it in the record.

Statement of La Pointe Agency individual bank accounts, September 20, 1909.

	Designated.	Rate (per cent).		Bonds approved.	Balance September 20, 1909.
		Check.	Time.		
1. Ashland National Bank, City	$310,000.00	2½	2½	$310,000.00	$275,721.58
2. Northern National Bank, City	310,000.00	2½	2½	310,000.00	278,722.49
3. First National Bank, Hudson	175,000.00	2	2½	175,000.00	47,061.85
4. City National Bank, Duluth	165,000.00	2	2½	165,000.00	150,717.09
5. First National Bank, Bayfield	72,000.00	2	2½	62,000.00	45,831.90
6. First National Bank, Cloquet	60,000.00	2	2½	60,000.00	58,601.47
7. First National Bank, Wausau	50,000.00	2	3	50,000.00	50,315.52
8. McCartney National Bank, Green Bay	50,000.00	2	3	50,000.00	50,116.88
9. First National Bank, Madison	50,000.00	2½	3	50,000.00	50,217.38
10. Langlade National Bank, Antigo	50,000.00	2½	3½	50,000.00	50,234.18
11. First National Bank, Antigo	50,000.00	2½	3½	50,000.00	50,188.06
12. Eau Claire National Bank, Eau Claire	100,000.00	2	3	100,000.00	93,954.50
13. National German-American Bank, Wausau	200,000.00	2½	3	125,000.00	115,184.75
14. National Bank, Waupun	50,000.00	2	3	50,000.00	47,460.52
15. First National Bank, Marshfield	75,000.00	2	3	50,000.00	50,018.35
16. American National Bank, Marshfield	50,000.00	2	3½	50,000.00	49,640.33
17. United States National Bank, Superior	50,000.00	2½	3	50,000.00	42,980.91
Total balance					1,501,617.64

Mr. SCOTT. This is a list of undelivered patents of lands that have been allotted that are here in the office in this agency. It has not got the dates of the patents on it. It should show that.

The CHAIRMAN. These are all trust patents?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Why aren't those patents delivered?

Mr. SCOTT. We wait until they call for them.

The CHAIRMAN. That is the custom?

Mr. SCOTT. Yes, sir. The three on the last page were delivered.

The CHAIRMAN. You can put the dates on those?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Do that and send it to the stenographer to be put in the record at this point. These relate to the Bad River Reservation?

Mr. SCOTT. The Bad River Reservation.

The list referred to is as follows:

List of patents undelivered remaining in Ashland office September 26, 1909.

No.	Name.	Dated.	Signed.
657	John Bernier	Sept. 27, 1901	June 29, 1905
659	Cecilia M. Chingway	do	Do.
661	Lizette Bighoy	do	Do.
662	Lucy C. Bell	do	Do.
664	Norah G. Moder	do	Do.
665	Mamie G. Moder	do	Do.
666	Frank G. Moder	do	Do.
667	Albert G. Moder	do	Do.
668	George G. Moder	do	Do.
669	Nellie G. Moder	do	Do.
673	Charles Manypenny	do	Do.
674	Francis Dakota	do	Do.
676	Sophia Smart	do	Do.
679	Maggie Haskins	do	Do.
685	Mary Twobirds	do	Do.
688	Louisa Roundwind	do	Do.
692	Benjamin Armstrong, jr	do	Do.
694	Stephen James	do	Do.
697	Edward McCarty Haskins	do	Do.
700	Clara Mayotte	do	Do.
701	John Sky, jr	do	Do.
702	Charlotte G. Roliddeaux	do	Do.
704	Mary G. Denomie	do	Do.
706	Oneeshkawasinqkwe Denomie	do	Do.
708	Na wagi jigo Kwe Nawiseux	do	Do.
709	Frank S. Doolittle	do	Do.
713	Charley Da Dawkoseday	do	Do.
714	Hannah Green	do	Do.
719	Angeline Blackbird	do	Do.
720	Josette Smart	do	Do.
721	Cecilia Crow	do	Do.
722	Nancy Gordon	do	Do.
728	Susan Gordon	do	Do.
736	Pa abigi jig James	do	Do.
737	James Bango	do	Do.
738	Edward M. Morrison	do	Do.
739	W. L. Haskins	do	Do.
740	Charles E. Haskins	do	Do.
743	Eliza Morrison	do	Do.
744	John A. Stoddard	do	Do.
746	Henry Twobirds	do	Do.
747	Margaret Bemessy	do	Do.
749	Mary J. S. Denomie	do	Do.
752	Jennie Jackson	do	Do.
755	Mary Abi ti gi ji go kwe	do	Do.
757	Ogi magi ji go kwe Stoddard	do	Do.
761	George Bernier	do	Do.
766	Ne ga ni bi ni si kwe Martin	do	Do.
768	Delia La Fernia	do	Do.
767	Susan La Fernis	do	Do.
768	Henry La Fernia	do	Do.
769	Rosie Annie Denomie	do	Do.
770	Antoine Ana Kwad Cloud	do	Do.
771	Frank S. Denomie	do	Do.
772	Edward W. Charette	do	Do.
774	Mike La Fernia	do	Do.
775	Mary G. Moder	do	Do.
776	John Ba as na, jr	do	Do.
777	Maggie G. Moder	do	Do.
779	Louisa Wasashking	do	Do

List of patents undelivered remaining in Ashland office, etc.—Continued.

No.	Name.	Dated.	Signed.
781	Joseph O. Starr	Sept. 27, 1901	June 29, 1906
782	Mary C. Wilson	do	Do.
785	Mary S. Green	do	Do.
790	Margaret Greeley	do	Do.
791	Frank Greeley	do	Do.
797	Sam She bin gas	do	Do.
798	Josephine Scott	do	Do.
799	George Rufus	do	Do.
800	Lucy Sky	do	Do.
801	John A. Mayotte	do	Do.
802	Nancy Stoddard	do	Do.
804	Joseph Ka Ka gan, jr	do	Do.
805	Vaughn Haskins	do	Do.
806	Sarah Taylor	do	Do.
807	Charley N. Baker	do	Do.
812	Antoine D. Roy	do	Do.
813	Frank Bresette No. 3	do	Do.
814	William C. Bresette	do	Do.
820	Annie Green	do	Do.
821	Catherine Charette	do	Do.
822	Henry J. La Pointe	do	Do.
823	Nancy M. Martin	do	Do.
825	Willie J. Ruby, jr	do	Do.
826	Annie La Fernie	do	Do.
829	Alfred Courtway	do	Do.
830	Edward James	do	Do.
831	Catherine Starr	do	Do.
834	Margaret Couture	do	Do.
835	Josette James	do	Do.
836	Ki ni wagi jig	do	Do.
837	Pa sha ba no kwe James	do	Do.
838	Omis kwa wi gi ji gokwe	do	Do.
839	Frank E. Brown	do	Do.
843	Clara Twobirds	do	Do.
844	Agnes Green	do	Do.
846	Maggie H. Nejo bi ness	do	Do.
847	Frank J. La Pointe	do	Do.
848	Saga wa gi ji go kwe Badua	do	Do.
849	Angelique Dakota	do	Do.
850	Elizabeth Rufus	do	Do.
853	Francis Sky	do	Do.
856	Antoine Starr	do	Do.
857	George Manypenny	do	Do.
858	Joseph M. Starr	do	Do.
860	Julia Cloud	do	Do.
861	Maggie J. Denomie	do	Do.
862	Maggie James	do	Do.
865	Joseph Sky	do	Do.
867	Mary R. Twobird	do	Do.
870	Clara D. Fureia	do	Do.
871	Martina F. Dohertys	do	Do.
872	Wa bish ki gwa ni bi kwe Ana Kwad	do	Do.
874	Gabriel D. Fureia	do	Do.
875	Lucy D. Fureia	do	Do.
876	Lizzie Gordon	do	Do.
878	Sophia Twobirds	do	Do.
882	Esther Haskins	do	Do.
889	Susan Cloud	do	Do.
893	Louis Mayotte	do	Do.
894	James Le Fernia	do	Do.
895	Delia J. Bemesay	do	Do.
896	Lizzie Bemesay	do	Do.
897	Sam S. Buffalo	do	Do.
898	Augustus Bemesay	do	Do.
901	Eliza Belonger	do	Do.
905	Peter Shelaine	do	Do.
908	Louisa Starr	do	Do.
909	Joseph A. La Pointe	do	Do.
910	Edward Starr	do	Do.
911	Angelique J. Roy	do	Do.
912	Frank Starr	do	Do.
913	Joseph A. Cloud	do	Do.
914	Rosie Bemesay	do	Do.
915	Julia Bemesay	do	Do.
917	Charlotte Bemesay	do	Do.
918	Kedekwe Simon	do	Do.
923	Mary F. Dakota	do	Do.
924	Bode Charette	do	Do.
925	Maggie Blackbird	do	Do.
926	James Miller	do	Do.
927	George La Fernia	do	Do.
929	John M. Cloud	do	Do.
932	Anda bookwe Shashageris	do	Do.

List of patents undelivered remaining in Ashland office, etc.—Continued.

No.	Name.	Dated.	Signed.
933	Leonard F. Breselle	Sept. 27, 1901	June 29, 1905
935	Catherine W. Connors	do	Do.
937	John Mayotte	do	Do.
939	Virginia Cantiere	do	Do.
940	Keqweda bikwe Stoddard	do	Do.
941	Maggie Starr	do	Do.
942	Frank Dakota, jr.	do	Do.
944	Julia W. Roy	do	Do.
945	Mary Ann Lockwood	do	Do.
947	Joseph W. Connors	do	Do.
948	Mary F. Cloud	do	Do.
949	Angeline Cloud Stone	do	Do.
950	Charlotte G. Cloud	do	Do.
951	Mary Jane Denomie	do	Do.
952	Burnette C. Bell	do	Do.
953	Charlotte C. Bell	do	Do.
954	Eliza Denomie	do	Do.
962	Walter R. Sevalier	do	Do.
964	Myrtle B. Sevalier	do	Do.
965	Maggie Kebel	do	Do.
967	Mindemoia Babamash	do	Do.
969	Frank Antoine	do	Do.
972	Mary Blackbird	do	Do.
978	Frank Cloud	do	Do.
979	Lucy Brown Haskins	do	Do.
984	Sophia Blaker	do	Do.
985	Mike Chingway	do	Do.
986	Joseph Diver, jr.	do	Do.
987	Nicholas Belle	do	Do.
988	Margaret Shebingua	do	Do.
996	Willie Goslin	do	Do.
997	Edward Day	do	Do.
998	Joseph Vasseur	do	Do.
999	Charlotte Bango	do	Do.
1001	Sophia M. Auge	do	Do.
1002	Mary Blaker	do	Do.
1004	Cecilia V. Hartow	do	Do.
1005	I kwe di nak	do	Do.
1006	Henry La Pointe	do	Do.
1007	John M. Mc De gan	do	Do.
1008	Rosa Smart	do	Do.
1009	Leander Sprague	do	Do.
1010	Joseph Wilson, jr.	do	Do.
690	Monon Cloud a	do	Do.
691	Ogamakwe Scott a	do	Do.
863	Medwetosh Scott a	do	Do.

a Delivered and receipted for February 4, 1908. Found by Mr. F. Boheim and returned to Ashland office February 7, 1908. Patents lost by allottee while intoxicated. East end of Ashland near bottling works.

The CHAIRMAN. What other papers have you?

Mr. SCOTT. Relating to the complaint of Lizzie Homesky.

The CHAIRMAN. Those are correct transcripts of the records of this office?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. You may explain that.

Mr. SCOTT. In the estate of Kenosham, deceased, the balance was $818.41, and his heirs declared by the business committee were Joseph, son, two-thirds, and Na-ba-og, wife, one-third, and the amount which passed to Joseph Kenosham's credit was $546.61 and to Na-ba-og, $272.80; then on Joseph Kenosham's ledger account, page 275, he is charged with one-half the bill of Antoine Dennis of $100, which makes $50 charged to his account. In the account of Lizzie Homesky is a credit of $272.80, placed there by order of Na-ba-og, being the one-third of Kenosham's estate given by the mother, Na-ba-og, to the daughter Lizzie Homesky. Lizzie Homesky's ledger account, page 27, shows a credit of $272.80, less half the account of Antoine Dennis, $50, against the estate of Ke-no-sham; ordered by the business com-

mittee to pay the same. Antoine Dennis received December 24, 1904, a credit of $100—$50 from Joseph Ke-no-sham and $50 from Lizzie Homesky, and Antoine Dennis's account, page 28, shows that he drew a check May 24, 1904, No. 18252, for $25; July 2, 1904, check No. 18700, for $25; and on July 21, 1904, check No. 18820, for $50; making a total of $100.

The CHAIRMAN. And this Antoine Dennis is the Antoine Denomie who is mentioned in the exhibit offered yesterday?

Mr. SCOTT. I don't know. I didn't see the exhibit.

The CHAIRMAN. Is there any other $50 check charge which occurs in the account of Lizzie Homesky like this?

Mr. SCOTT. No, sir.

The CHAIRMAN. Put that in the record.

$272.80.

LA POINTE INDIAN AGENCY, WISCONSIN.
Ashland, May 31, 1904.

U. S. INDIAN AGENT.

Please pay Lizzie Homesky the sum of $272.80 and charge the same to my account. Value rec'd. My share in estate of Kenosham, deceased.

NA BA OG (her X mark).

In presence of—
WM. LA POINTE,
H. H. BEASER.
Credited Lizzie Homesky, May 31, 1904.
Charged Na ba og, May 31, 1904.

Apr. 27, 1904:		
5. Kenoham, deceased, to	$818.41	
7. Joseph Kenosham		$545.61
8. Nabaog		272.80
Estate apportioned to heirs (journal entry, p. 595).		
Apr. 27, 1904:		
Joseph Kenosham (ledger account, p. 7). By estate Kenosham		545.61
Dec. 20, 1904:		
To one-half bill of Antoine Dennis against estate Kenosham, deceased. Order of business committee to pay same	$50.00	
Dec. 24, 1904. Sundries to:		
28. Antoine Dennis		100.00
7. Joseph Kenosham	$50.00	
27. Lizzie Homesky	50.00	
Order of business committee to pay bill against estate of Kenosham, deceased, journal entry, p. 83.		
Antoine Dennis (ledger account, p. 28):		
May 24, 1904. To check 18252	25.00	
July 2, 1904. To check 18700	25.00	
July 21, 1904. To check 18820	50.00	
Dec. 26, 1904. By Joseph Kenosham, $50; Lizie Homesky, $50; heirs of Kenosham		100.00
May 31, 1904:		
Nabaog to	$272.80	
Lizzie Homesky		272.80
Order to place that amount to daughter's credit (journal entry, p. 8).		
May 31, 1904. Lizzie Homesky (ledger account, p. 27) by Nabaog		272.80
Dec. 26, 1904. To one-half bill of Antoine Dennis against estate Kenosham, deceased. Order of business committee to pay same	$50.00	

ODANAH, WIS., *May 15, 1903.*

Mr. S. W. CAMPBELL,
U. S. Indian Agent.

SIR: I herewith inclose a paper signed by the business committee of this reservation in regard to a claim which Antoine Dennis had against the estate of Kenosham, deceased.

I will state in this connection that this was a claim of long standing and Dennis has often tried to get it paid during the lifetime of Kenosham, but the old fellow never would sign receipts, although there was no question but that he owed the debt, and more than was asked in settlement. Now that Kenosham is dead, the business committee recommend that $105 be charged to the Kenosham estate and Antoine Dennis have credit.

Respectfully,

ROGER PATTERSON, *Farmer.*

I hereby certify that at a council of the chiefs, headmen, and members of the Bad River band of Chippewa Indians of La Pointe Indian Agency, on June 2, 1897, at Bad River Reservation, Wis., the following-named Indians, members of said band, were duly appointed a business committee to pass upon the questions of heirship of deceased allottees of Bad River Reservation in all authorized contracts between said heirs and J. S. Stearns:

Committee: (1) John Smart, (2) Joseph Stoddard, (3) Frank James, (4) Frank Quebec, (5) James Doolittle.

G. L. SCOTT,
Captain, Sixth Cavalry, Acting Indian Agent.

LA POINTE INDIAN AGENCY, *May 3, 1904.*

We, the business committee of the Bad River Indians, do hereby certify that to the best of our knowledge and belief the Kenosham estate is indebted to Antoine Dennis $105, and respectfully recommend that the agent pay same and charge to said estate of deceased according to the laws of the State of Wisconsin.

(1) JOHN SMART,
(2) JOSEPH STODDARD,
(3) FRANK JAMES,
(4) FRANK QUEBEC,
(5) JAMES DOOLITTLE,
Business Committee.

I hereby certify that at a council of the chiefs, headmen, and members of the Bad River band of Chippewa Indians of La Pointe Indian Agency, on June 2, 1897, at Bad River Reservation, Wis., the following-named Indians, members of said band, were duly appointed a business committee to pass upon the questions of heirship of deceased allottees of Bad River Reservation in all authorized contracts between said heirs and J. S. Stearns:

Committee: (1) John Smart, (2) Joseph Stoddard, (3) Frank James, (4) Frank Quebec, (5) James Doolittle.

G. L. SCOTT,
Captain, Sixth Cavalry, Acting Indian Agent.

LA POINTE INDIAN AGENCY, *April 22, 1904.*

We, the business committee of the Bad River Indians, do hereby certify that Joseph Kenosham and Nabaog Kenosham, the heirs and only heirs of Kenosham, deceased, according to the laws of the State of Wisconsin, and are the proper persons to sign authorized timber contracts with J. S. Stearns, and to receive benefits from same, as follows: Joseph Kenosham, son, to receive two-thirds, and Nabaog Kenosham, wife, one-third.

(1) JOHN SMART,
(2) JOSEPH STODDARD,
(3) FRANK JAMES,
(4) FRANK QUEBEC,
(5) JAMES DOOLITTLE,
Business Committee.

The CHAIRMAN. What is the next you have?

Mr. SCOTT. That relates to the case of Josette Condecon.

The CHAIRMAN. Is that a correct transcript of the records of this office?

Mr. SCOTT. Yes, sir; as to the checks outstanding and the checks in question. It does not give here a full statement of her account.

The CHAIRMAN. This shows her to be charged with $1,600.63 under date of April 17, 1906.

Mr. SCOTT. Yes, sir.

The CHAIRMAN. These also include a letter of the Indian Office of April 13, 1904.

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Put those in the record.

Josette Condecon:

Jan. 2, 1906. Check No. 3, Ma and Christmas	$15.00
Feb. 1, 1906. Check No. 4, Ma	10.00
Mar. 1, 1906. Check No. 5, Ma	10.00
Mar. 24, 1906. Check No. 6, Thomas Condecon (on March 20, 1906)	176.00
Apr. 2, 1906. Check No. 7, Ma	10.00
Apr. 17, 1906. Check No. 8, J. S. Stearns L. Co. (on April 13, 1906-26137, 1906)	1,600.63
May 1, 1906. Check No. 9, Ma	10.00
	1,831.63

Jan. 27, 1899. Josette Condecon (5 per cent amounts to $140 per annum):

June, 1900, lumber	$78.47
May, 1901, lumber	229.94
July, 1903, lumber	32.08
Advance on 5 per cent, 2 years, at $140	280.00
Advances on 5 per cent for five years, at $120	633.75
Advances in 1905 on account of clearing 4 acres land land authorized by Farmer Patterson	346.39
Total	1,600.63

Approved and authorized paid—

April 13, 1906, land 26157/06, check No. 8, issued April 17, 1906.

See letter to Hon. Com., May 1, 1908, page 255, Bk. 22.

See Department letter No. 140, May 12, 1908, land 29903/08.

LAPOINTE INDIAN AGENCY, Wis.,
Ashland, May 1, 1908.

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

SIR: I have the honor to inclose you a copy of a letter from the J. S. Stearns Lumber Company in reference to seven unsigned checks of Josette Condecon.

When her timber was cut the advances made to this office by the J. S. Stearns Lumber Company on her allotment amounted to $1,600.63. Authority was also given for her to pay her father, Tom Condecon, $176 to clear up some land. Then there were five monthly checks, according to her order to the Stearns Lumber Company, to pay up a debt that she incurred.

The $1,600.63 was drawn April 17, 1906, over two years ago. The one for $176 was drawn March 24, 1906, on an order given to her father. Authority for this $176 was approved by your office, dated March 14, 1906. The five monthly checks were drawn on the following dates: January 2, 1906, $15; February 1, 1906, $10; March 1, 1906, $10; April 2, 1906, $10; May 1, 1906, $10.

During or about this time she went to St. Paul and it has been reported that she was married but no one knows where she lives, and these checks never were signed. We have all tried to locate her, but even her father does not know her whereabouts. Parties have been sent to St. Paul to try to find her, but so far they have been unsuccessful.

The company think they have been without their money long enough. They are getting no interest, but she is drawing interest on her account at the bank, and has been all this time. If we are unsuccessful in locating her, I would recommend that authority be granted to cancel these checks and that I be permitted to draw a check for the amount and to honor the same from her account. Everything is straight, and authority has been granted by your office to pay the $176, and the $1,600 is what was advanced to her on her 5 per cent before her timber was cut.

If this can be done, I would respectfully recommend that you grant authority for me to liquidate the debt in this way.

Respectfully,

S. W. CAMPBELL,
U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 13, 1906.

UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of March 21, 1906, transmitting orders, receipts, and statements of certain Indians of the Bad River Reservation, Wis., for advances made to them by Justus S. Stearns, the authorized timber contractor. You report that these advances were made on their 5 per cent and written orders, some of which were approved by this office and others by Roger Patterson, the ex-farmer of the Bad River Reservation; that the timber on the allotments of the Indians named herein is now being cut; and that they all have money to their credit. You say you have examined the orders and find that they are right and proper, and recommend their approval. You ask for the return of the orders and statements. The statements are as follows:

Jan. 7, 1902, Hannah Green, 5 per cent amounts to $346 per year. Lumber for building dwelling on authority of Farmer Patterson		$360.54
Jan. 27, 1899, Josette Condieon, 5 per cent amounts to $140 per annum:		
June, 1900, lumber	$78.47	
May, 1901, lumber	229.94	
July, 1903, lumber	32.08	
		340.49
Authorized by Farmer Patterson. Lumber used in building a house.		
Advance on 5 per cent for two years, at $140 per year	$280.00	
Advances on 5 per cent for five years, at $120 per year	633.75	
		913.75
Advances in 1900 on account of clearing 4 acres of land, authorized by Farmer Patterson		346.39
Total		1,600.63
Jan. 8, 1902, Pa shi go in shakne Smart, two years' advance on 5 per cent paid by agent		512.00
Jan. 24, 1899, Be na mast Jacks, 5 per cent amounts to $127 per year:		
For lumber for house	$169.03	
Labor for same	85.00	
Building material	72.50	
Four and one-half years' advance on 5 per cent	525.00	
		851.53
Lumber was purchased and labor employed with the consent of Farmer Patterson.		
Jan. 10, 1902, Katie F. Cloud. Cash advanced on contract and three years' 5 per cent		87.42
Jan. 27, 1899, George Hughes, 5 per cent amounts to $112.50 per annum, seven years' advance		658.17
Sept. 23, 1901, John Carpenter:		
Advance on contract	$50.00	
Authorized advance by office	300.00	
		350.00
Five per cent amounts to $134 per annum.		

Kate Poupart, advanced with the consent of Farmer Patterson		$92.82
Jan. 8, 1902, Julia C. Gordon, 5 per cent amounts to $120 per annum:		
Advance on contract	$50.00	
Two and one-half years, 5 per cent	120.00	
Five per cent advanced one year to William Gordon, husband of Julia C. Gordon	105.00	
		275.00
Feb. 28, 1899, John Haskins, 5 per cent amounts to $120 per annum, seven years' advance		885.47
Sept. 23, 1901, Alex Carpenter, 5 per cent amounts to $240 per year:		
Advance on contract	50.00	
One year's advance on 5 per cent	120.00	
One year's advance on 5 per cent	240.00	
		410.00
Mar. 7, 1905, the office authorized Carpenter to withdraw $20 per month.		
Jan 7, 1905, Julia W. Roy, 5 per cent amounts to $370 per annum:		
Advance on contract	50.00	
Locating allotment	25.00	
One year's advance	240.00	
		315.00
Mar. 7, 1905, the office authorized Roy to withdraw $20 per month.		

The orders and statements have been examined and seem to be correct. They have been approved and are returned, and you are authorized to approve checks drawn by the allottees, respectively, in payment of them.

Very respectfully,

C. F. LABRANEE,
Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 12, 1908.

The U. S. INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: I have received your letter of the 1st instant inclosing a letter from the J. S. Stearns Lumber Company relative to several unsigned checks of Josette Condecon, five of which are for $10 each, the remaining two for $176 and $1,600, respectively. You say that the $1,600 check was drawn April 17, 1906, over two years ago, and that the one for $176 was drawn on March 24, 1906, on an order given to her father; that authority for this $176 was approved by this office on March 14, 1906; that about this time she went to St. Paul, and it had been reported that she was married, but no one knows where she lives, and that these checks were never signed by her. You recommend that in case you are unsuccessful in locating her whereabouts that you be authorized to cancel these checks and draw a check for the total amount and honor the same from her account. You add that the $1,600 is the amount that was advanced to her on 5 per cent payment before her timber was cut.

Your recommendation is approved and you are authorized to carry it into effect.

Very respectfully,

C. F. LABRANEE,
Acting Commissioner.

The CHAIRMAN. Are the papers you have now produced a correct transcript of the records of this office?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. These show the debits in the account of Josette Condecon for advances by the J. S. Stearns Lumber Company, and there is attached a letter of the J. S. Stearns Lumber Company dated July 21, 1908.

Mr. SCOTT. Yes, sir.

The CHAIRMAN. These will go in the record.

$10. No. 8496.

ODANAH, WIS., *March 30, 1906.*

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay the J. S. Stearns Lumber Company ten dollars, value received, and charge to—

JOSETTE CONDECON.

Paid July 21, 1908.

J. S. STEARNS LUMBER CO. (HILL).

380.

BAD RIVER RESERVATION,
Odanah, Wis., December 18, 1905.

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay Thomas Condecon $176 (one hundred and seventy-six dollars), with interest at ten (10) per cent per annum, value received. Charge to my account.

JOSETTE CONDECON.

Approved March 14, 1906.
See agents March 20, 1906.

WILLIAM J. EGBERTS,
Government Farmer.

$10. No. 8472.

ODANAH, WIS., *December 14, 1905.*

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay the J. S. Stearns Lumber Company ten dollars, value received, and charge to—

JOSETTE CONDECON.

Paid July 21, 1908.

J. S. STEARNS LUMBER CO. (HILL).

$15. No. 8495.

ODANAH, WIS., *December 29, 1905.*

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay the J. S. Stearns Lumber Company fifteen dollars, value received, and charge to—

JOSETTE CONDECON.

Paid July 21, 1908.

J. S. STEARNS LUMBER CO. (HILL).

$10. No. 8494.

ODANAH, WIS., *December 18, 1905.*

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay the J. S. Stearns Lumber Company ten dollars, value received, and charge to—

JOSETTE CONDECON.

Paid July 21, 1908.

J. S. STEARNS LUMBER CO. (HILL).

$10. No. 8497.

ODANAH, WIS., *April 27, 1906.*

United States Indian agent, La Pointe Agency, Ashland, Wis.

Please pay the J. S. Stearns Lumber Company ten dollars, value received, and charge to—

JOSETTE CONDECON.

Paid July 21, 1908.

J. S. STEARNS LUMBER CO. (HILL).

ODANAH, WIS., *July 7, 1908.*

Josette Condecon, in account with J. S. Stearns Lumber Company.

Mar. 24, 1899.	Coupon	$12.00
Apr. 8, 1899.	Coupon	6.00
Apr. 24, 1899.	Coupon	5.00
Apr. 25, 1899.	Advance cont	50.00
May 10, 1899.	Coupon	10.00
July 3, 1899.	Suit	12.50
Sept. 14, 1899.	Coupon	10.00
Sept. 27, 1899.	Cape	15.00
Oct. 31, 1899.	Coupons	10.00
Nov. 10, 1899.	Suit	12.00
Dec. 28, 1899.	Coupons	10.00
Dec. 28, 1899.	Coupons	37.50
May 28, 1900.	Coupons	30.00
June 19, 1900.	Lumber	14.42
June 19, 1900.	Lumber	64.05
June 29, 1900.	Coupon	10.00
July 6, 1900.	Merchandise	10.30
Sept. 6, 1900.	Coupon	10.00
Sept. 28, 1900.	Coupon	10.00
Oct. 27, 1900.	Coupon	10.00
Nov. 7, 1900.	Suit	14.00
Dec. 21, 1900.	Merchandise	10.00
Jan. 28, 1901.	Coupon	10.00
Feb. 1, 1901.	Merchandise	30.70
May 28, 1901.	Merchandise	5.00
May 28, 1901.	Wheel	35.00
May 28, 1901.	Coupons	20.00
Sept. 25, 1901.	Coupons	10.00
Oct. 28, 1901.	Coupons	10.00
Nov. 29, 1901.	Coupons	10.00
Dec. 21, 1901.	Coupons	10.00
Jan. 1, 1902.	W. order	5.00
Jan. 31, 1902.	Coupon	5.00

Feb. 28, 1902.	Cash	$25.00
May 29, 1902.	Coupon	10.00
Apr. 10, 1902.	Merchandise	21.62
May 22, 1902.	Hauling paid	10.75
May 28, 1902.	Lumber	215.50
May 18, 1902.	Lumber	9.41
June 14, 1902.	Moldings	4.22
June 22, 1902.	Building material	95.54
Feb. 3, 1903.	Coupon	20.00
Mar. 2, 1903.	Coupon	10.00
Mar. 30, 1903.	Coupon	10.00
Apr 29, 1903.	Coupon	10.00
May 28, 1903.	Coupon	20.00
July 28, 1903.	Coupon	10.00
July 28, 1903.	Lumber	82.08
Aug. 8, 1903.	Labor paid	25.00
Sept. 23, 1903.	Merchandise	5.48
Oct. 24, 1903.	Coupon	10.00
Nov. 11, 1903.	Coupon	5.00
Dec. 5, 1903.	Merchandise	12.39
Feb. 18, 1904.	Coupon	10.00
Mar. 4, 1904.	Coupon	10.00
Apr. 8, 1904.	Coupon	10.00
Apr. 19, 1904.	Coupon	20.00
May 21, 1904.	Furniture, etc	75.00
May 31, 1904.	W. order, 5-3-1904	333.72
Feb. 17, 1905.	Coupon	10.00
Mar. 18, 1905.	Coupon	20.00
Apr. 21, 1905.	W. order—Welch	10.00
Aug. 18, 1905.	Advances clearing land, labor, etc	346.39
Dec. 21, 1905.	Merchandise	55.00
	W. O. Thomas O Kun de con	176.00

Contra.

Mar. 13, 1906.	By Indian agent		$330.00
July 7, 1908.	Balance	1,831.63	
		2,161.63	2,161.63
July 7, 1906.	Balance	1,831.63	

Paid July 21, 1908, by checks 3, 4, 5, 6, 7, 8, 9.

J. S. STEARNS LUMBER CO. (HILL).

JULY 21, 1908.

S. W. CAMPBELL,
United States Indian Agent, Ashland, Wis.

DEAR SIR: We have your favor of July 20 inclosing seven checks drawn in our favor for Josette Condecon to sign, having been countersigned and signed by you as per authority from the Indian commissioner, land 20802/08. As per your instructions, we will forward these checks to the bank, notifying same that when they forward these checks to Washington at the end of the quarter it will be necessary for them to also forward the copies of the two letters attached, which will explain the reason these checks have been signed by you for Josette Condecon.

We are returning the five orders she has signed and the regular itemized statement of her account, same having been receipted in full.

Yours, truly,

J. S. STEARNS LUMBER CO.

The CHAIRMAN. This paper you now produce is a letter from the Indian office to Major Campbell, dated March 14, 1906, in which there is reference to the Josette Condecon matter?

Mr. SCOTT. Yes, sir.

The CHAIRMAN. Put that in the record.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 14, 1906.

The UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of February 2, 1906, concerning the desire of certain Indians of the Bad River Reservation to withdraw from deposit part of their timber money.

1. Josette Condecon, to whose credit you have $483.92, desires to pay an order which she gave her father for money borrowed when she was married, on December 18, 1905. The order is for $176, with interest at 10 per cent. You report that it seems her father advanced the money with the understanding that she would repay it as soon as she had money to her credit. Both you and the farmer recommend the approval of the application.

2. John Marksman, to whose credit you have $3,474.68, desires to purchase a pair of bob sleds, $38, and a set of double harness, $35. The farmer reports that the applicant is a young man, very industrious, and recommends the approval of the application. You concur in his recommendation.

April 14, 1905, the office authorized the applicant to withdraw $10.

3. Maggie D. Green, to whose credit you have $1,295, wishes to use $57.55 to pay a bill which she incurred in digging a well on her place. You report it was necessary for the applicant to have a well, and recommend the approval of the application.

The office has heretofore allowed this applicant to withdraw $820.

4. Ge ji go kwe, to whose credit you have $850.02, wishes to use $52.73 to purchase lumber, building material, and to pay for labor in repairing her house. You recommend the approval of the application.

On December 29, 1904, the office authorized this applicant to withdraw $68.70.

5. Nin ga bi s no kwe Frost, to whose credit you have $4,422.05, asks authority to use $91.63 to purchase lumber and material, and to employ labor to repair her house. You recommend the approval of the application.

The office has previously granted authority for this applicant to withdraw $300.

6. Elizabeth Connors, to whose credit you have $1,107.00, asks authority to expend $129.98 to purchase groceries, drugs, clothing, blankets, and comforters. You report that the farmer recommends the approval of the application, and say his reasons for so doing are that Joseph Connors, husband of the applicant, is an old soldier; that he has been sick all fall and winter, and therefore he has not been able to provide for his family; and that the family is in need of the articles mentioned. You also say that the list appears to be large, but that you presume the family of Joseph Connors is in bad condition, and you concur in the favorable recommendation of the farmer.

7. Julia Frost, to whose credit you have $143.41, asks authority to use $36 to purchase feed for a span of horses and a cow. You report that the farmer says that the husband of the applicant works the horses, but does not make enough to buy feed for the stock, after supplying their own needs, and both you and the farmer recommend the approval of the application.

8. Henry Denomie, to whose credit you have $3,259.88, desires to use $20.45 for the following purposes: To purchase stove, $25; for pipe, 45 cents; for stove board, $1. You recommend the approval of the application.

On July 14, 1905, the office authorized this applicant to withdraw $60.

9. Alexander Carpenter, to whose credit you have $520.59, wishes to use $54 to defray the funeral expenses of his wife, who recently died. You recommend the approval of the application.

On May 19, 1905, the office authorized this applicant to withdraw $100.

10. Ed Cloud, to whose credit you have $701.50, asks authority to use $236.57. He desires to use $198 of the amount to pay for the moving of his house and repairing it, and the remainder to pay a bill incurred while he was sick, in December, 1905, and January, 1906. The farmer recommends the approval of the application and you concur in his recommendation. The farmer reported to you that the moving and repairing of the house was necessary, and that the bill for sickness was unavoidable.

The office has previously granted authority for this applicant to withdraw $310.

11. Mary Crowe, to whose credit you have $1,379.17, wishes to use $70.05 for the following purposes: Five months' rent, $25; 1 winter suit, $20; 1 stove and pipe for same, $10.05; 10 cords of green wood, $15. You report that she has been living in the house for which she owes rent and that the articles mentioned are necessary. Both you and the farmer recommend the approval of the application.

The office has heretofore allowed this applicant to withdraw $275.44.

12. Theressa N. Rabideaux, to whose credit you have $1,271.05, asks authority to use $98.42 to purchase groceries, coal, and a trunk, two pairs of shoes, and two coats. You report that the farmer says that this applicant is a single young lady, lives at home with her parents, and that the groceries are for the help of her parents. Neither you nor the farmer recommend the approval of the application.

The office has heretofore allowed this applicant to withdraw $204.95.

In reply you are advised that, from what is said in your report, it seems that the interests of all of the applicants, except No. 12, will be best subserved by approving the applications. They are approved, and you are authorized to proceed accordingly.

With reference to application No. 12, you are informed that so much of the application as relates to the purchase of groceries, coal, and a trunk is disallowed. You may allow the applicant to buy two pairs of shoes and a coat, provided the coat is for her own use, but if it is for the use of any member of her father's family other than herself, you will not permit her to do so. The same applies with reference to the shoes. If the shoes are for the applicant herself, she may buy them; but if they are for anybody else, you will not permit her to do so.

Very respectfully,

C. F. LABRAME,
Acting Commissioner.

The CHAIRMAN. Was there not a letter authorizing the signing of those checks?

Mr. SCOTT. Yes; the letter of May 12, 1906, contains authorization to cancel the checks and draw a check for the total amount.

Senator PAGE. Does the trader keep a record of these goods, so he knows what the goods are, and if the matter was carried there they could show this lady just what the identical articles are with which she was charged?

Mr. SCOTT. Yes, sir.

Senator PAGE. And it is obtainable there?

Mr. SCOTT. Yes, sir.

Senator PAGE. They do not destroy the books?

Mr. SCOTT. No, sir; their records are kept.

The CHAIRMAN. What is the next you have there?

Mr. SCOTT. The case of Agatha Chingway.

The CHAIRMAN. What are the circumstances?

Mr. SCOTT. Agatha Chingway bought a team from E. G. Nevins, among others, and gave her note with 7 per cent interest. They were submitted to the department with the recommendation that they be allowed at the face, no interest. Authority was granted and the parties had credit. Checks were issued on that authority for the face of the note without interest. Later, the matter was taken up with the department by Mr. Nevins, and we have a new letter of authority in which the department states, on the thirteen accounts, 5 per cent interest is to be allowed. This account is one of the thirteen.

The CHAIRMAN. Does it appear from the papers it was one of the thirteen?

Mr. SCOTT. Yes. Before the order was received we had issued a check for the balance of the account, which was $135.67; then this letter from the department came, and I figured the interest on her

note and it was $145, and I issued a check for the same May 12, 1909, and forwarded it to the farmer at Red Cliff for signature and indorsement. The letter explains that she refused; repudiated the interest on the notes, and refused to sign the check.

The CHAIRMAN. The money is there to her credit?

Mr. SCOTT. Yes, sir.

Senator PAGE. Because she refused to sign the check, haven't you some obligation to the man in business?

Mr. SCOTT. No, sir; you can not sign an Indian's check.

Senator PAGE. Suppose you are authorized to pay, by her request, a certain sum for a time—she knows the time and you are satisfied of that fact and she dishonorably wishes to avoid the payment of that debt—can the department step in and see that she does right in that case?

Mr. SCOTT. I can only answer that the department authorized the agent to sign the check under that second authority.

Senator PAGE. Why would not that have been the proper thing to do, if you are satisfied that that is an honest debt and she is willing to pay it?

Mr. SCOTT. Part of the orders were settled at their face value, and then thirteen were allowed at the face value with interest at 6 per cent.

Senator PAGE. That does not answer my question. Have you the right and would it be proper for you if you knew in fact it was an honest debt, approved by the department and she refused, would it be your right to see that that debt was paid?

Mr. SCOTT. I think it would.

Senator PAGE. Why should you not get authority to sign the check and pass it on instead of keeping Nevins out of his money?

Mr. SCOTT. Whatever is owing is for interest.

Senator PAGE. He has had the principal?

Mr. SCOTT. Yes, sir; we issued check for $135.37 for balance of principal.

Senator PAGE. She signed that check?

Mr. SCOTT. Yes, sir; we issued that on the first authority from the department, where they authorized us to issue checks for the face without the interest.

Senator PAGE. And that check there is for the interest alone?

Mr. SCOTT. Yes, sir; interest alone.

Senator PAGE. Why did she repudiate the interest after having agreed to pay 7 per cent?

Mr. SCOTT. "When presented to her to sign, she wished to wait awhile, and I have held the check for her signature. I again presented it for her signature and she refused to sign it, claiming that in her contract for the team of horses it was distinctly stipulated that she was to pay no interest, and that the team was to be paid for when the timber was cut. She claims that she was not in anyway benefited by the delay and was powerless to prevent it and gained no advantage by it, consequently is unwilling to pay any interest account in the face of her contract to the contrary." That is a letter from the farmer.

Senator PAGE. Didn't the original contract cover 7 per cent, according to her written agreement?

Mr. SCOTT. Yes, sir.

Senator PAGE. She says there that she does not care to pay any interest?

Mr. SCOTT. That is what she says here, but the original contract calls for 7 per cent. The second authority of March 17, 1909, authorizes us to settle them at 5 per cent.

The CHAIRMAN. What do you know about this, Major?

Mr. CAMPBELL. Those accounts came up here for payment and I refused to pay them or settle with them. These orders were issued without authority from this office and were contrary to the rules and regulations. So on presenting them to the commissioner I recommended that they be paid, as they were a long time out of the principal, but that no interest be paid, and he agreed with me on that; and when it came back all those who had had their timber cut and had a credit I paid—drew checks and they signed them and I paid them. Then it was taken up by some one in Washington, I don't know who, but it was opened up again and they wanted to know about it, and I still recommended that on account of the very high price that they had to pay for these horses I thought they were getting plenty; but if they wanted to pay any interest not to pay them any more than 3 per cent—that was my recommendation, I think. It ran along a while and then came back with instructions to pay 5 per cent.

Senator PAGE. Your suggestion was that only 3 per cent be paid as a punitive measure to prevent this kind of business?

Mr. CAMPBELL. I thought they were getting plenty for it. That is what I thought or I would not have made the recommendation.

The CHAIRMAN. Put that in the record.

INDIVIDUAL INDIAN MONEY.

Check No. 3308. Authority No. 45094/07. Account No. 534.

LA POINTE AGENCY, ASHLAND, WIS., *May 12, 1909.*

The Ashland National Bank.

Pay to the order of Agatha Chingway $145 (one hundred forty-five and no/100 dollars).

_____
Signature or thumb mark of Indian depositor.

Witness to mark:

_____
Name.

_____
Post-office address.

Approved for $145.

_____
United States Disbursing Officer.

LA POINTE INDIAN AGENCY,
ASHLAND, WIS., *March 1, 1909.*

FRANK V. HOLSTON, *Bayfield, Wis.*

SIR: Inclosed find check No. 3147, $135.67, Agatha Chingway, which is the balance due on her note of $460 given to E. G. Nevius.

You will please have her sign her name on the lower right-hand corner and across the back, as written in body of check, and return same to this office to be countersigned and delivered to the proper party after the note has been receipted.

This balance does not include any interest on the note, as the authority was granted for the payment of the note without interest.

Also find inclosed check, $5, in payment of the monthly allowance of George Gurnoe, as per your personal request yesterday.

Respectfully,

S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, March 17, 1909.

S. W. CAMPBELL, Esq.,
Superintendent La Pointe Indian School, Ashland, Wis.

SIR: Referring to the matter of the Nevius horse claims, you are advised that the office has reached the conclusion that the thirteen remaining unpaid orders should be paid, with interest at the rate of 5 per cent per annum. You are requested to communicate with Mr. Nevius and ascertain whether this proposition will be acceptable, and if it is you will be authorized to pay the principal amount of the orders, with the rate of interest mentioned, payment to be made when the Indian debtors shall have a sufficient amount of trust funds deposited to their credit.

Very respectfully,

C. F. LABRABEE,
Acting Commissioner.

BAYFIELD, *September 18, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent, Ashland, Wis.

SIR: I am returning to you herewith check No. 3309, Agatha Chingway, $145. This was sent me last May to pay interest to Mr. Nevins for a team of horses purchased several years ago.

When presented to her to sign she wished to wait a while, and I have held the check for her signature. I again presented it for her signature yesterday and she refused to sign it, claiming that in her contract for the team of horses it was distinctly stipulated that she was to pay no interest, and the team was to be paid for when the timber was cut.

She claims that she was not in any way benefited by the delay and was powerless to prevent it and gained no advantage by it; consequently is unwilling to pay any interest account in the face of her contract to the contrary.

Respectfully,

FRANK V. HOLSTON,
Government Farmer.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 28, 1907.

THE UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of May 8, 1907, saying that C. B. Edwards, agent for E. G. Nevius, has submitted to you nineteen orders from Indians of the Bad River Reservation who purchased teams from him at different times, and that he asks that the orders be paid.

You transmitted the orders for the consideration of the office. Attached to each of them except four is an affidavit of Edwards to the effect that the price the Indians respectively agreed to pay for the horses was the fair value at the time of purchase, and similar affidavits, of Roger Patterson, ex-farmer, are attached to the orders, except the four referred to. The list is as follows:

1. John Carpenter, a note for $250, dated October 15, 1903.
2. Charley Houle, order for $185, dated October 8, 1902.
3. Peter Houle, order for $500, dated April 30, 1903.

4. Alex Houle, order for $50, dated October 15, 1903.
5. Theresa F. Green, order for $150, dated October 14, 1903.
6. Lucy Haskins, order for $515, dated February 17, 1902.
7. Lucy Haskins, order for $225, dated September 30, 1902.
8. John Haskins, order for $497, dated January 9, 1900. (On this order balance due is $177.)
9. Frank Connors, order for $150, dated October 19, 1903.
10. Charlotte Condecon, order for $485, dated January 5, 1903.
11. George Messenger, order for $170, dated October 30, 1897.
12. Agatha Chingway, order for $460, dated September 6, 1899. (Balance unpaid on this order is $135.67.)
13. Ira Butterfield, order $200, dated June 12, 1902.
14. Dan Morrison, order $471, dated October 26, 1901.
15. Josephine Rabideaux, order $350, dated October 8, 1902.
16. Mary Twobirds, order of $415, dated October 23, 1902.
17. Wedose, order of $375, dated November 23, 1902.
18. Jos. R. Gordon, order of $150, dated October 19, 1903.
19. Ande ba e kwa sha da guns, order $450, Dec. 7, 1902.

Fifteen of the orders it seems were issued by the authority of ex-Farmer Patterson. Three of them are O K'd by you and one by Major Scott.

With reference to the order of Agatha Chingway, you say that when you O K'd it it was the understanding that she would apply her 5 per cent thereon, which amounted to $117 per annum; that she did apply part of it, but that there remains unpaid $135.67, with interest; that the conditions with reference to the John Haskin order, on which there is a balance of $177 due, are the same; but that you can not at present recall whether Charlotte Condecon was to apply her 5 per cent in payment of the order, but you think she was to do so.

Major Scott O K'd the George Messenger order, which was issued in 1897, and is for $170, with interest at 7 per cent from date.

You recommend that the Indians be allowed to pay the orders. Some of them bear interest at 8 per cent and others at 7 per cent, 6 per cent, and 5 per cent, and, as said by you, it would seem that from the high prices paid by the Indians for the horses they should, in any event, have borne a less rate of interest, and you intimate that not more than 5 per cent interest should be allowed.

In reply you are advised that the prices paid by the Indians mentioned herein for the horses seem to be rather high, and under the circumstances the office does not believe that authority should be granted for the payment of the orders with interest. You may allow the Indians to pay them if the holder, Mr. Nevins, will take their face value, or the amount due, where partial payments have been made, without interest; but if he insists on charging the Indians interest from the date of the respective orders or for any other term, you will not allow them to be paid.

The papers received with your report are returned.

Very respectfully,

C. F. LABRABEE,
Acting Commissioner.

The CHAIRMAN. What is the next you have?

Mr. SCOTT. Louis Belonger bought of a merchant in the city of Ashland $15 worth of groceries. Application was made to the department to pay this bill of $15. Authority 66331/08 authorized this office to issue a check for $15. Same was issued and forwarded to Farmer Miles for signature and indorsement. Check was returned to this office, claiming that Louis Belonger refused to sign it. The check has been returned a second time to the farmer for signature and he still refuses to sign the check. He does not deny that he had the groceries, but will not sign the check.

The CHAIRMAN. That will be put in the record.

INDIVIDUAL INDIAN MONEY.

Check No. 1788. Authority No. 66331/08. Account No. 527.

LA POINTE AGENCY, ASHLAND, WIS., *Oct. 15, 1908.*

The Ashland National Bank.

Pay to the order of Louis Belonger $15 (fifteen and no/100 dollars).

Witness to mark:

_____
Name.

_____
Post-office address.

_____
Signature or thumb mark of Indian depositor.

Approved for $15.

_____
United States disbursing officer.

ODANAH, WIS., *Sept. 5, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent, Ashland, Wis.

SIR: I return herein check Louis Pelonger $15, and will say that we are unable to get him to sign this check, after having explained the matter to him several times.

You sent me the check some time ago with instructions to have him sign it and return it to you to pay a bill he owes to some one in Ashland.

I would also state that you did not send me a check for Louis Belonger for this month. He receives $10 per month, and has been to the office and called for his check. Kindly send me a check for him.

Respectfully,

JOHN F. MILES,
Government Farmer.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
LA POINTE INDIAN AGENCY,
Ashland, Wis., September 29, 1908.

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

SIR: I have the honor to recommend that I be authorized to approve the checks of Louis Pelonger (B. R.), whose balance in bank is $3,657.17, in the amount and for the purpose specified below:

To pay a debt that he owes to a grocer here in Ashland for goods received, $15.

I would respectfully recommend that he be permitted to withdraw the amount specified for the purpose.

S. W. CAMPBELL,
United States Indian Agent.

C. F. LABRADEE,
Acting Commissioner.

OCTOBER 10, 1908.

The CHAIRMAN. Now, you have one other matter there. What have you to say about that?

Mr. SCOTT. Josette Condecon made application to have $1,500 placed from her trust fund to the credit of her father, Thomas Condecon; application made August 11, 1909; disapproved by the department August 17, 1909, for the reason that her father, Thomas Condecon, had spent all of his money from the two allotments on the Bad River Reservation and one in Michigan, and did not think he

was entitled to spend his daughter's allotment money. She had paid her father other money on previous applications.

The CHAIRMAN. Put that in the record.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
LA POINTE INDIAN AGENCY,
Ashland, Wis., August 11, 1909.

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

SIR: I have the honor to recommend that I be authorized to approve the checks of Josette Condecon (B. R.), whose balance in bank is $2,565.19, in the amount and for the purpose specified below:

To be placed to the credit of her father, Tom Condecon, for his use and benefit, $1,500.

(1) Twenty-six. (2) At times. (3) Physical condition is good. (5) Married. (6) A husband, but no children. (7) Her husband has an allotment of land, but no timber or money. (10) Funds will not be replenished. (11) I would state that the applicant has a credit of over $2,000; that she is married, but she and her husband do not live together. She stays with her father most of the time when she is here on the reservation. She came to the office this morning and voluntarily made this application to give her father this amount of money, stating that he has, at various times, given her considerable money, and she thinks that the $1,500 she wants to give him would no more than pay back what he gave her. Her father is quite an old Indian, and has a pool room and bowling alley here in the village. He is an Indian who does not use any intoxicants. He has an allotment of land on the reservation and also an allotment of land in Michigan. There is no timber left on either allotment, and he has no credit at the agency. I am inclined to recommend the approval of this application, for the reason that the applicant would not make good use of her money if she were permitted to use it herself, and the fact that she stays with her father and has received considerable money from him. I believe it is no more than right that she should pay him back in this way.

The foregoing has been quoted entirely from the farmer's remarks.

As I understand it, this Indian, Tom Condecon, who wants this $1,500 from his daughter, has had the proceeds from three allotments—two on the Bad River Reservation and one in Michigan. He has spent all of that money, and I can not see that he has very much to show for it. He did buy 40 acres of land on the Bad River Reservation and cleared part of it up, but he has sold that to his nephew within the last year for $1,000, and all the money has been paid over to him. I do not see why he should get over half of what his daughter has, and I can not recommend it. There is no good reason that I can see that he should receive any of it. I have known one or two instances wherein applications have been made by her to pay him—at one time, I remember distinctly, $200, and another time I can not tell how much from memory, but it was several hundred dollars. Those applications claimed that he had advanced her some money, consequently she was paying him back her debt. Now he comes in with $1,500 more, and for the reason that I have given I can not recommend the application.

S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

Disapproved.

F. H. ABBOTT, *Commissioner.*

AUGUST 17, 1909.

(Thereupon the committee adjourned to meet at Lac du Flambeau.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
LAC DU FLAMBEAU INDIAN RESERVATION,
Lac du Flambeau, Wis., September 27, 1909.

The subcommittee met at 9 o'clock a. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page, also E. P. Holcombe, esq., chief supervisor, Indian service.

STATEMENT OF RAYMOND WALTERS.

RAYMOND WALTERS, having been first duly sworn, testified as follows:

The CHAIRMAN. You are the clerk at this reservation?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. How long have you been here?

Mr. WALTERS. One year the 14th of July last.

The CHAIRMAN. There was some correspondence with Mr. Herrick with reference to the trading and his failure to comply with the rules and regulations of the department in regard to the trader's licenses.

Mr. WALTERS. Yes, sir.

The CHAIRMAN. State what that has been, and what has been the outcome of it.

Mr. WALTERS. The correspondence was to call his attention to the regulations of the department.

The CHAIRMAN. Particularly to the regulations which he was failing to observe.

Mr. WALTERS. First, that he failed to comply with a regulation that called upon him to submit the invoices to this office to check on prices of products; second, the objections to his coupon system with the Indians; and third, his failure to post any prices in either the Chippewa tongue or English. Those were the principal objections that we had.

Senator LA FOLLETTE. Is there a regulation requiring each trader to post his prices in both Chippewa and English?

Mr. WALTERS. Both in the Indian language and in the English; yes, sir.

The CHAIRMAN. There was a regulation requiring all these things which you have enumerated, I take it?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Have you had more or less correspondence with him about that?

Mr. WALTERS. Yes, sir. If I may suggest, the coupon system is not definitely prohibited by the department, although its prohibition is suggested in the regulations.

Senator PAGE. What is the objection to it?

Mr. WALTERS. The objection we have is that it does not comply with the regulations that provide that they shall keep a direct ledger account with each Indian. They sell him a coupon book for $10 and that ends the bookkeeping right there. There is no record of those accounts kept with the Indians, as required by the regulation.

The CHAIRMAN. Now that we are on the matter of the coupons, do you understand that they resort to that on account of financial matters—that is, giving them more time?

Mr. WALTERS. It is undoubtedly resorted to to save bookkeeping.

The CHAIRMAN. Yes; but would you take it in this case that they resort to it because they are hard up and want to get the time?

Mr. WALTERS. No, sir.

The CHAIRMAN. At Lac Court d'Oreilles that is undoubtedly what they do it for.

Mr. WALTERS. I think their chief reason is to avoid bookkeeping; that is, to avoid the extra work called for by the regulation.

Senator LA FOLLETTE. Might it aid in concealing the charges made for things?

Mr. WALTERS. It could do so.

The CHAIRMAN. Would it not also serve to rather compel the Indian to do his trading with them?

Mr. WALTERS. Yes, sir; it would undoubtedly do so.

The CHAIRMAN. I take it those would be the true objections to it.

Senator PAGE. What is the consideration given by those coupon books?

Mr. WALTERS. They are in various sizes—$2, $3, $4, $5, and $10.

Senator PAGE. How are they paid for to the lumbermen?

Mr. WALTERS. By the monthly check of the Indians, as a rule.

Senator LA FOLLETTE. They are paid either in money or in work?

Mr. WALTERS. Yes, sir; sometimes by the work of the Indian at the mills.

Senator LA FOLLETTE. They are paid either in money or in work?

Mr. WALTERS. Yes, sir; sometimes by the work of the Indian at the mills.

Senator LA FOLLETTE. If the Indian has a check, a government check, do you not cash it for him if he wants it cashed?

Mr. WALTERS. It is very seldom the case that he wants the actual money.

Senator LA FOLLETTE. How can they get the money on it?

The CHAIRMAN. If they go to the store and they do not have the money they give him a coupon book?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. That is where the difficulty arises—in paying the Indian with something that is not available. I do not see why there should not be somebody here who could furnish him the money, though in its working result it might not be a good proposition; but I would not want to pay my men for services in something that they had to go down and get cashed.

Senator LA FOLLETTE. I suppose one of the difficulties is that it is done with all the Indians; the Indian could take his money and go and buy whisky with it.

Senator PAGE. If they do not want that, then the coupon book is the proper thing.

Senator LA FOLLETTE. The coupon book offers an opportunity to overcharge, and if it is to be done by that method, then there ought to be some regulation of it—something to prevent the Indian from being fleeced.

Senator PAGE. I think the Indian could be fleeced either by the book account or by the coupon. If he goes with the coupon book, the man says, "I will sell him this blanket for $2." He takes the book and tears the coupon out; he gives him the $2 and he gets his change back. He is a great deal more likely to comprehend that than if he put it on the book; that is, if the man entered it on the book. That is something that he does not understand. He may charge him for more than he gets, and there is a great deal more complication than to have a coupon. He can pull out a coupon and buy an article and get his change back. The Indian knows how to figure the difference between $1.[illegible] and $2.50. Now, why is it not better to have a coupon so far as the Indian is concerned? Why is it not better for him to have a book?

Mr. WALTERS. The only objection that I know to the coupon system, so far as the protection of the Indian is concerned, would be possibly that of his failure to be able to buy elsewhere.

Senator PAGE. Now, if you want him to buy elsewhere, why do you not provide him the means of getting money on his check?

Mr. WALTERS. I refer to our present method. Since the 15th of March, when the order went into effect regarding the monthly allowances, we have held the Indians' check, after it is signed, in our possession, giving him in lieu of that simply an order to go and buy goods, the bills to be submitted here, which is the only means we have of checking up as to proper prices, and so forth.

The CHAIRMAN. In that case, do you let him buy wherever he pleases?

Mr. WALTERS. Yes, sir; he can buy wherever he pleases. If he wants to go to a certain place for an order we give him an order at the price of the goods he asks for. We do that because authority is granted for specific articles, and it is our only way of checking up.

The CHAIRMAN. I think you might explain, for Senator Page's benefit, that since last March you do not issue any checks except where an application is made by an Indian for some specific purpose, in the purchase of some specific article, where an application is made for payment out of his timber fund.

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Before that time you issued a check every month to each Indian, varying from $10 to $20—it runs up to $30, does it not?

Mr. WALTERS. Ten dollars is the only one here without specific authority.

The CHAIRMAN. But now the authority is only granted where the Indian applies for some specific purchase?

Mr. WALTERS. Yes, sir.

Senator PAGE. I discovered that in the other testimony that has been taken.

Mr. WALTERS. The applications of the old Indians cover food and clothing, and those of the younger Indians amounts that are borrowed.

Senator LA FOLLETTE. Are there not Indians on this reservation who are sober and honest and intelligent—I understand there would be exceptional cases, but those are the cases that I want to know about—are there no cases where there are Indians here who are trustworthy enough and intelligent enough so that if you had a system of paying them their checks, of giving them the amount of money that they wanted to expend for supplies, that they could go and purchase them where they pleased? Have you any such Indians on the reservation?

Mr. WALTERS. We have a few.

Senator LA FOLLETTE. You have been connected with the Indian department for some time, have you not?

Mr. WALTERS. Ten years.

Senator LA FOLLETTE. You have had some experience in dealing with the Indian?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. If you were given a discretion in that respect, in the matter of issuing coupons to certain Indians, would

not the effect upon other Indians, in seeking to establish a standing with the office, which would entitle them to that sort of treatment, be wholesome?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. Would it not lead to development and to encouragement?

Mr. WALTERS. Yes, sir.

Senator PAGE. Would it not lead to a great deal of trouble to you to pass judgment on the different Indians, and would not all want this same privilege?

Mr. WALTERS. It would undoubtedly incur extra work for the office, but the final effect would be good.

The CHAIRMAN. That is what Senator La Follette means. It would make trouble with you with the Indians where you had to discriminate?

Mr. WALTERS. It would undoubtedly cause trouble; yes, sir.

Senator LA FOLLETTE. It would cause some feeling, but can you expect to get any advancement among the Indians here if you have got to hold back those who are most intelligent and have the most character and who might furnish an example for others to the level of the worst Indians on the reservation?

Mr. WALTERS. No, sir.

The CHAIRMAN. I want to ask another question, and I ask it because of your experience in this matter and simply to bring it before the department or Congress: Do you think it would be wise to vest that authority in the man who immediately comes in contact with the Indian, or do you think that it should be vested in some one who is not so immediately in contact with them to relieve the man who is in contact with them of this friction? I just want your opinion.

Mr. WALTERS. My opinion is that the authority, with limitations, should be vested in the man who is directly in contact, regardless of friction.

Senator LA FOLLETTE. With reference, for instance, to the development of agriculture, the cultivation of the land here, is it not necessary for you, in order to make any progress in that direction, to take those Indians who show the best traits and work with them through the Indian Farmer, for example, and assist them to make a beginning? Have you not got to make that same discrimination if you are to develop the Indian in that respect and along that line?

Mr. WALTERS. Discrimination must be exercised in every case, and in every line there is some friction that will arise over any subject; at least, it has been my experience in the Indian Service.

The CHAIRMAN. A man must be strong enough——

Mr. WALTERS. A man must have tact enough to endure the situation.

Senator LA FOLLETTE. The chairman had started, when I diverted him, to ask you about the matter of this license. You were going to take up this matter of the license, and the lease, were you?

The CHAIRMAN. Yes. You had more or less correspondence in the matter with Herrick, or the Herrick Company; which is it?

Mr. WALTERS. The company is legally known as the Flambeau Lumber Company.

Senator LA FOLLETTE. Who is the principal man?

Mr. WALTERS. Fred Herrick.

The CHAIRMAN. How far as a result of this correspondence have you progressed toward getting those three matters fixed as they ought to be fixed?

Mr. WALTERS. The question of posting prices has been settled. They are posting prices in accordance with the regulation. The question of the submission of invoices has not been complied with. The third question, the coupon system, has been replaced by the series of orders issued from this office.

Senator LA FOLLETTE. For the special purpose designated in the order?

Mr. WALTERS. Yes, sir. That coupon system for mill purposes we know nothing of.

Senator LA FOLLETTE. You mean paying for labor?

Mr. WALTERS. Paying for mill labor, and so forth; we know nothing of that.

Senator PAGE. That is a matter of private contract between the mill men and the men they hire?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. Both as respects Indians and whites?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Have you any idea as to whether they treat the Indians the same as they do the whites with reference to coupons and time checks?

Mr. WALTERS. Yes, sir; I think they do, except for this, that they have found the Indians on this reservation unsteady workers and wherever they can possibly do so they will avoid the hiring of an Indian and employ a white man.

The CHAIRMAN. And the contract requires that they shall give the Indians the preference?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. How many men do they employ all together?

Mr. WALTERS. I do not know.

Senator LA FOLLETTE. From your observation, what proportion of the total number of men that they employ are Indians; I mean, from such judgment as you are able to form?

Mr. WALTERS. Possibly 15 per cent. That is entirely an estimate.

The CHAIRMAN. Now, the next matter that seems to be noted here is the scale. What trouble has there been over the scale?

Mr. WALTERS. I noted all letters that had reference to the Herrick work, in any case, not knowing what points you care to bring up.

The CHAIRMAN. Has there been any trouble about the scaling that you desire to take up?

Mr. WALTERS. No, sir; nothing that I care to take up here.

The CHAIRMAN. And the next is the lease. When was their first lease made?

Mr. WALTERS. In 1893.

The CHAIRMAN. For how long a period?

Mr. WALTERS. For ten years, I think.

The CHAIRMAN. And it expired then in 1903?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Has it ever been renewed?

Mr. WALTERS. No, sir.

The CHAIRMAN. Has the company continued to pay the rental?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Up to what time?

Mr. WALTERS. I believe January or July 1, 1909—July 1, I think.

The CHAIRMAN. Has any attempt been made to renew the lease?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. What has been the attempt, and what is the present status of that attempt?

Mr. WALTERS. Acting under departmental orders, we rewrote a list, embodying in the list certain new clauses.

The CHAIRMAN. What were those new clauses?

Mr. WALTERS. I will get them and tell you.

The CHAIRMAN. Can you not tell us now what they were?

Mr. WALTERS. The instructions of the department are as follows:

The new lease should not be so worded as to give them an exclusive monopoly of the land referred to. The office is informed that various buildings are on the tract over which the Cushway Company exercises no control whatever—three churches and a public-school building, hotel, government farmer's house, Indian missionary's house, parsonage, the houses of two policemen, government jail, town hall, Woodmen hall, Maccabee hall, post-office, and the residences of some thirty Indian families.

In view of this fact, you are instructed to embody a provision in the contract that Messrs. Cushway & Co. shall not charge or collect rentals for the house or any buildings not actually owned by them, or for any lot or parcel of land not actually occupied by them. If, however, some one desires to erect another traders' building or to occupy a building already erected on the tract, which is not subject to the control of the Cushway Company, he should by all means be permitted to do so. It was not the intention or the purpose of the office that the Cushway Company should have the exclusive right and occupancy of the entire tract of land comprising the old sawmill site.

Senator LA FOLLETTE. That is another name than the one we have been using.

Mr. WALTERS. That is the original name of the contractors here.

Senator LA FOLLETTE. And it is now become what?

Mr. WALTERS. The J. H. Cushway Company.

The CHAIRMAN. It refers to the Harrick Company, does it not?

Mr. WALTERS. It refers to the so-called Flambeau Lumber Company.

The CHAIRMAN. Have they executed a new lease?

Mr. WALTERS. A new lease was written by this office and submitted to Mr. Herrick for signature, and the signature was refused.

The CHAIRMAN. What ground was given for refusing?

Mr. WALTERS. That the lease was too binding on him and his employer.

The CHAIRMAN. In what respect? Did he object to these new features?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. Have you his objections in writing?

Mr. WALTERS. Yes, sir [exhibiting letter]. That is the letter of refusal. I will read it to the committee. It is as follows:

LAC DU FLAMBEAU, WIS., *August 16, 1909.*

W. N. SICKELS, *Superintendent, City.*

DEAR SIR: In answer to your letter of July 27, requesting that we return the triplicate lease for rental of our mill site, either signed or unsigned, we are returning them herewith unsigned, and will say that, considering your attitude toward the Flambeau Lumber Company, we do not consider the lease drawn up by you in harmony and good faith on your part and refuse to accept them. Inasmuch as we have done business for the past fifteen years under the old lease, drawn April 28, 1893, and no question has ever been raised by your

predecessors as to good faith on our part in the way we have operated and occupied these leased lands, we would ask why the wording of the old lease does not fully cover the ground and would request that the new lease be drawn exactly the same, with the single exception that the clause relative to the railroad right of way be changed to read as follows: "Running across such government lands as it now crosses in the sections named in the old lease."

We are not asking for a single foot more land than we have been occupying nor any more authority over same than we have had in the past, and we do not propose in making a new lease to leave any loopholes whereby you can exceed your rightful authority and compel the Flambeau Lumber Company to apply to the department for fair and equitable treatment.

We are inclosing lease in triplicate, made out in accordance with the old form, and will ask that you sign them and forward them to Washington for approval and record.

Yours, truly,

FLAMBEAU LUMBER COMPANY,
Per FRED HEBRICK.

The CHAIRMAN. Did they sign lease renewals in the old form?

Mr. WALTERS. No, sir; I think not.

The CHAIRMAN. They simply submitted them?

Mr. WALTERS. Yes, sir; they are signed.

The CHAIRMAN. Now, on that refusal you submitted the matter to the department, did you not?

Mr. WALTERS. Yes, sir.

The CHAIRMAN. About how long ago is that?

Mr. WALTERS. About one month. I believe it was just before Mr. Sickels went away.

The CHAIRMAN. And you have not heard from the department?

Mr. WALTERS. No, sir.

The CHAIRMAN. Are there any buildings down there that they have no use for on the land covered by their old lease?

Mr. WALTERS. There are many vacant buildings; yes, sir.

The CHAIRMAN. Is there any vacant ground there that could be built upon without injury or danger of enlarging the risk to their property?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. How much land is covered by their lease as it was written before?

Mr. WALTERS. Twenty acres was the amount specified in the old lease.

The CHAIRMAN. The new lease only specified the same amount, did it not?

Mr. WALTERS. The new lease would cover about 80 acres.

The CHAIRMAN. Now, as to the lease which they submitted and which they signed, does that cover more than the old lease?

Mr. WALTERS. It covers only the 20 acres, more or less.

The CHAIRMAN. Why did the new lease cover 80 acres? Was it at their request?

Mr. WALTERS. No, sir.

Senator LA FOLLETTE. It covers so much as they occupy of 80 acres, just describing the 80, I suppose, and would be a less amount than the 20 acres—that is, what they occupied with their yards and buildings.

The CHAIRMAN. The new lease is for more, is it?

Mr. WALTERS. The new lease is for more than the old lease.

Senator LA FOLLETTE. These boundaries are greater. The boundaries include a school building there, do they not?

Mr. WALTERS. No, sir; just this side of the acreage house.

The CHAIRMAN. Is the Senator's view of that correct, that, measured by the land actually used by them—which would be all that would pass under the new lese—they would have less than under the old lease? Is that right?

Mr. WALTERS. It is possibly correct, approximately. Our idea was to make the new lease cover such portions of the line to the north and east as they were occupying and not included in the description in the old lease.

The CHAIRMAN. The new lease, while it assumed to enlarge the possible area covered by the old lease, being in fact limited to the land which they use, was less than was covered by the old lease. Is that correct? I do not know anything about it.

Mr. WALTERS. That would necessitate a measurement of each lot occupied by a house for their employers, and so forth. To be exact about the matter, you would have to measure the lines for each house.

The CHAIRMAN. I was speaking about your idea of it. The Senator got that impression from you.

Senator BROWN. I suppose the lease would be the best evidence anyway.

The CHAIRMAN. This matter came up before you came into the room, Senator BROWN. We thought we could get a better idea from him. Did first lease lease 20 acres absolute?

Mr. WALTERS. More or less.

The CHAIRMAN. It is described as follows:

> That portion of the north half of the northeast quarter of section 8 not covered by water, which contains 20 acres more or less.

It was a lease of all land of that description not covered by water, as I understand. Now, the new lease covers lot 3, section 8, lot 8, section 5, southwest of southeast, with this limitation:

> It is hereby covenanted and agreed by and between the parties hereto that this lease of such premises shall cover only such portion of the said tract of land as are now actually occupied by the part of the second part with their buildings, mills, and so forth.

That was the point you had in mind.

Senator LA FOLLETTE. Yes. Do they actually occupy with residences for their employees land outside of the described lands in the lease which they propose?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. But in the description which was proposed, or which was incorporated in the lease drawn by the office, you cover all of the land occupied by the milling company in any way?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. That limited the amount conveyed in the lease to just what they actually occupied, giving them no authority or control or right to occupy any other lands in the eighty on this side of that which they were actually using and occupying.

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. Would it be important, so far as another trader or other stores coming in here is concerned, that they should be located on the land occupied by this company and included in the 20-acre tract which they describe?

Mr. WALTERS. I do not so regard it.

Senator LA FOLLETTE. They could get access to the railroad station and a sidetracking there, could they not?

Mr. WALTERS. Yes, sir.

Senator LA FOLLETTE. Without going upon that 20 acres?

Mr. WALTERS. Yes, sir; the only point would be to remove it further from us here—further from the agency headquarters.

Senator LA FOLLETTE. It would not be so convenient for trading purposes from this side?

Mr. WALTERS. Not from this side.

Senator LA FOLLETTE. Have you had any trouble with this lumber company with respect to their furnishing power to light your buildings here?

Mr. WALTER. No, sir; no trouble, except they desired to withdraw their bid for the current year's supply.

Senator LA FOLLETTE. Did they decline to furnish you the light?

Mr. WALTER. Verbally they declined, but have not turned off the light.

Senator LA FOLLETTE. Did you have an agreement with them upon terms for furnishing the light for the next year?

Mr. WALTER. Yes, sir.

Senator LA FOLLETTE. Was it put in writing?

Mr. WALTER. It is.

Senator LA FOLLETTE. Submitted in the form of a proposition by the company?

Mr. WALTER. Yes, sir.

Senator LA FOLLETTE. Transmitted to the department?

Mr. WALTER. Yes.

Senator LA FOLLETTE. What took place after?

Mr. WALTER. Approval by the department of the expenditure of $900 for the year's supply of light.

Senator LA FOLLETTE. The department approved it?

Mr. WALTER. Yes.

Senator LA FOLLETTE. Were you notified by the company that they would not furnish the light at that price?

Mr. WALTER. Only by telephone.

Senator LA FOLLETTE. I understand—by telephone.

Mr. WALTER. This matter occurred while I was absent, and Mr. Sickles was present.

Senator LA FOLLETTE. You were so informed by Mr. Sickles?

Mr. WALTER. I was informed by Mr. Sickles.

The CHAIRMAN. Under date of July 29, 1908, I find a letter to Justus S. Stearns on the subject of license granted him as trader. What is there in regard to that matter?

Mr. WALTER. The original license here was given to Justus S. Stearns, formerly the proprietor and yet a partner with Fred Herrick in the Flambeau Lumber Company.

The CHAIRMAN. You recite here certain rules relating to the trading. Is this included in what was finally named in your three matters with this company?

Mr. WALTER. The only point we wish to make in this letter to Mr. Stearns is the fact that he was not on the grounds and carrying out the lease as required by the department.

The CHAIRMAN. Is this the gist of that matter, where you say, "I am informed that you do not give this your personal attention and do not reside on the reservation, in compliance with the requirement of the department that traders must actually carry on business themselves and habitually reside on the reservation"—do you understand that where a trading license is granted to a contractor covering this reservation, the man in whose name it is conducted, that it is expected that he will personally conduct the trading?

Mr. WALTER. Yes; I so understand it.

The CHAIRMAN. In whose name does the license at present stand?

Mr. WALTER. Fred Herrick's.

The CHAIRMAN. Does he personally conduct the store?

Mr. WALTER. He has personal supervision.

The CHAIRMAN. Is that the license that was formerly granted to Stearns?

Mr. WALTER. Yes, sir.

The CHAIRMAN. And it has passed from Stearns to Fred Herrick?

Mr. WALTER. Yes; in the renewal a year ago. That was the result of that letter.

The CHAIRMAN. And so that matter was adjusted by the transfer of the license?

Mr. WALTER. Yes, sir.

The CHAIRMAN. Now, the next here is noted as "Fire."

Mr. WALTER. That is simply a note that some of the Indians complained that Herrick's men allowed fire to destroy one of their buildings. It never was proven, and I don't know the exact facts in the case. I don't care to make any point of that letter. To explain further: Those notes are at all the Herrick letters, regardless of whether they are to be taken up or not.

The CHAIRMAN. We will set that aside, and if the Indian is here we will take it up.

Mr. WALTER. The Indian has died since.

The CHAIRMAN. How long ago did it occur?

Mr. WALTER. I think it occurred in the fall.

The CHAIRMAN. What fall—last fall?

Mr. WALTER. Yes, sir; I think that was the case—possibly in the spring—it occurred about the time I came, or else before I came.

The CHAIRMAN. Tenth of April is the date.

Mr. WALTER. It occurred in the spring before I came. The complaint was made shortly after I came.

The CHAIRMAN. Did you investigate the matter?

Mr. WALTER. As far as is was possible, and referred the matter to Mr. Herrick, and nothing was ever done about the case.

The CHAIRMAN. From your investigation, did you think the fire was set, or occurred through the carelessness of one of their men?

Mr. WALTER. I thought it was extemely doubtful.

The CHAIRMAN. The next is "Advances." What have you to say to that?

Mr. WALTER. That letter, I believe, refers to the fact that in the past advances were made direct through the agent and not through the officer in charge, as required by the contract, and we called upon the contractor to make thereafter all advances through this office.

The CHAIRMAN. And that request was complied with?

Mr. WALTER. Yes.

The CHAIRMAN. The next is of date August 12: "Kindly furnish me map or sketch showing exactly the tribal and other lands occupied by your mill, lumber, and so forth."

Mr. WALTER. This is following out the lease.

The CHAIRMAN. Preliminary to what you have given us on that?

Mr. WALTER. Yes, sir.

The CHAIRMAN. The next is "Fire," August 12, 1909.

Mr. WALTER. The same case, the second report.

The CHAIRMAN. This is the house that was burned April 10?

Mr. WALTER. Yes, sir.

The CHAIRMAN. The next is "Lease." That is simply where you present the copy of the lease by letter. The next is marked "Girls." That is marked "Unmailed." What did that relate to?

Mr. WALTER. The action of some of his employees in taking out some of our girls.

The CHAIRMAN. Were the employees white or Indians?

Mr. WALTER. White. They left the reservation before that was mailed. That is the only reason it was not mailed. They understood we expected to expel them from the reservation for their actions and got away before this letter was mailed.

The CHAIRMAN. Do you have much trouble of that kind?

Mr. WALTER. Yes; with both Indians and whites.

The CHAIRMAN. That is, with the girls from the school?

Mr. WALTER. Yes.

The CHAIRMAN. Can't you keep them off the school grounds?

Mr. WALTER. It doesn't happen at the school. It happens principally while they are at their homes.

The CHAIRMAN. These girls reside at their homes?

Mr. WALTER. Part of the time. They go home as soon as the school term is over and remain during the vacation of two months.

The CHAIRMAN. While the school is in session they reside at the school.

Mr. WALTER. Yes, sir.

The CHAIRMAN. Do you have any trouble then?

Mr. WALTER. Occasionally so.

The CHAIRMAN. Can't you keep the men off and the girls on the school property?

Mr. WALTER. We do as far as possible. To make this a matter of record, the only trouble we had was what took place just before we actually were here on the ground, that is, officially. The schoolboys or ex-schoolboys got into the habit of visiting the girls in the night through the windows. It was discovered and stopped.

The CHAIRMAN. Who was here then?

Mr. WALTER. It was while Mr. Sickles—just about the time of the transfer to Mr. Sickles. It was before I came here myself. I think it was before the actual taking charge.

The CHAIRMAN. Who was in charge at that time?

Mr. WALTER. Mr. Campbell.

The CHAIRMAN. Wasn't there anyone here personally in charge?

Mr. WALTER. A man by the name of Wright, acting farmer.

Senator LA FOLLETTE. Where did he live?

Mr. WALTER. In the house occupied by Mr. Egbert part of the time, and later in the edge of the town site here.

Senator LA FOLLETTE. Who was in charge of the Indian school buildings here?

Mr. WALTER. Mr. Wright.

Senator LA FOLLETTE. Who was in charge of the school building—but, of course, you said this occurred in the nighttime, and, of course, in the nighttime he occupied his residence.

Mr. WALTER. I believe he occupied at that time a room in the business building.

Senator LA FOLLETTE. Mr. Wright?

Mr. WALTER. Yes, sir.

Senator LA FOLLETTE. There was somebody here on the ground?

Mr. WALTER. Oh, yes.

Senator LA FOLLETTE. Have you had anything of that sort since Mr. Sickles took charge?

Mr. WALTER. Yes.

Senator LA FOLLETTE. Do you know from reference to any records here whether there had been trouble of that sort prior to this occasion of which you speak?

Mr. WALTER. I don't know.

Senator LA FOLLETTE. Do you know from rumors or statements?

Mr. WALTER. There have been rumors.

The CHAIRMAN. Who was in charge of the school before Sickles came? Wright wasn't running the school as farmer, was he?

Mr. WALTER. Yes; that was my understanding, that he was acting superintendent.

The CHAIRMAN. Of the school?

Mr. WALTER. Yes.

The CHAIRMAN. For any length of time?

Mr. WALTER. Perhaps the space of a month or so.

The CHAIRMAN. Before that who was in charge of the school?

Mr. WALTER. For three or four months there were two or three employees in charge of the school.

Senator LA FOLLETTE. What was their rank?

Mr. WALTER. Acting superintendent was their rank.

Senator LA FOLLETTE. What had they been before, if they had been employed before?

Mr. WALTER. Mr. Wright was additional farmer, the same position as Mr. Egbert. Mr. Vreeland was acting superintendent.

Senator LA FOLLETTE. When was that?

Mr. WALTER. After Superintendent Flynn left.

Senator LA FOLLETTE. Who was he?

Mr. WALTER. Superintendent in charge of the school for two or three years, under Major Campbell.

Senator LA FOLLETTE. Was he a teacher?

Mr. WALTER. Superintendent in charge of the school only. That was his title.

Senator LA FOLLETTE. Had he been a teacher?

Mr. WALTER. I don't know. I never met him but once. I knew very little of him except his record.

Senator LA FOLLETTE. What do you know of his record?

Mr. WALTER. Not very good.

The CHAIRMAN. Tell us; we don't want opinions, but facts.

Senator LA FOLLETTE. Give him a moment's time.

Mr. WALTER. His record here was that of a hard drinker.

Senator LA FOLLETTE. And he was here for about two years?

Mr. WALTER. I think so. I am only trusting to memory to fix the time.

Senator PAGE. Generally, more or less, was it good, as far as you know, outside of drinking?

Mr. WALTER. Outside of drinking, I have heard no charges specifically made.

Senator LA FOLLETTE. Do you understand from what you have learned since you came to the reservation that such things as occurred, occurred about the time or just before the transfer, had been under Mr. Flynn's control here?

Mr. WALTER. Under Mr. Flynn and Mr. Flynn's successor.

Senator LA FOLLETTE. Who was his immediate predecessor?

Mr. WALTER. I believe that Mr. Perry was his immediate predecessor. We have no records here to show such things. I have to trust to hearsay as to that.

Senator LA FOLLETTE. As to which one followed the other?

Mr. WALTER. As to which one followed the other. There was a Mr. Perry and a Mr. Parquet. There were two or three superintendents just ahead of Mr. Flynn, but which was first and which was last I don't remember.

Senator PAGE. Do you mean to say it would be possible for a boy or boys to climb into the window of a dormitory that was full or approximately full of girls and go around to a bed without being discovered or understood by the occupants of the room?

Mr. WALTER. It was understood and aided by the girls.

The CHAIRMAN. By whom?

Mr. WALTER. By the girls.

Senator PAGE. Didn't you have any other girls there that would report such a proceeding?

Mr. WALTER. No, sir.

Senator LA FOLLETTE. That is, of those who knew of it.

Senator PAGE. This is an open dormitory containing a dozen beds, perhaps?

Senator LA FOLLETTE. I don't know. How are the beds arranged?

Mr. WALTER. Containing thirty beds, perhaps.

Senator PAGE. It is hardly believable.

Senator LA FOLLETTE. It is simply the Indian characteristic not to tell on the other fellow. That is one of the hardest things we have to deal with, not only in schools, but in agency matters.

Senator PAGE. I should think their own morals would be involved.

Mr. WALTER. That is a matter that doesn't bother them. I doubt if any of the Indians on this reservation know what the word "morals" means.

Senator PAGE. Do they know what virtue means?

Mr. WALTER. I doubt it. Certainly not so far as practice is concerned.

The CHAIRMAN. I find a letter of September 5, 1908, addressed to the company. "I herewith inclose copy of a letter received from the Commissioner of Indian Affairs which will explain itself, and it is marked on these slips 'License.'" Have you any idea what it did relate to?

Mr. WALTER. Yes; it was one of the letters advising Mr. Herrick of the fact that he was not to consider himself as sole—or in sole control of the land under lease.

The CHAIRMAN. The next is "Mortgage—Albert."

Mr. WALTER. Mr. Hannan had some correspondence in regard to Carrie Albert's claim and the cutting of that, and I marked that for that reason.

The CHAIRMAN. Do you know what it relates to?

Mr. WALTER. She claimed to the department that her timber had not been cut, although the contract was 9 years old. It has since been cut. The mortgage that they had on the land outside was paid by the Flambeau Lumber Company under authority from the department—advance money.

The CHAIRMAN. "Regulations," September 14. I see that relates to the traders' license.

Mr. WALTER. Probably one of the Sickles letters following up the cutting of the price, possibly.

The CHAIRMAN. Yes; it relates to the prices.

Mr. WALTER. There are many letters in there covering the same general features.

The CHAIRMAN. You say the Albert mortgage was paid?

Mr. WALTER. Yes.

The CHAIRMAN. Is there any complaint that it ought not to have been paid—are all the parties satisfied?

Mr. WALTER. I think so.

The CHAIRMAN. The next in this book is marked "License" and refers to a bond and a statement as to the character of the clerks. Were those matters complied with?

Mr. WALTER. Yes.

The CHAIRMAN. Another letter of August 25, which relates evidently to joint ownership of Stearns and Herrick in the business and the transfer of the license.

Mr. WALTER. Yes.

The CHAIRMAN. September 9, 1908, marked "Advances on timber contracts direct to Indians by contractors." That, you say, was finally adjusted by having the advances made through the office?

Mr. WALTER. Made through the office.

The CHAIRMAN. You say this letter of September 2 related to the change of plan in making the advances, and the plan was changed so that they were made through the office?

Mr. WALTER. Yes, sir.

The CHAIRMAN. Now, the letter of September 28, marked "License," refers to the matter of the possible and probable location of another trader on the tract of land covered by their lease. "It is my wish in writing the new lease to insert the provision"—this, I take it, was previous to finally formulating this new lease?

Mr. WALTER. Yes.

The CHAIRMAN. And another of November 16, 1908, relative to the application of Fred Herrick for traders' license. That was addressed to the commissioner.

Mr. WALTER. That was to replace the Stearns license.

The CHAIRMAN. The next is November 13, 1908, marked "Pulp," addressed to Mr. Farr, superintendent of logging. What is there to that matter?

Mr. WALTER. As to our authority under the forestry regulations in regard to using the pulp by Indians? We have had several applications for permission to cut pulp both on lands contracted for and lands which had been contracted for and the contracts had expired, by the Indians.

The CHAIRMAN. This was a request to Superintendent Farr as to your authority in the matter?

Mr. WALTER. Yes.

The CHAIRMAN. Then again, on the 10th of December, you addressed a communication to Mr. Farr relative to cord wood, stumpage and spruce.

Mr. WALTER. The items which are not named on the contract, and following out the same idea. You see spruce is not mentioned in the contract with the Indians—between the company and the Indians. Our wish was to secure a market for that class of goods for the Indians.

The CHAIRMAN. This was rather in the nature of a request for information of authority?

Mr. WALTER. Yes.

The CHAIRMAN. The next is simply inclosing a letter from the Indian Office relative to the application for the traders' license. The next is December 22, inclosing the license as per their application and directing them to post notice showing the prices on at least twenty-five or thirty items; they must submit their original invoices together with freight bills, that the margin of profits must be within the limits prescribed by the regulations. The use of coupon books is prohibited.

Mr. WALTER. That was complied with so far as posting the notices was concerned. The other never has been.

The CHAIRMAN. I did understand that they finally ceased the coupon matter so far as the Indians are concerned.

Mr. WALTER. Yes; so far as the Indians were concerned, through this office.

The CHAIRMAN. The next letter is relative to authorizing the marketing of old wood and pulp.

Senator LA FOLLETTE. Right in that connection I would like to inquire whether they can deal with the Indians outside of this office, except such Indians as work for them, as a matter of fact?

Mr. WALTER. I doubt their——

Senator LA FOLLETTE. I am not speaking of their authority. Would the Indian have any other way of paying them or any way of buying these coupons except with their labor; would they have any money?

Mr. WALTER. No, sir.

Senator LA FOLLETTE. Would the Indians earn any money independently—do they earn any other than from this company?

Mr. WALTER. Yes; by berry picking, birch-bark work. That furnishes quite a number of Indians with a considerable amount of money.

Senator LA FOLLETTE. That is a matter that is not regulated at all through this office?

Mr. WALTER. No, sir.

Senator LA FOLLETTE. If they go outside and earn money, they can spend it as they please?

Mr. WALTER. Yes.

Senator LA FOLLETTE. They could buy coupons with it if they wished to, or use it in any way that they chose to?

Mr. WALTER. Yes. We aim to take control of the timber funds actually deposited in the bank, subject to our jurisdiction.

Senator LA FOLLETTE. Are Indians permitted to go off the reservation to earn money?

Mr. WALTER. Freely.

Senator LA FOLLETTE. They are free to go?

Mr. WALTER. In fact, we rather urge them to go than to stay.

The CHAIRMAN. The next is the letter of March 13, 1909, "Abuse of scaler." Letter addressed to Herrick by this office. What is there to that?

Mr. WALTER. Would you prefer to see the exact copies of that? I have the whole correspondence here, I think.

The CHAIRMAN. Just hand it to Senator La Follette while I read this.

Mr. COX. Have any contracts been made for the sale of spruce or cord wood which was not covered by the agreement?

Mr. WALTER. No. There may be an occasional cord or a few cords sold, but no contracts have been made.

Mr. COX. What is the policy on the allotments. To allow the Indians to sell that themselves, or must it go through the office?

Mr. WALTER. It must go through the office. It has been our policy to recognize the contract of the Flambeau Lumber Company as covering all timber, whether mentioned specifically in the contract or not, and until that contract expires we have never permitted Indians to sell cord wood or otherwise.

The CHAIRMAN. You addressed a letter here on the 13th of March to Herrick, in which you called attention to the fact that he met the scaler, Mr. Young, and indulged in some abuse and made some claims as to what kind of scale he was going to have. I suppose he will want to go into that.

Senator LA FOLLETTE. Perhaps you had better pass that over for the present and get through with this other subject.

The CHAIRMAN. On March 18, 1909, is a letter marked "Labor," addressed to Herrick, or to the company, rather, to the effect that they had been refusing work—refusing to give employment to the Indians. What is there to that?

Mr. WALTER. It is one of the stock complaints of the Indians, and usually emanates from the class of Indians that aren't steady workers.

The CHAIRMAN. What is your own judgment as to whether they are fair with the Indians who are willing to work—whether they deal fairly with them, taking the whole situation into account?

Mr. WALTER. I think they do, as far as my personal observation is concerned.

The CHAIRMAN. This is to the effect "that these fellows are young men, strong, and doubtless capable of rendering good service. They should be given an opportunity to work, even if it is necessary for you to dismiss some of your white labor." Did you know these men?

Mr. WALTER. I think probably that refers to one Charley Catfish

and one George Peterson, two young men. They are both at work at the mill at the present time.

The CHAIRMAN. Now, there is nothing further in this book, except the question of the scaling. This is a recital largely, I take it, of what Young told the witness, and I think the better way to get at it would be to put Mr. Young on the stand.

Senator LA FOLLETTE. Yes; I think so. This matter is concisely stated up to the point of warning by Superintendent Sickles to Mr. Herrick, in these two letters. Copy of letter which Mr. Young wrote to Mr. Campbell, entering complaint to Mr. Herrick's conduct and the way he has conducted the business of lumbering on this reservation, and the original of letter of Campbell to the superintendent here, transferring that complaint to the superintendent and making suggestions as to the course he should take, and two days later, copy of a letter of the superintendent here to Mr. Herrick, but no letter from Mr. Herrick. I think, perhaps, they make a concise statement of the situation.

The CHAIRMAN. Then they might as well be put into the record at this point.

Senator LA FOLLETTE. Yes; I think so.

ASHLAND, WIS., *March 11, 1909.*

Maj. S. W. CAMPBELL,
Superintendent and Special Disbursing Agent, Ashland, Wis.

SIR: I have just returned from a trip to the Lac du Flambeau Indian Reservation.

On March 9 I went to the landing at John McElrone's camp (where the logs that are cut from the swamp land on Sec. 10, T. 41, R. 5 are landed) to check up the scale and, just as I had got through scaling, Fred Herrick (one of the contractors for this timber) drove onto the landing and commenced one of the most profane and abusive tirades against all of the government officers in any way connected with the sale, cutting, or scaling of timber on Indian reservations that I have ever heard. He said, in the presence of his foreman, George Ennis, the landing crew, and the scaler, Mr. Pat Plunkett, "They are a lot of G—— d—— robbers and thieves, and all they do is to sit in their offices and make rules and regulations to rob and steal from the contractors."

The scale rule only gives the following lengths for logs: 12, 14, 16, 18, 20, 22, and 24 feet. But to avoid bad crooks and to save the valuable pines, logs 6, 8, and 10 feet are hauled to the landing and scaled, which is the universal custom among lumbermen; logs are also cut on the even numbered feet, from 26 to 44 feet in length.

Mr. Herrick told the scaler, in my presence, and in the presence of others, that the scale rule gave nothing below 12 feet long, and he proposed to have all 6, 8, and 10-foot logs marked "cull," and no scale should be allowed for them. He did not say anything about logs that were cut 26 feet long and up, but from what he said to the scaler about him not having any right to scale logs of different length than given on the scale rule, these longer logs would also have to be culled, according to his statement.

He also said that he was paying $13 a thousand stumpage for this timber, and he did not propose to pay for such stuff.

Mr. Herrick knows very well that he is getting fair, honorable, and honest treatment from the Government in his logging operations, and all of his profane and vile talk is all bluff. And I think it high time that he was called to a halt, for it must be very disagreeable and humiliating to the scaler, and certainly is to me, to have to stand in the presence of the whole crew and take such abuse, and I hope that you will take this matter up at your earliest convenience and see if there can not a stop be put to these disgraceful and unlawful proceedings.

Yours, respectfully,

THEO. F. YOUNG,
Scale Inspector.

DEPARTMENT OF THE INTERIOR,
INDIAN SCHOOL SERVICE,
La Pointe Indian Agency, Ashland, March 11, 1909.

Mr. W. N. SICKELS,
Superintendent Lac du Flambeau School,
Lac du Flambeau, Wis.

SIR: I am inclosing you a copy of a report from Theodore F. Young, scale inspector, who has just returned from your reservation. The report fully explains itself.

Mr. Young's duties are to look after the scaling and the cutting of this timber, and that part, I will guarantee you, will be done according to any contract that you may have with Mr. Herrick, because, if any are left in the woods, he always goes over it in the spring when the snow is off and scales up all the merchantable timber that is left in the woods.

Mr. Herrick's conduct toward Mr. Young, at the time of this last visit, was what it should not have been, very ungentlemanly and very uncourteous, and, you might almost say, insulting. The object of it I do not know, but, if I were you, I would see if any green timber is being cut on tribal lands.

I do not know what his contract is, as I have never seen it, but I have been informed by Mr. Young that he looked it over when he was at your office lately and that his contract is to cut the burned timber; so if I were in your place, I would take a trip out there to the camp every day or so and see what kind of timber they are cutting, whether it is burned or not, and if he is cutting the kind of timber that he has made a contract for. That part of the work falls upon you, and will be between you and him.

I am sending a copy of this letter to the Forester at Washington, and he may give him some instructions in regard to it.

I do not know whether the State has any interest in this matter or not; if it has, Mr. Moody, or the state forester, will be a good man to come up and look the matter over.

Respectfully,

S. W. CAMPBELL,
Superintendent and Special Disbursing Agent.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
LAC DU FLAMBEAU SCHOOL AND AGENCY,
Lac du Flambeau, Wis., March 13, 1909.

Mr. FRED HERRICK, *City.*

SIR: I am in receipt of a copy of a written report made by Theo. F. Young, government scale inspector, to Superintendent Campbell, in which he states that on March 9, while he was at one of your logging camps, conducted by John McElrone, where logs being cut from section 10 are landed, to which place he had gone for purpose of checking over the scaling, that you drove into the landing and commenced a very profane and abusive tirade against all government officers connected with the sale, cutting, and scaling of timber on Indian reservations, amongst other things making the statement that "They are a lot of G—— d—— robbers and thieves, and all they do is to sit in their offices and make rules and regulations to rob and steal from the contractors." Also that you told the scaler in his presence that you proposed to have all 6, 8, and 10 foot logs marked "cull," and that no scale should be allowed for them; that you were paying $13 per thousand stumpage for the timber and did not propose to pay for such stuff, etc.

Mr. Young also made the same report to me verbally concerning your actions, intimating that your abuse of the scaler and himself was undoubtedly for the purpose of intimidation prompted by a desire to swerve them from their full duty in the matter of scaling logs and all merchantable parts thereof. He naturally felt pretty sore over having to take such abuse, which was very uncalled for. He also stated that you severely criticised the work of the scaler and abused him in the presence of your foreman and the working crew.

Mr. Young in his report states that such actions on your part are very "disagreeable and humiliating to the scaler and to myself," which is putting it very mildly. In my opinion it is nothing more or less than a damnable outrage, and it is a shame that self-respecting, decent people have to have dealings with you. However, the scaler and scale inspector are not in any way subservient to you

or your interests. Under the terms of your contract you have nothing whatever to do with the scaling of this timber or the appointment of scalers, and I will make it my business to see that the scalers fully understand this. I believe your foul-mouthed abuse of scalers and government officials will avail you nothing. You have been a lawbreaker, a disturber, and a violator of most rules and regulations in your dealings with the Indians on this reservation, and I believe I would be acting entirely within my authority if I should order you off the reservation, and I will warn you right now that the next complaint I receive concerning your conduct will cause me to lay matters fully before the department and ask special authority for your removal.

In reference to your contract for the timber on swamp lands, I wish to call your especial attention to section 3 of the logging rules in regard to the cutting of unburnt timber; also to sections 8 and 12 in regard to scaling and removing of all burnt timber that is merchantable, and to warn you that the time limit for removing it is very short.

Very respectfully,

W. N. SICKLES,
Superintendent.

Senator LA FOLLETTE. Was any written reply received from Mr. Herrick to this letter of Superintendent Sickles of March 13?

Mr. WALTER. I don't remember any such letter.

Senator LA FOLLETTE. If any such letter was received, you would have it here in the office?

Mr. WALTER. Yes.

Senator LA FOLLETTE. Have you any such letter here in your office?

Mr. WALTER. Not to my knowledge.

Senator LA FOLLETTE. Have you searched in the correspondence for it?

Mr. WALTER. Not especially for that point.

Senator LA FOLLETTE. These letters I find together here, and I judged you had dug these letters out of your files.

Mr. WALTER. They were in a separate compartment of the safe, purposely put there for that purpose.

Senator LA FOLLETTE. If any reply had been received, it would have been put there?

Mr. WALTER. My recollection is that Mr. Herrick only answered some portion of that on the phone.

Senator LA FOLLETTE. Some portion of the complaint contained in this letter of March 13 from Superintendent Sickles to him?

Mr. WALTER. Yes.

Senator LA FOLLETTE. State whether you have any difficulty in getting Mr. Herrick on record by correspondence as to your transactions through this office.

Mr. WALTER. Yes. There are many cases that we would prefer that he should put it in writing when he uses the phone instead.

Senator LA FOLLETTE. So it does not give you an opportunity to transmit it to Washington, the position he takes, except to quote it as having been said to you properly?

Mr. WALTER. Yes.

Senator LA FOLLETTE. Has he been requested at times to put in writing what he had to say on a subject?

Mr. WALTER. Yes.

Senator LA FOLLETTE. And declined to do so, or neglected to do so?

Mr. WALTER. Neglected to do so.

The CHAIRMAN. I suppose, in support of these letters, so far as they concern the transactions between Mr. Herrick and Mr. Young, Mr. Young should be called.

Senator LA FOLLETTE. I think so.

STATEMENT OF CHARLES H. HEADFLYER.

CHARLES H. HEADFLYER, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Mr. HEADFLYER. I live at Lac du Flambeau.

The CHAIRMAN. How long have you lived here?

Mr. HEADFLYER. I came here in 1892.

The CHAIRMAN. Have you an allotment here?

Mr. HEADFLYER. No, sir.

The CHAIRMAN. Have you an allotment anywhere?

Mr. HEADFLYER. Yes, sir.

The CHAIRMAN. Where?

Mr. HEADFLYER. At the Bad River Reservation.

The CHAIRMAN. Have you any complaint to make here? Do you want to tell us something?

Mr. HEADFLYER. I can answer your questions.

Senator LA FOLLETTE. Have you any land on this reservation?

Mr. HEADFLYER. My children have.

Senator LA FOLLETTE. Your children have land here?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. You are occupying that land, are you?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. State whether you are cultivating it or any portion of it.

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. How much have you under cultivation?

Mr. HEADFLYER. Well, 60 acres in two allotments.

Senator LA FOLLETTE. That is, under cultivation.

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. What crops do you raise?

Mr. HEADFLYER. Potatoes and grain and ruta-bagas.

Senator LA FOLLETTE. How many acres have you in crop this season?

Mr. HEADFLYER. Seven acres of potatoes, 4 acres of ruta-bagas, and 2 acres of millet.

Senator LA FOLLETTE. Did you raise a crop last year?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. How many bushels of potatoes did you raise?

Mr. HEADFLYER. Something like 600 bushels.

Senator LA FOLLETTE. What other crop did you raise last year?

Mr. HEADFLYER. Some grain and ruta-bagas.

Senator LA FOLLETTE. How productive is this land for farming purposes?

Mr. HEADFLYER. It is good land.

Senator LA FOLLETTE. How many bushels of potatoes to the acre?

Mr. HEADFLYER. Two or three hundred.

Senator LA FOLLETTE. What market do you find for your produce?

Mr. HEADFLYER. A very good market.

Senator LA FOLLETTE. Where?

Mr. HEADFLYER. Around here; around the camp here of the Flambeau Lumber Company; also residents around here.

Senator LA FOLLETTE. How much farming is done by the Indians on this reservation, if you know?

Mr. HEADFLYER. I don't know. I never go around where the Indians are. I don't think there is much done, but they ought to.

Senator LA FOLLETTE. Do you know from your own observation how much assistance is given to the Indians, to teach them farming, by the farmer here?

Mr. HEADFLYER. I don't believe there is any teaching at all.

Senator LA FOLLETTE. You have a store?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. On your land, is it?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. You carry a general stock of goods?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. You carry clothing?

Mr. HEADFLYER. Some.

Senator LA FOLLETTE. And groceries?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. And supplies?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. How far is your store located from the mill and the village here about the mill?

Mr. HEADFLYER. It is about 3 miles from the mill and about 6 miles from the village.

Senator LA FOLLETTE. Is there another village besides this collection of houses here about the school on the reservation?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. In which direction is that village located?

Mr. HEADFLYER. West from here.

Senator LA FOLLETTE. Then your store is about 3 miles east of here?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. So you are about 6 miles from the village?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. Have you ever sought to have your store located here at the mill?

Mr. HEADFLYER. No, sir; I had it once over at the Indian village.

Senator LA FOLLETTE. Did you remain there?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. For any time?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. How long?

Mr. HEADFLYER. Two years.

Senator LA FOLLETTE. Why did you move away from there?

Mr. HEADFLYER. Well, I had too much credit and I could not get any money. There was no money in circulation to pay for my goods, so I had to move away from there.

Senator LA FOLLETTE. Do you know whether the Indians could get orders on your store while you were located over there?

Mr. HEADFLYER. I suppose they could have if they wanted to, but I don't think they ever have.

Senator LA FOLLETTE. Did they get any?

Mr. HEADFLYER. No.

Senator LA FOLLETTE. Do you know whether they could or not?

Mr. HEADFLYER. I don't know.

Senator LA FOLLETTE. Do you know whether they applied?

Mr. HEADFLYER. No, sir.

Senator LA FOLLETTE. You know you got no orders through the office?

Mr. HEADFLYER. Only one this spring; a $5 order.

Senator LA FOLLETTE. This spring?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. That is the only one you have ever had?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. That was since Mr. Sickles became superintendent here?

Mr. HEADFLYER. Yes.

Senator LA FOLLETTE. Do you know the prices at which Herrick's store furnishes supplies and goods to the Indians?

Mr. HEADFLYER. No, sir.

Senator LA FOLLETTE. Or to the people here?

Mr. HEADFLYER. No, sir. All I know is my own prices.

Senator LA FOLLETTE. Then you don't know whether your prices are lower than the prices at which they sell?

Mr. HEADFLYER. A little lower.

Senator LA FOLLETTE. How do you know that?

Mr. HEADFLYER. When flour was $1.90 I was selling it at $1.80.

Senator LA FOLLETTE. When they were selling flour at $1.90 you were selling it at $1.80?

Mr. HEADFLYER. Yes, sir.

Senator LA FOLLETTE. Do you know their prices on any other supplies?

Mr. HEADFLYER. Pork was selling for 16 cents, and I sold it for 14½ cents in order to get the trade. When they sold 16 pounds of sugar for $1 I sold 17 pounds for a dollar. When they sold potatoes at 80 cents a bushel I sold them at 65 cents a bushel.

Senator LA FOLLETTE. State whether you were making a profit and could afford to sell at those prices.

Mr. HEADFLYER. The potatoes I raised and sold. That is a good price.

Senator LA FOLLETTE. How about the other articles which you have mentioned; were you making a fair profit?

Mr. HEADFLYER. On the pork I made 2 cents a pound; on flour I made 75 cents on a barrel, and the sugar I paid 5¾ wholesale, and I got 6¾.

Senator LA FOLLETTE. Is that a fair profit?

Mr. HEADFLYER. I can live on that.

Senator LA FOLLETTE. Have you any other statement to make for the information of the committee? We are here to investigate the conditions on the reservation, and we would like to have you make it.

Mr. HEADFLYER. I can answer questions.

Senator LA FOLLETTE. Does any other member of the committee wish to ask anything. That is all for the present. That is all I can think of, but you may remain here or come back this afternoon. Something may occur that we would like to ask you about.

The CHAIRMAN. The committee will now take a recess.

(Thereupon, at 12.30 p. m., a recess was taken until 1.30 p. m.)

AFTER RECESS.

(The committee convened at 1.30 p. m.)

STATEMENT OF THEODORE F. YOUNG.

THEODORE F. YOUNG, a government scaler, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You are in the government employ?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. In the capacity of scaler and sawing?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. Do you know Frederick Herrick?

Mr. YOUNG. Yes.

The CHAIRMAN. Do you know where John McElrone's camp was last winter or spring?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. Were you there early in March?

Mr. YOUNG. I presume so. I was there every month. I can't remember the exact dates.

The CHAIRMAN. Do you remember the time you were there and Fred Herrick drove on to the landing?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. Now, you may tell us what occurred.

Mr. YOUNG. Well, I come across from Jimmy Briggs's camp, about 3 miles; it was a terrible day, a sort of blizzard. I had been on the landing, and I commenced to scale logs there, and Mr. George Ennis, the walking boss, came down, and he came up to me and said that Mr. Herrick—they had a telephone up to that camp from down here—and he said Mr. Herrick telephoned up to him to tell me that he would be there at 1 o'clock. I said: "It don't make much difference to me what time he comes." We had just got through scaling on the landing, and I started to go up to the camp to dinner, and I got perhaps 20 or 30 rods, and he and his driver come down. They brought some supplies out on the sled, he said, so he came along with the tow team, and he said to me: "Come on back here to the landing; I want to see you." Well, I went back to the landing, and the men had gone up to the little brush shack they had in the brush where they kept a fire up there, and there was no one but the driver and Mr. Herrick and myself on the landing, and he commenced to swear about the timber—the quality of the timber—do you want the profanity?

The CHAIRMAN. No.

Mr. YOUNG (continuing). He said it wasn't worth while, some of that timber, and we had a little argument there, and I didn't say much to him. He did most of the talking, and he said that we were a lot of thieves and robbers, and he drove right by this little shack, where the scaler was, and called the scaler out and wanted to know what authority he had for scaling 6-foot pieces; that is, broken pieces, where trees would break in falling; and the scaler told him that the authority he had was the custom—that it was customary to do that, to scale 6 and 8 and 10 foot pieces. He said that there was no such thing on the scale rule, and he didn't propose to have that

scale, and I told him he would have that scale; and that is about all that happened at the time. I made a report.

The CHAIRMAN. What did he want done with those pieces less than 12 feet?

Mr. YOUNG. He called them worthless—said they were not worth anything. He said they ought to be left in the woods; that he had a losing contract at it anyhow; that the contract expired at the close of the logging season. He wanted to know "how you are going to scale a 6-foot piece," and I said to take a 12-foot piece and then take half; to scale an 8-foot piece, take the scale for a 16-foot piece and take one-half, and for a 10-foot piece, take the scale for 20 foot and it would be half of that.

The CHAIRMAN. There was no trouble in doing that?

Mr. YOUNG. No trouble whatever, and it was the custom.

The CHAIRMAN. You made a report of the transaction to Major Campbell?

Mr. YOUNG. Yes, sir.

The CHAIRMAN. So far as you know, have these short pieces been scaled?

Mr. YOUNG. Yes, sir; every one of them, and he could see the scale mark on them there, and he said we had no business scaling them. He told me that. There was some logs I called his attention to, one log especially, and he said that log wasn't worth anything. It was pretty rotten at one end, and if it had been as rotten at the other end perhaps it would have gone in the cull. The other end was white and smooth and sound. I told him that log was entitled to a scale of 50 per cent, which it had.

Senator LA FOLLETTE. How long have you been in your present position?

Mr. YOUNG. It will be five years the 1st day of December.

Senator LA FOLLETTE. And had you been in the service of the Indian Department or the Indian Office prior to that time?

Mr. YOUNG. Well, I was down here and looked over the 16 allotments for you folks to give my opinion as to what the timber was allotments for you folks to give my opinion as to what the timber worth—to look up the logging chances.

Senator LA FOLLETTE. That was before that?

Mr. YOUNG. Yes; that was in November, just about in October——

Senator LA FOLLETTE. Was that your first service?

Mr. YOUNG. In the Indian Service; yes, sir.

Senator LA FOLLETTE. What had you been doing before that?

Mr. YOUNG. I had been looking land. Having charge of land and in the employ of the Omaha Railroad Company for years.

Senator LA FOLLETTE. The Omaha Railroad Company?

Mr. YOUNG. Yes, sir; had charge of their timbers and lands. Looking timber and selling it, fixing the price on it and scaling up trespass.

Senator LA FOLLETTE. And before that what had you been doing?

Mr. YOUNG. Well, I commenced work with them in 1887. Before that time I worked in a sawmill and did a little work in the woods one winter. I lived down on my farm six years after I was married. I was married in 1874 and I lived on the farm six years, and I was elected register of deeds at that time, and then I went——

Senator LA FOLLETTE. How long were you register of deeds?

Mr. YOUNG. Four years. And then, some years after that, I was sheriff two years, and then I was——

Senator LA FOLLETTE. How long were you in the sheriff's office?

Mr. YOUNG. Two years.

Senator LA FOLLETTE. As sheriff?

Mr. YOUNG. Yes, sir.

Senator LA FOLLETTE. Were you connected with the sheriff's office in any other capacity?

Mr. YOUNG. Yes; I was deputy sheriff—not deputy sheriff—yes, deputy sheriff for Major Campbell when he was sheriff. I lived right across the street from the court-house.

Senator LA FOLLETTE. How long were you undersheriff or deputy sheriff?

Mr. YOUNG. Two years—that is, I didn't work at that continuously. It would be at court time and whenever I had time. If I was at home and he had something to do, it would be by the day.

Senator LA FOLLETTE. Who was undersheriff when you were sheriff?

Mr. YOUNG. A Norwegian boy that lived in Baldwin by the name of Erickson, most of the time. Then he went to Minneapolis and I had other fellows. My brother-in-law, A. D. Richardson, was undersheriff but the signing of papers. He worked whenever I wasn't there and there was anything to do he went to do it. He lived right there in Hudson.

Senator LA FOLLETTE. What is your profession or calling?

Mr. YOUNG. I am called a scale inspector. That is the way I sign.

Senator LA FOLLETTE. A scale inspector?

Mr. YOUNG. Yes.

Senator LA FOLLETTE. In that work you have a sort of supervision, do you, of their scaling, going over their work?

Mr. YOUNG. Yes, sir.

Senator LA FOLLETTE. Whose work do you examine?

Mr. YOUNG. All the scalers—all the different scalers.

Senator LA FOLLETTE. That is, the scalers of the lumber companies?

Mr. YOUNG. No; the lumber companies don't have any scalers. That is, a scaler is agreed upon between the agent and the company, the men that make the scale reports, that keep the books.

Senator LA FOLLETTE. In your work, when you find in checking over their work—do you sometimes find that their scale is not correct?

Mr. YOUNG. Yes, sir; I do sometimes.

Senator LA FOLLETTE. What do you do when you find their scale is not correct?

Mr. YOUNG. I find it sometimes on the logging—taking a bad log, for instance. It is a matter of judgment, largely, a defective log. Suppose he would scale up as defective a dozen of the logs in a batch, and if I found that my scale on a dozen—I would never condemn a scaler on one log—if I found in my scale on a dozen logs that his scale came very near, well, I would think that our judgment was about the same on it.

Senator LA FOLLETTE. Suppose you found substantial differences between your scale and that of the scaler?

Mr. YOUNG. I get the scaler and go back and look at the log and we talk it over and see if we can agree. I never with these old

scalers who have been scaling for years—I haven't any in mind—but if there is too much difference and we could not reconcile it, and we could not agree, we dismiss the scaler, which we have done if we thought they were not scaling correctly. In fact, the scaling keeps getting close and closer and close all the time.

Senator LA FOLLETTE. You find less difference than you did in the past?

Mr. YOUNG. No; I mean that logs are scaled for more. Logs that they mark "cull."

Senator LA FOLLETTE. As they become more valuable?

Mr. YOUNG. Yes, sir; and they work them out closer, work out the short pieces. You were asking me what my life had been. I think what may have started me into this cruising and what little experience I have had in the lumber business, in the early days my folks—there was some little talk of making a surveyor of me, and George Strong, our surveyor, he wanted me—he was out in our part of the country and I had helped him considerably. I worked with him two years and that gave me something of the idea of land looking and surveying. I got a little interested in these government surveys that way, although I was only a boy, and after a couple of years went in and remained then.

Senator LA FOLLETTE. What is your age?

Mr. YOUNG. I am 53 years old.

Senator LA FOLLETTE. With reference to any differences which you find, or which you have found from time to time in cases where you have dismissed scalers or recommended their dismissal, will you state whether that has occurred recently?

Mr. YOUNG. No, sir; it has not. I don't know that it has ever occurred but once that I call to mind now.

Senator LA FOLLETTE. In what case was that?

Mr. YOUNG. That was in a case up on the Bad River Reservation of a man named McDonald.

Senator LA FOLLETTE. Will you name the scalers employed on the different agencies whose work you inspect—can you name them?

Mr. YOUNG. Take the Lac du Flambeau Reservation, Pat Plunkett and N. B. Pantenaude. They are the two scalers. That is all there are now. Do you mean all that they have ever had since I have been here?

Senator LA FOLLETTE. Who are the scalers at work now?

Mr. YOUNG. At Bad River Reservation, P. C. Peterson, George Dehate, and John Swinson, and Ed Keilty.

Senator LA FOLLETTE. They are on the Bad River Reservation?

Mr. YOUNG. Yes. On the Lac Courte d'Oreilles there is not anyone scaling now, but Arthur Bateman scaled there what little they have put in there this summer. Ernest Bateman has scaled perhaps 75,000.

Senator LA FOLLETTE. They are the only scalers?

Mr. YOUNG. Yes, sir. They haven't been doing anything. Cut probably only 100,000 all summer.

Senator LA FOLLETTE. Are there any other reservations?

Mr. YOUNG. No other reservations that I have anything to do with. On the others there is nothing going on.

Senator LA FOLLETTE. Did you have a scaler at work on the Bad River Reservation named Rodman at one time?

Mr. YOUNG. Yes, sir.

Senator LA FOLLETTE. How long did he scale there—how long was he employed in that capacity?

Mr. YOUNG. I should guess for two months.

Senator LA FOLLETTE. Not longer than that?

Mr. YOUNG. Well, it may be two months and a half.

Senator LA FOLLETTE. When was that?

Mr. YOUNG. That is this last winter.

Senator LA FOLLETTE. This last winter?

Mr. YOUNG. Yes, sir.

Senator LA FOLLETTE. Is he the man that had held some other position before that?

Mr. YOUNG. He had been government farmer some years ago down at Lac Courte d'Oreilles Reservation. I understood that. I never knew him until I saw him at that camp.

Senator LA FOLLETTE. Do you know why he was dismissed as government farmer from Lac Courte d'Oreilles Reservation?

Mr. YOUNG. I do not.

Senator LA FOLLETTE. Wasn't it on account of drunkenness?

Mr. YOUNG. I understood that he was a prettey hard drinker; but I didn't know that was the charges.

Senator LA FOLLETTE. Didn't you know that he was a hard drinker when he was scaling on the Bad River Reservation?

Mr. YOUNG. No, sir.

Senator LA FOLLETTE. Wasn't he drunk most of the time while he was there employed last winter in that capacity?

Mr. YOUNG. No, sir. I guess he got drinking at the last end pretty hard. I think so.

Senator LA FOLLETTE. Didn't he drink all the time?

Mr. YOUNG. No; I think not.

Senator LA FOLLETTE. Wasn't he an habitual drunkard?

Mr. YOUNG. Not that I know of. I never saw him.

Senator LA FOLLETTE. Didn't you see him sometimes, when you were called there to go over his work, when he was in an intoxicated condition?

Mr. YOUNG. No, sir; never.

Senator LA FOLLETTE. Why was he dismissed?

Mr. YOUNG. He wasn't dismissed. He finished the logging.

Senator LA FOLLETTE. Then he was retained there as long as the logging lasted last winter, was he?

Mr. YOUNG. Yes, sir.

Senator LA FOLLETTE. And you say he was drinking pretty hard along toward the last?

Mr. YOUNG. I guess it was three or four days, perhaps a week, before the logging closed down that some one at Odanah—I can't recall the name—says that "John Stone was looking for you up at Ashland Sunday, and said he wanted a scaler and a cook." John Stone was the man who was doing the logging, and I said I didn't have anything to do with the cook; that I didn't know what he wanted a cook of me for. Somebody told me after that that Rodman got to tippling pretty heavy.

Senator LA FOLLETTE. Is he a brother of the Rodman who is employed in the office at Ashland?

Mr. YOUNG. I understand so.

Senator LA FOLLETTE. How long has that man been employed there?

Mr. YOUNG. Who?

Senator LA FOLLETTE. Mr. Rodman, at Ashland.

Mr. YOUNG. I don't know.

Senator LA FOLLETTE. A good many years?

Mr. YOUNG. It seems to me I heard some one say he had been there twenty years.

Senator LA FOLLETTE. What is his position there? Is he chief clerk?

Mr. YOUNG. I have heard him called chief clerk. I don't know, I am sure, what he is.

Senator LA FOLLETTE. Have you received orders in your scaling or in your supervision of scaling, when you found differences between your scale and that which had been made by the scaler on the ground, not to say anything to the scaler or anyone in charge about it?

Mr. YOUNG. No, sir; I never received any such orders from anyone.

Senator LA FOLLETTE. And to report the matter to Superintendent Campbell?

Mr. YOUNG. No, sir.

Senator LA FOLLETTE. But not to disclose it to the party who was doing the scaling?

Mr. YOUNG. No, sir.

Senator LA FOLLETTE. You have had no such directions from anyone?

Mr. YOUNG. No, sir.

Senator LA FOLLETTE. And no such rule or regulation has been in force?

Mr. YOUNG. No rule or regulation was ever laid down for me by anybody. I asked about it quite a number of times of Mr. Farr. I never got any except on the scaling of small logs; that is, less than 6 inches in diameter.

Senator LA FOLLETTE. Did you have any supervision of the scaling on any other reservation than those you have named at any time?

Mr. YOUNG. No, sir; I never was on an Indian reservation until I came here.

Senator LA FOLLETTE. I don't mean prior to your going into the service in this position five years ago. I got the impression from talking with somebody that you had done some supervisory work on other reservations.

Mr. YOUNG. No, sir.

Senator LA FOLLETTE. Not recently, but a year or two ago, other than Lac du Flambeau, Bad River, and Lac Courte d'Oreilles.

Mr. YOUNG. Do you mean while I have been in the service, if I have been outside of these three reservations?

Senator LA FOLLETTE. I mean have you done any supervising on other reservations than those you have named?

Mr. YOUNG. No, sir; I haven't done anything of the kind. I have looked over some Indian allotments where there was a trespass and some work not on any reservation. If I could make some statement as to Mr. Rodman's work——

Senator LA FOLLETTE. You can make any statement you wish.

Mr. YOUNG. We had two scalers employed down at White & Stone's camp, and Mr. Rodman was camp clerk.

Senator LA FOLLETTE. What is his first name?

Mr. YOUNG. Nat, they called him. I don't know what his initials are. He was keeping books there, and the first time I went to the camp I thought he looked like Rodman—I had never seen him—and I asked if this was Mr. Rodman, and he said it was.

Senator LA FOLLETTE. Go right ahead.

Mr. YOUNG. I said, "I have heard of you a good many times, and I could see the resemblance between you and your brother." He just came into the office. We had a man by the name of Brown there, and Brown got sick and went home at Christmas time, and they asked me—I had understood that Mr. Rodman was a fine scaler, an educated man, and he was there keeping books and seemed as straight as could be. I didn't understand that he was drinking a drop. Well, Mr. Brown——

Senator LA FOLLETTE. Where was this?

Mr. YOUNG. At White & Stone's camp, where Rodman scaled all the scaling he did. There were two other scalers. He wasn't engaged to scale at that camp in the first place. Then the scaler got sick, that is why he come to scale. We had 35 scalers up there and 2 here, and it was a hard matter to get competent scalers. We got several, we were obliged, or we didn't have any other scalers—we got three, at least three or four scalers that we got we found out that they could not fill the bill at all. We were awfully hard up for scalers to scale all that immense amount of timber. When Mr. Brown, of Iron River, got sick and had to go home, the only thing—we didn't want to stop, and Mr. Rodman was there, and he scaled a day or so—I didn't know who it was—for a week, until Mr. Brown came back and took his place. I don't think I was to the camp in the meantime—but when I came back again Brown was there, but he soon got sick and went home again, and I have given out general instructions that if a scaler gets sick or he gets a leg broken or any of his folks get sick and he has to leave, if there is a telegraph station handy to send me a telegram—we have had some such cases—and we would see if we could not get some competent man to go on the ground. They could not find Major Campbell or Mr. Baker or anybody else to put some good man to work, and doing the best they could to keep the thing going—to keep the camp from shutting down—that is, I would not try to do it; I tried to do as I would be done by in their case—that is why Mr. Rodman come to go to scaling. I will say that I had on the Bad River Reservation two assistants, and for six weeks I had three assistants. That is, there was four of us, but I had to do the heft of all the correspondence that was done there.

Senator LA FOLLETTE. How often did you see Mr. Rodman while he was scaling there two months and a half?

Mr. YOUNG. That was just what I was going to say. I didn't get around to the camps only seldom. I presume I may have seen him three times, but I don't think I saw him but twice.

Senator LA FOLLETTE. During the two months——

Mr. YOUNG. I had to come on to this reservation and down on the Lac Courte d'Oreilles, and had all the work, and then put in the rest of my time hunting scalers, working day and night and Sundays.

Senator LA FOLLETTE. You saw him only twice during the two and one-half months that he was working there scaling?

Mr. YOUNG. Not every time I was there; yes, sir. It took any of the assistants I had one month to go around the reservation. They would go around the reservation, and it would take a man a month if he worked pretty steady. If he didn't do anything but go from camp to camp and was not responsible for the correspondence, it would take a month to go around those 30 camps. He had to make a camp every day, and some of the camps had as high as three scalers. I will say now, Senator, while I think of it, at this time they were telephoning for a cook and a scaler, and as word was brought to me—Mr. William FARR I think told me that he was there and that Rodman was pretty well in liquor. Well, I think that was Sunday, and I think it was Monday morning that I got this telegram. I said, "I will get a scaler and go right up there." Well, I had just gone to Odanah, and Mr. Ed Masseuer (?) was there, and he said, "I am going straight to that camp to-day." I had another place I was going, and he was going back that night. I was going back to Odanah. He said he would be back on the evening train that night, or the next morning. I was to see him and see what condition things were in, and he told me that night that he guessed Rodman had been drinking pretty hard, but they only had two or three more days' work, a very short job to finish up, and he was all right then and scaling, and he knew we were awfully busy and almost impossible to get men, and he said he was all right and the contractors weren't finding any fault with him at all. This was a jobber's camp, and the men were putting the logs in by the thousand. He was keeping books for them, and I thought by that that as long as they were satisfied that there wasn't——

Senator LA FOLLETTE. As long as they weren't making any complaint?

Mr. YOUNG. I was going to say their interest was the same as ours; I mean, rather, that my interest was to get as near as I could, and I always tried to tell the scalers to scale just as near right as they would if they were measuring lumber for themselves. That is what Major Campbell instructed me and the men to do, and I would have done it whether I had any instructions or not. So he finished up the scaling there.

The CHAIRMAN. Who selects the scaler on the part of the Government or Indians?

Mr. YOUNG. The contract reads that the scaler has to be mutually selected.

The CHAIRMAN. Who selects him on the part of the Government?

Mr. YOUNG. Major Campbell. The contract says between the agent and the contractors.

The CHAIRMAN. In this case of Rodman, as I understand it, you put him to work, did you?

Mr. YOUNG. He put himself to work; that is, they put him to work down at the camp because the other man was sick and went home.

The CHAIRMAN. You knew he was working?

Mr. YOUNG. I didn't until I went there or somebody notified me. I think when I went there Mr. Brown was back again.

The CHAIRMAN. Did you take it up with the major?

Mr. YOUNG. Yes. He said that he had been keeping these books for three years, and he guessed it was all right.

The CHAIRMAN. In matters of scaling, if there is any difference, who would you have above you, the major or Mr. Farr?

Mr. YOUNG. Mr. Farr, I think, although I make my reports to the major.

The CHAIRMAN. I just wanted to get at the system here.

Mr. YOUNG. Yes, sir; to the major.

The CHAIRMAN. That is all.

Senator LA FOLLETTE. That is all.

Mr. YOUNG. I think I said there was one scaler discharged. There were two. There was one discharged last winter.

(At this point, at the suggestion of Senator La Follette, Mr. Obern read the following communication addressed to the committee:)

LAC DU FLAMBEAU, WIS.,
September 25, 1909.

To the HONORABLE:

We, the undersigned members of the Lac du Flambeau band of Chippewa Indians, under La Pointe Agency, at Ashland, Wis., having knowledge of many intolerable and indefensive abuses, do hereby respectfully petition the Commissioner of Indian Affairs to secure for us at earliest possible moment the change of the conduct of the affairs in our reservation at Lac du Flambeau, in charge of William J. Egbert, government farmer, and under W. N. Sickles as Indian agent at Lac du Flambeau, in the State of Wisconsin, as grounds for their prayer cite the following conditions:

CHARGES.

That under several timber contracts made by and between the individual members of the said band and the Flambeau Lumber Company, one of its provisions being that the said Flambeau Lumber Company, party of the second part, also agrees to pay to the said Indian agent, as aforesaid, the sum of $50 (fifty dollars), on the signing and delivery of this contract, and after its approval by the Commissioner of Indian Affairs, and to pay annually, beginning one year from date of this contract until such timber is cut and removed from the said land, the sum equal to 5 per cent of the contract price of the said timber upon an estimate to be made by some competent estimater to be agreed upon between the said second parties and the Indian agent of such agency, and such payments to apply on such purchase price and to be deducted from the price of the timber when cut and removed, as aforesaid.

That our interest in the several individual contracts are being disregarded and disrespected, although under the care and protection of Government Farmer W. J. Egbert and Agent W. N. Sickles; that they seem to be the agents of Flambeau Lumber Company rather than that of the protector and agent of the Lac du Flambeau Chippewa Indians.

That the Flambeau Lumber Company, while operating on the reservation, have also a large general store and the only store on the reservation.

That first payments of the $50 (fifty dollars) on the signing and delivery of the contracts is made in installments to exceed $10 in coupon and in many instances only three or four $10 coupons are issued in satisfaction for the said $50 and good only at Flambeau Lumber Company store.

That the payment annually of a sum equal to 5 per cent of the contract price timber, beginning one year from date of the contract, are most in every instance, not being paid at all.

That under the rules of former Commissioner of Indian Affairs W. A. Jones, instructing or acting Indian agent to limiting the payments to $10 per month, is in many instances not made monthly, but paid $10 in two or three months.

That while individual moneys are being held in trust by the Indian agent and payments of the same passing through the hands of the government farmer and stated by him that the balance thereof is $25 and upward, many individuals are informed by the said government farmer, upon the latter inquiring thereof in due times, that their moneys are all gone.

That in the trades and barters between individual members of the Lac du Flambeau band of Indians the farmer in charge, W. J. Egbert, is ever ready

to interfere and demand the payments be made to him, and said tradings—for instance, in purchase of an Indian pony—and cash is offered therefor, the farmer has demanded and excepted that the payment be made to him, in disregard of the Indians making the sale, and after doling it out to him in orders in company store.

We want to know where the money is from the sale of timbers on the additional fraction pieces of land bordering on the banks of lakes, which we, undersigned, of this reservation, gave permission to be cut and the money to be placed in a fund for the Indians, but we are unable to find out where it is and how much there is, if any.

And where is the money for timber cut on unallotted lands?

We want to know why Flambeau Lumber Company do not live to their contract they made with us Indians? We were to be paid in cash for our timber; instead we are given orders, good only at this Flambeau Lumber Company's store, and have to trade it all out at once, and charged outrageous prices for everything we get at this company's store.

We are not given our draft, but instead we are made to sign them, but we are given a slip of paper or order on the store.

We are not given any interest on our money that is being kept in banks for each Indian. We would like to know why we do not get interest on our money and why the government surveys have been changed. Why is it that we can not allot the so-called "swamp land?" But the Flambeau Lumber Company do cut timber on said swamp land. There are a lot of Indians here who have not taken up any land yet and would take up the said swamp or state land if they could.

We want to do away with this burning up the tree tops after the timber is cut, as it ruins all standing trees that we want to save. We want to know what becomes of the money that is supposed to be paid by the Flambeau Lumber Company for the rent of land where the mill and lumber yards stand, and money paid for the use of water that is dammed. We were to receive rent for those leases, and on Little Trout Lake our agent leased our land to some white men for a summer resort, who have dug ditches from lake to lake for their own use, and we have never received any money from this party, who is building up a village of his own on our lands.

We want to know what kind of a deal our former agent, S. W. Campbell, made with this party. They are also cutting down our timber for their own use without our consent.

We beg careful investigation.

Signed this 25th day of September, A. D. 1909.

NE GA-NI GI JIG (his x mark),
Chief.
ME DWE AI SUNG (his x mark),
Speaker.
NA WA KWE (x),
JAMES GRAY (x),
OZA WA SHO GE ZIG (x),
BI ZHI KEANS (x),
NE NA E GWAN (x),
OGI SHI OSH (x),
JAMES SCOTT, SR. (x),
JOSEPH SHODAMO, JR.
JACK DOUD, SR. (x),
ODA-BA-SI-GI-JIG (x),
JOHN WHITEFEATHER,
Executive Committee.

Senator LA FOLLETTE. Had we not better take up the first charge in regard to their not getting the $50 due on the delivery of the contract? Who is there here who claims that he has not got that?

Mr. OBERN. Here is one man.

Senator LA FOLLETTE. I think that Mr. FARR had better be sworn now, so that he can tell us of these things as we go along.

(Thereupon Mr. Joseph R. Farr was sworn by the chairman.)

The CHAIRMAN. What is your association to these Indian reservations?

Mr. FARR. General superintendent of logging.

STATEMENT OF JOHN ROY.

JOHN ROY, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified, through Mr. William Obern as interpreter, as follows:

The CHAIRMAN. Have you got an allotment on this reservation?

Mr. ROY. Yes, sir.

The CHAIRMAN. Has the timber been cut on your allotment?

Mr. ROY. Yes, sir.

The CHAIRMAN. Is this the contract you want to tell us about?

Mr. ROY. This is the one. It is my boy's.

The CHAIRMAN. Is your boy living?

Mr. ROY. He is at school here.

The CHAIRMAN. And you claim that the $50 to be paid at the making of the contract was never paid?

Mr. ROY. They gave him only $10 at first.

The CHAIRMAN. How much did they give him afterwards?

Mr. ROY. I don't remember of them ever having given him any more. Mr. Wright informed the boy that he was about to begin going to school and that he would not receive any money by reason of that.

Senator LA FOLLETTE. And you have a statement here for that boy?

Mr. ROY. I have got it at the house.

Senator LA FOLLETTE. Where is the house?

Mr. ROY. At the village.

Senator LA FOLLETTE. That is 2 or 3 miles from here, isn't it?

Mr. ROY. That is 3¼ miles.

Senator LA FOLLETTE. Would the books here on the agency help us out on that?

The CHAIRMAN. I understand they don't pay it when they are going to school.

Senator LA FOLLETTE. What is the provision in the contract regarding this $50 payment?

The CHAIRMAN (reading). And, further, said party of the second part also agrees to pay to said Indian agent as aforesaid the sum of $50 on the signing and delivery of this contract, and after its approval by the Commissioner of Indian Affairs, and to pay annually, beginning one year from date of this contract, until such timber is cut and removed from said land, a sum equal to 5 per centum of the contract price of said timber upon an estimate to be made by some competent estimator to be agreed upon between said second parties and the Indian agent of such agency, such payments to apply on such purchase price and to be deducted from the price of the timber when cut and removed as aforesaid.

Senator LA FOLLETTE. Is there anything in the contract about this $50 to be paid to the agent?

The CHAIRMAN. Does the Government reserve or exercise the option of paying that out as it may see fit?

Mr. CAMPBELL. It does.

The CHAIRMAN. Is that what has been formerly included in the monthly payment?

Mr. CAMPBELL. Yes, sir.

The CHAIRMAN. In regard to the 5 per cent, does the Government reserve or exercise the option of paying that out as it sees fit?

Senator LA FOLLETTE. I would like to know whether, when an Indian signs this contract, he understands that he is to have this $50,

and then the Government does not pay it to him in compliance with the understanding when he signs the contract.

The CHAIRMAN. Has it not been generally the custom to pay either immediately or very soon after the contract this advance payment to the Indian?

Mr. CAMPBELL. Ten dollars is generally paid when they sign the contract, advanced by the contractor to them.

The CHAIRMAN. As to the balance of the advance payment?

Mr. CAMPBELL. That goes to Washington, and if it is approved, it comes back, then it will be $10 a month. It was until the $10 was stopped. If any are now paid, it would go into the trust fund.

The CHAIRMAN. And the 5 per cent would go into the trust fund?

Mr. CAMPBELL. Yes, sir. To be paid out on application the same as the other.

The CHAIRMAN. Where these allottees were attending school, what disposition did the Government make of this advance payment and of the 5 per cent?

Mr. CAMPBELL. It was not necessary to give them anything, because they were supported by the school.

The CHAIRMAN. In that case it simply went into the trust fund?

Mr. CAMPBELL. Into the trust fund, and was held there to their credit.

The CHAIRMAN. So far as the method of doing this is concerned, is that according to an authorization or direction from the department at Washington?

Mr. CAMPBELL. I think so. Yes; I know so.

The CHAIRMAN. You know whether you got an order from Washington to that effect or not?

Mr. CAMPBELL. I can't tell you whether I did or not.

The CHAIRMAN. Did you take the responsibility of saying when a minor had an allotment and his timber was sold that instead of paying the money——

Mr. CAMPBELL. Yes; I think, perhaps, that originated with me. I have written the commissioner about it. I think I got his sanction about it.

Senator LA FOLLETTE. You aren't sure?

Mr. FARR. It is my impression that he is correct on that. I looked it up for some of the allottees.

The CHAIRMAN. I wanted to know whether it was initiated by you.

Mr. CAMPBELL. It was initiated by me.

The CHAIRMAN. And you think it has now the approval of the department?

Mr. FARR. I think it has, as he states. It is under approval, I am almost positive of that, because I had occasion to look it up for two or three of the allottees, and the action was based on instructions or the approval of the action, whichever way it was.

Mr. CAMPBELL. I take this ground—that a minor's money ought to be carefully guarded, that it should not be paid to the guardian or administrator unless it went to the benefit of the minor, for his clothing, provisions, or for his education; and when the Government furnished them the clothing and the boarding and everything and there was no expense, I though it ought not to be paid out. I have been threatened to be sued upon it. I think it is proper that I should do this in guarding the minor's money.

The CHAIRMAN. At all events, at present, as I understand you and Mr. FARR, it has the approval of the department?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Did you sign a contract like this for your own timber?

Mr. ROY. Yes, sir.

Senator LA FOLLETTE. Did you understand when you signed the contract——

Mr. ROY. Not all of it.

Senator LA FOLLETTE. That $50 would be paid to you upon the signing of the contract?

Mr. ROY. Yes, sir.

Senator LA FOLLETTE. Fifty dollars in money?

Mr. ROY. Yes, sir; I can understand that.

Senator LA FOLLETTE. Would you have signed the contract if you had not understood you were to receive some cash payment on signing it?

Mr. ROY. I don't know. I don't think I would have signed it.

The CHAIRMAN. Now, you may state to him that under this contract the Government had the right to hold all of this money in trust if it thought best; but when the Government started in, while the Government had the right to hold this in trust, they did adopt the plan of paying a part of it over to the Indians, both a part of the advance money and a part of the 5 per cent; but that they stopped that last March, and that now that money which they were getting is kept in trust for them. The reason that this man's son did not get this money is because his son is going to school, and the Government is feeding and clothing him, but that he will get this money some day, just the same; it is being kept for his son in trust.

Mr. ROY. I can't understand how it is that after making our contract with this logger and receiving the advance money and other things that we might receive between that time and the cutting of our timber has not held out, and the balance due us is given to us as I would expect to find it on the statement. I have always expected that they held out the 5 per cent and all the advance made to us and that after the cutting of our timbers that we would then begin to get the checks for what we got from that time on. I always supposed that they had held up in a lump sum all we had received from the time of the contract to the cutting of the timber. I didn't expect to have to sign checks. I went to Indian Agent Campbell and spoke to him about that and told him that these fellows were making me sign checks all the time, and he told me to quit signing checks, and if I did not the first think I knew I would not have anything.

The CHAIRMAN. After an Indian's account is opened you charge up the advances. Do you charge advances that aren't already checked off?

Mr. CAMPBELL. Sometimes they are advanced some money. It used to be that they could get orders on cut timber and that would be advanced in goods; that is, as payment on the timber. That would be deducted.

The CHAIRMAN. Whatever you charged as an advance would be in the shape, then, either of orders, receipts, or by checks—you would not charge anything into the account that had not been closed either

by check or order—they would not have to give any check afterwards for what was charged against them as an advance?

Mr. CAMPBELL. No; not if they had paid it once.

Senator LA FOLLETTE. There might be some orders coming in?

Mr. CAMPBELL. Yes. That would have to go to the commissioner and be approved, and then he would have to give a check. I told them all to have everything explained to them before signing any paper. Sometimes there would be a dispute about an order signed. I have told them that in regard to signing orders to be careful.

Senator LA FOLLETTE. That was before the rule was made that no order would be paid unless it was approved before it was issued, wasn't it?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. I suppose a great many of these orders got out prior to that time?

Mr. CAMPBELL. Yes; lots of them. They received their money inside of a year when I came here. That has all been started since I came here, to try to get something saved up for them.

The CHAIRMAN. As I understand him, he seems to think that after the account is rendered to him showing charges against him then he still has to give a check for those items. That would seem improbable.

Mr. CAMPBELL. Sometimes if the contractor has advanced him or has paid into the office the 5 per cent and has advanced him in goods more than what his 5 per cent calls for, I could not pay the contractor back the excess of his 5 per cent without submitting it to the commissioner; consequently he would have to sign a check for that.

The CHAIRMAN. Would that appear as a charge against him in any account rendered him?

Mr. CAMPBELL. It would be in his statement which would show when he paid it.

The CHAIRMAN. As I understand, he has a statement rendered him showing charges for which he afterwards had to sign checks. Would a statement be made to him showing charges against him for anything that was not already closed, so far as he was concerned, by check or whatever way necessary?

Mr. CAMPBELL. No, sir.

The CHAIRMAN. That is what I understood was his complaint. Didn't you so understand it.

Mr. OBERN. To be brief about what he said, it is this: If he makes a contract and, for instance, I will say he has taken $850 before the cutting of his timber, he expects that that $350 should have been charged up to him in one lump sum, and he expects that they take that. He does not expect to have to sign any checks for that. He expected that they kept that out, and if his lumber was $1,000 there would still be $650 due, and then he would expect to find checks for that. He says he didn't expect to have to sign checks for these advances—this $350 that he had received before the cutting of his timber. He thought all that had been advanced to him before the cutting of the timber was all in a lump sum.

The CHAIRMAN. You explain to him that his statement would not show it in a lump sum; that the books the Government has got to keep have got to show each thing that is paid out.

Mr. OBERN. What is confusing to him is that if he has signed a check, why does he have to sign another check?

The CHAIRMAN. There may be orders or something out which had not come in.

Mr. CAMPBELL. We have no authority to credit up the contractor's account or take out from the Indian's account only the 5 per cent and the $50 advanced; and a statement is made of that, and he got his credit there every time it was paid in. Now, if they have exceeded that at any time and have advanced him goods, and so forth, and have cashed any orders or anything, we have to submit that to Washington and get the approval of the commissioner before we can pay it back to them.

The CHAIRMAN. Still I don't understand that you would ever charge into the account or render an account to an account of an Indian of charges against him for items that weren't already closed.

Mr. CAMPBELL. We don't charge that. That is between him and the contractor.

The CHAIRMAN. He seems to think there is.

Mr. CAMPBELL. The statement doesn't show it.

Mr. OBERN. For instance, I sent for a statement to the Indian agent's office; I wanted a statement of my account, and I got a little statement here showing the deposit made in the bank, and it didn't show anything about the contract from the beginning of the contract to the present date; it shows so much deposited in the different banks. That statement has not full information. It is not the kind I was looking for. This is not in the way of a complaint; this is only for information.

Mr. CAMPBELL. You have had a statement before, and this last statement was taken up from that statement.

Mr. OBERN. Just to simplify the thing—sometimes it is confusing——

Mr. CAMPBELL. We render a statement up to a certain time. If they ask for a statement after that, we start at that time to render the statement. If they want the whole thing, we render that to them.

Mr. OBERN. I do, when I get home, want a statement of my wife's account. I would expect to find, from the date of the contract, all that had been advanced to my wife from the date of the contract clear up to the present time, and showing what we paid scalers and what we paid estimators and all about it, and in such a form that I could understand it and not have to go to an expert bookkeeper to find out what it is.

The CHAIRMAN. Have you had any statement of your wife's account?

Mr. OBERN. We have had a statement of the deposits, but it is more or less confusing to us. There aren't two Indians to-day in this reservation that can take this up and understand what it means.

The CHAIRMAN. There has been a statement before this time. This commences with a balance. If you want a statement from the beginning, when you ask for a statement you should ask for one from the beginning, and then the major will have the whole thing restated to you; otherwise it is just like in a bank. If you should be doing business with a bank and had a statement last month, they would start with the balance this month.

Mr. OBERN. Suppose I wrote up to Major Campbell, or whoever the Indian agent is there—this is only for information and not a complaint—suppose I wrote up to Major Campbell, and said, "Please

send me an itemized statement of my wife's account." What can I expect by those words—just those words?

The CHAIRMAN. No; you would only get it from the last statement.

Mr. OBERN. Then I must be sure to say "from the beginning?"

The CHAIRMAN. Yes. We do that in our own business. Every day we get bank statements which show a balance.

Mr. OBERN. That is something I didn't know, and if I had known this I would have saved more or less trouble for the Indian office at Ashland. They come to me and say, "I have had so much. Here are my scale reports showing so much." I can't go to the farmer; he would probably be busy, and I would not have time to stand there two hours waiting for a chance to interpret for them. I can't explain it to them; they don't understand it and I don't understand it.

The CHAIRMAN. That is the way. That is just the same as the white men do business between themselves. You may have had $100,000 in the bank, but if you only have $10 there at a time when a statement is rendered to you, the next statement shows only that $10 balance. You start with that balance.

Mr. OBERN. This is the only thing I want to know.

The CHAIRMAN. I am glad you asked about it. We want you to understand it.

Is there any timber being cut on unallotted lands outside of the so-called "swamp lands?"

Mr. FARR. I think not. There wasn't anything last winter.

Mr. YOUNG. Nothing except where they cut the right of way for logging, or something like that.

The CHAIRMAN. They claim they don't know what is being done with the money for the timber cut on the fractional tracts.

Mr. CAMPBELL. If it is allotted, it goes to the allottees; if it is not allotted, it is unallotted land; that is all there is. Fractional lots, lots of them, go into allotments, and it belongs to that Indian just the same as it was a full lot. If it is not allotted, it is a trespass. Lots of them have fractions in their forties, and if it is approved by the commissioner the Indian gets it. If it is not allotted it is tribal lands. If it is cut it is a trespass.

The CHAIRMAN. They complain that they do not know what is done with the money from the timber cut from the fractional tracts around the lakes. Explain what Major Campbell has said to the Indians.

(Mr. Obern interpreted to the Indians.)

Mr. FARR. Have you any funds for timber cut from unallotted lands?

Mr. WALTER. There are no funds on hand in this office. They are on hand in the Treasury of the United States. There are $30,000 tribal funds of this reservation that has been taken up from various sources. The ruining of the dam, the ruining of the millsite, and other sources of a similar nature, including trespass on unallotted land.

The CHAIRMAN. You explain to them that all moneys from unallotted land is being held in the tribal funds and not divided up. Everything that has come from unallotted land is being held in the tribal fund.

Senator LA FOLLETTE. And not held in this office or at Ashland, but at Washington for their use.

(Mr. Obern interpreted to the Indians.)

Senator LA FOLLETTE. If there is a trespass upon unallotted lands and if there is money paid for that trespass, is it credited to that particular description?

Mr. FARR. Yes. And if that is ever allotted it will go to that particular allottee.

The CHAIRMAN. Wherever money is collected for timber upon any particular piece of land which is unallotted an account is kept of that money so when that piece of land is allotted that money will go to that man or woman who gets that piece of land.

(Mr. Obern interpreted to the Indians.)

The CHAIRMAN. Now, tell them in regard to swamp land, that the State of Wisconsin claims this swamp land and the United States claims it for the Indians. That until that is settled between the State and the United States, where it is necessary to cut timber on the swamp lands to save it, that is kept in a separate fund so that if the land goes to the United States it will then go to the Indians, and an account is kept so that for each piece of land we will know just how much came off of each piece, so that if these swamp lands finally go to the Government and from the Government to the Indians in allotments, all the timber that has been cut off of them will be accounted for to the Indian who gets the particular piece. If it is decided that the State of Wisconsin owns it, then they don't get it; and that may have to stand unsettled until it is decided in court, which may take some time.

Mr. OBERN. This is section 16, or swamp lands?

The CHAIRMAN. Yes; you might make it cover both.

(Mr. Obern interpreted to the Indians.)

Mr. BIG GEORGE (through Mr. William Obern as interpreter). Now, in reference to our dam which we were to receive $300 a year for, and the mill ground which was also to be paid for, in whose name is the money deposited?

The CHAIRMAN. That is deposited as a tribal fund at Washington, in trust for the tribe, except a little of that money that is used from time to time to buy provisions for some of the old folks. With reference to any division amongst them, you may tell them that in the end whatever is left will be divided as the lands were divided. It is being held now in one lump for them all, and some day it will be divided among them all, not for the tribe, but for this Lac du Flambeau band.

(Mr. Obern interpreted to the Indians.)

The CHAIRMAN. Tell these people in reference to the burning of the tree tops, of which they complain, that the clausation as to the burning of the tree tops was put in only to save the timber and avoid the danger of fires, but lately there has been some complaint that it does destroy the small growing timber, and that is a matter that will be taken up with the Forestry Bureau. Tell them in regard to the tribal funds, that there always are a few old people who will not have anything and who won't get anything from the Government, and they have to be taken care of, and that there are some other things that will have to be done for the whole tribe, but that as fast as those things are disposed of we divide the tribal funds. Every

year we divide up money with the different tribes in the United States, and it may be done with this tribe soon.

Mr. OBERN. He says it is in reference to the reservation. The treaty calls for 12 miles square, in other words, four full townships of land, and this part he says has been taken since that.

The CHAIRMAN. Taken out of the reservation?

Mr. OBERN. Yes, sir.

Mr. ROY. Right at that corner, I met them fellows [indicating on map].

The CHAIRMAN. When?

Mr. ROY. I couldn't tell.

The CHAIRMAN. When was the land taken out of the reservation?

Mr. ROY. I presume this was taken out at the time they subdivided this. In the first place, they surveyed this, and they afterwards substituted in the sections and quarter sections; and I presume it was at that time that it was taken out.

The CHAIRMAN. We will have to look up the books on that.

Mr. BIG GEORGE. Our request in this matter is that we wish to know where the money derived from the use of the ground for the mill purposes and the dam and the ditches dug for waterways has gone to—this mill pond and dam and mill grounds run here by the company, and the water ditches, have gone to.

The CHAIRMAN. That is what we have explained about being in the tribal funds.

Mr. BIG GEORGE. We also would like to have a statement of what tribal funds we now have at Washington to our credit.

The CHAIRMAN. We will get that and have it sent up here.

Mr. BIG GEORGE. The reason I am asking for a statement of the tribal funds to our credit is this, that we sometimes have a little something to go to the poor, the old people; some old persons will go there and want a little something to eat, from hunger, and they tell them it is all gone. We want to know for a certainty how much of this tribal money we have got there and what will be done with it.

The CHAIRMAN. A statement will be made of it and sent to you. It will probably be December before we get there.

Mr. BIG GEORGE. I have a father who is that old and feeble that he could not walk from here to that store, and he has received these rations two or three times, and that is all he has received. He is now living on charity, and if there is such a thing as him getting something from our tribal moneys I would like to see him get it right along.

The CHAIRMAN. Has he an allotment?

Mr. BIG GEORGE. He had an allotment years ago, but it was cut, and the money all spent years ago.

The CHAIRMAN. There will be a statement sent up here.

Mr. BIG GEORGE. I was in hopes that the old gentleman might get some immediate relief—right now—as I suppose he could eat now if he had something to eat.

The CHAIRMAN. We could not do it now. We will take it up with the Indian Department right away.

Senator LA FOLLETTE. Do you have any fund on which you draw in a case like that of an urgent nature?

Mr. CAMPBELL. We sometimes have some of the traders advance it to them, and they make application to the commissioner to have so much appropriated. This dam money and mill money all went to the poor when I was here.

Senator LA FOLLETTE. Were you allowed to retain that here, or did you have to wait and write and send on to Washington for it when an application was made for assistance?

Mr. CAMPBELL. That would be the proper way, but I didn't do it. I sometimes overruled that.

The CHAIRMAN. You took your chances?

Mr. CAMPBELL. Took my chances.

Senator LA FOLLETTE. Then you would issue an order?

Mr. CAMPBELL. Yes. I would make my requisition to cover, and then on the department giving an order I would make an account of it.

Senator LA FOLLETTE. Is there any reason why, if this case is a worthy case, that can not be done by the superintendent in charge of this agency?

Mr. WALTER. This superintendent handles it in a slightly different manner. Instead of making a requisition for the actual funds, he makes requisition for the supplies. These supplies are here, and when the old man comes he is sure to get them, but when the son comes we are not sure that he will get them.

Senator LA FOLLETTE. Do you have these supplies on hand?

Mr. WALTER. At the present; yes.

Senator LA FOLLETTE. And if Big George were to apply for some of them for his father, he would get them?

Mr. WALTER. Yes.

Senator LA FOLLETTE. Do you understand that, Mr. Big George?

Mr. BIG GEORGE. I did come and apply to him, and he refused to give me any and told me he would not give me any more, and that is the reason I did not ask him for any more.

The CHAIRMAN. How long ago was that?

Mr. BIG GEORGE. It was some time after New Years, last winter.

Mr. WALTER. The reason he did not get it at that time is that he came for flour with a sack which was so filthy that when he took the flour home to his daughter, who was keeping house for him, she refused to let him bring it in the house, and he brought it back and said the flour was dirty. I told him it was no wonder it was dirty, for he brought such a dirty sack. He wanted to exchange the flour. I refused to make the change. The flour was in such a filthy condition because he brought such a dirty sack at the time.

Mr. BIG GEORGE. I tried bringing the flour back to you—I brought the flour back to you for the purpose of showing you what condition the flour was in. I didn't know whether you had given me the flour dirty as it was or whether the flour had got dirty over there. For my part, I didn't dirty the flour, because I took the sack and pounded the dust out of it and asked you to put the flour into it. You took the flour and you told me you would not give me anything more, and when it spilled out I told you at the time I didn't think it was the proper thing to do about throwing away our eatables. Sickles was there present at the time.

Mr. WALTER. And authorized my action.

Mr. BIG GEORGE. He didn't say anything. It was raining at the time you threw the flour out, and that is the very reason.

Senator LA FOLLETTE. Tell him if he comes back now and his father needs provisions that the clerk says he will issue them to him as he needs them.

Mr. BIG GEORGE. I also told him I fed my father a little better than that when I was able to. When I came here for rations for my father he gave me that much flour in a little sack, and that was supposed to be one month's rations for my father. I told him I did not think that was enough flour for my father.

The CHAIRMAN. Here is a complaint that when the Indians sell anything the farmer makes the party who buys pay to the farmer instead of to the Indians.

STATEMENT OF A-NA-WE-GA-BO.

Mr. A-NA-WE-GA-BO, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. Do you live here on the reservation?

Mr. A-NA-WE-GA-BO. Yes, sir.

The CHAIRMAN. Did you ever sell anything to an Indian?

Mr. A-NA-WE-GA-BO. Yes, sir.

The CHAIRMAN. What?

Mr. A-NA-WE-GA-BO. Horses.

The CHAIRMAN. How long ago?

Mr. A-NA-WE-GA-BO. Last spring.

The CHAIRMAN. What was the price of the horses?

Mr. A-NA-WE-GA-BO. I sold one horse, $50.

The CHAIRMAN. To whom?

Mr. A-NA-WE-GA-BO. This man here.

The CHAIRMAN. What is his name?

Mr. A-NA-WE-GA-BO. Na-sha-ka-wo.

The CHAIRMAN. How was he to pay you for the horse?

Mr. A-NA-WE-GA-BO. He made a requisition for a check for $50 to pay me.

The CHAIRMAN. Was this a horse that had been bought with your timber money?

Mr. A-NA-WE-GA-BO. No, sir. I got that horse from my own labors—work.

The CHAIRMAN. Did you get the money for the horse when you sold it to this man?

Mr. A-NA-WE-GA-BO. I let this man have the horse and he had sent for a check to pay for the horse. The check came and he asked me to meet him after the check came at the Indian superintendent's office. It was on a Saturday, and I went there by appointment to meet him there, and I told the superintendent, Sickles, I had come there to fix up this deal, and he drew a check for $50 and he told me he would not give me that check, and I asked him why, and he told me he was instructed not to do so, he could not do so, and he handed the check over to this gentleman here, Mr. Walter, and my friend over there told me to insist upon getting the check and I did so, and he told me that he would not give me the check, that he would probably give

me $5 or so or $10 in a month or so, off and on, and I told him then that I would not let the horse go, and I took the horse back.

The CHAIRMAN. Mr. Walter, were you present at the time?

Mr. WALTER. I was.

The CHAIRMAN. What is your statement concerning it?

Mr. WALTER. The position of Mr. Sickles in regard to the matter was that the horse was not worth the amount referred to, and he refused to let the trade be finished. Further, he said that in any case where this man was to receive money for a horse or anything of that nature which he sold the money would be deposited in the bank and subject to the same orders as other Indians' money, and that he could draw only $10 a month at that time, because of his whisky-introducing propensities.

The CHAIRMAN. Do you understand that he introduces whisky on the reservation?

Mr. WALTER. Yes.

The CHAIRMAN. Does the superintendent claim that as to property which an Indian acquires independent of government gift or application, or whatever you are of a mind to call it, he has any right to interfere with the use or disposition of that property?

Mr. WALTER. No, sir; none whatever.

The CHAIRMAN. Do you know whether this man had earned the money with which he purchased this horse?

Mr. WALTER. We did not know as to that, but that was his statement, and the sale could have been made, provided it was not to be bought with the Indian's fund from timber sales. We were simply seeking to protect the other Indian.

The CHAIRMAN. That would be true as to protecting him. I can see how you would exercise supervision over his drawing the money, but an Indian who gets money for property which he has acquired independent of any government relation, is the claim made that the superintendent or the officials have any jurisdiction over that?

Mr. WALTER. None whatever, sir.

The CHAIRMAN. And then I would understand, perhaps, that in this case an attempt was made to control it simply on account of the individual?

Mr. WALTER. On account of the individual and his whisky-introducing propensity.

The CHAIRMAN. Do you know of any case where there has been an assumption of authority in that respect for some reason of that kind?

Mr. WALTER. I don't know of any reason or of any case.

Senator LA FOLLETTE. You might put the question to them and ask them if there is any case where these Indians have attempted to trade amongst themselves by selling or trading and not drawing on their trust funds for it, but paying for it out of money which they have earned themselves or in exchange for property which they have earned themselves—whether they have been interfered with.

The CHAIRMAN. And where they have sold or traded property that did not come from the trust funds, that had not been bought with the trust funds.

(Mr. Obern interpreted to the Indians.)

STATEMENT OF JOHN PATTERSON.

JOHN PATTERSON, a Lac du Flambeau Indian, having been first sworn by the chairman, testified through Mr. Obern, as interpreter, as follows:

The CHAIRMAN. Where do you live—here on the reservation?

Mr. PATTERSON. Yes, sir.

The CHAIRMAN. What is it you want?

Mr. PATTERSON. I am residing upon my son's allotment. There has been a waterway or ditch dug there on that land, and I would like to have some pay or compensation for the same.

The CHAIRMAN. Was it dug before the land was allotted, do you know?

Mr. PATTERSON. It was after it was allotted; while we were living there.

The CHAIRMAN. Who dug the ditch?

Mr. PATTERSON. Fishermen, tourists.

Mr. WALTER. A man by the name of R. H. Southgate, of Chicago.

The CHAIRMAN. Did it wash your land?

Mr. PATTERSON. Yes, sir; there is considerable damage. After the waterway was cut through the water rose on my timber; tamrack and other valuable timber that was there.

The CHAIRMAN. When was this waterway cut?

Mr. PATTERSON. About eight years ago.

The CHAIRMAN. Does this man come up there now?

Mr. PATTERSON. The man that built it in the first place has been up there a number of times, but he does not come up here any more. There is another man that seems to have taken possession there.

The CHAIRMAN. That is all.

Mr. PATTERSON. I want to say a few more words.

The CHAIRMAN. Go ahead.

Mr. PATTERSON. I came to Sickles here last winter and asked him to help me get pay for that land, the rent of the land.

The CHAIRMAN. Do they use that ditch right along every year?

Mr. PATTERSON. Yes, sir. I came to Sickles and he told me that that waterway was government property and they had a right to use it and that I had nothing to say whatever, and even if it was my land the Government had a right to sell that land if it wanted to and dispose of it if it saw fit.

The CHAIRMAN. If the ditch was filled up now, would it save you from further damage?

Mr. PATTERSON. The filling up of that ditch would not relieve my timber at all, because it is below here that the dam is that holds back the water, and unless this dam was let go and let the water out—the dam that holds back the water is not on my land.

The CHAIRMAN. Simply flows the water back?

Mr. PATTERSON. Yes, sir.

The CHAIRMAN. Was that dam put in by the man who cut the ditch?

Mr. PATTERSON. No; Herrick built the dam.

The CHAIRMAN. Then it is Herrick's dam that does the damage.

Mr. PATTERSON. Yes; it is the dam that damages the land.

The CHAIRMAN. What is the complaint about the ditch?

Mr. PATTERSON. All I was speaking about that ditch was thinking I might get something for the use of my land.

The CHAIRMAN. That is all.

Mr. PATTERSON. After a little, if you have time, I will have something else to say.

The CHAIRMAN. What is it about?

Mr. PATTERSON. It has been customary in the past and in the present to have a member of our band in the office, and I for one man am in favor of such an action, because it is very useful to us to have a member placed in the office; some one who we can converse with and understand.

The CHAIRMAN. That is all.

STATEMENT OF JOHN LYNCH.

JOHN LYNCH, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Do you live here?

Mr. LYNCH. Yes, sir.

The CHAIRMAN. What is it you want to speak to the committee?

Mr. LYNCH. I have got a father-in-law here, an Indian, that bought a piece of land, and I think the land is got hold of by other parties by this time. I will show you the tax deeds.

The CHAIRMAN. Is it an allotment?

Mr. LYNCH. No, sir. The money he had from an allotment and bought the land outside.

The CHAIRMAN. Where?

Mr. LYNCH. In Sawyer County.

The CHAIRMAN. I don't see what we could do about that.

Senator LA FOLLETTE. He got his money, did he?

Mr. LYNCH. He did not buy it itself; he got his money for the timber and invested it in land.

Senator LA FOLLETTE. Who invested it for him?

Mr. LYNCH. Major Campbell.

The CHAIRMAN. Let us have it—what is there about the facts?

Mr. LYNCH. He sent the money down to pay for this land, $150.

The CHAIRMAN. Who sent it?

Mr. LYNCH. Major Campbell.

The CHAIRMAN. To whom; do you know?

Mr. LYNCH. Alfred Buchier, a Frenchman, and he made out a deed that the Indian could not do nothing with that land inside of twenty years, and the Indian wants to do something with the land.

The CHAIRMAN. Is this one of the deeds, Major Campbell, where you insisted upon placing this restriction in the deed. I assume this is one of the deeds where, instead of giving the Indian a deed that he could sell any day, the major insisted upon this provision that he could not sell for twenty years. Do you know anything about that, Major Campbell?

Mr. CAMPBELL. He spoke to me about it, and I think I can find the deed.

Mr. LYNCH. When I asked him for the deed, he threatened to put me in jail.

Major CAMPBELL. Me?

Mr. LYNCH. Yes; you did right in front of the council; told you to put me in.

Senator LA FOLLETTE. When was that?

Mr. LYNCH. About four or five years ago.

Senator LA FOLLETTE. When was this transaction?

Mr. LYNCH. About ten or eleven years ago.

Senator LA FOLLETTE. And the money passed out of your father-in-law's hands?

Mr. LYNCH. Yes, sir; he paid for the land—signed two checks; one was $80 and one was $70.

Senator LA FOLLETTE. How do you know how the deed reads if you have never seen it?

Mr. LYNCH. I have seen the man that made the deed.

Senator LA FOLLETTE. And he says he made the deed for that land with that provision in it?

Mr. LYNCH. Yes, sir; twenty years.

Senator LA FOLLETTE. Have you been paying taxes on the land?

Mr. LYNCH. Up where the county seat is. Up until we lost track of the county seat. We wrote to Hayward and we didn't know where to pay the taxes in the last four or five years.

Senator LA FOLLETTE. You have never had a deed?

Mr. LYNCH. Never.

Senator LA FOLLETTE. How many times have you applied for the deed?

Mr. LYNCH. I applied for it a couple of times until that action of his, and then I let him alone.

The CHAIRMAN. Was the deed ever delivered?

Mr. CAMPBELL. I don't know. They certainly had the deed. They knew all about the transaction.

Mr. LYNCH. We went to Hayward the first five years and it cost me $38 to get that land back.

Senator LA FOLLETTE. Was it sold once for taxes?

Mr. LYNCH. Taxes and changed hands. He knows all about it; he knows he never gave up the deed.

Mr. CAMPBELL. If there is a deed in the office, you can have it. If you have ever asked for it, we have looked for it. What good would it be for me to get that deed?

Mr. LYNCH. I will tell you, I was right after you hard and you didn't produce it. I was right after you every time you came here, most.

Senator LA FOLLETTE. Have you any other matters you want to present to this committee?

Mr. LYNCH. Well, not exactly that I would mention now.

Senator LA FOLLETTE. Where do you live?

Mr. LYNCH. I live right here, sir—that is, for the last twenty-four or twenty-five years.

The CHAIRMAN. What is your father-in-law's name?

Mr. LYNCH. Joe Scott.

Senator LA FOLLETTE. Have you got a description of that land?

Mr. LYNCH. Yes, sir.

Senator LA FOLLETTE. Let that go into the record.

(The witness produced a paper and handed the same to Senator La Follette.)

Senator LA FOLLETTE. Where does your father-in-law live?

Mr. LYNCH. Over in the village.

Senator LA FOLLETTE. Is he here this afternoon?

Mr. LYNCH. Yes; I think he is.

Senator LA FOLLETTE. What is his name?

Mr. LYNCH. Joe Scott.

The CHAIRMAN. This description is the north half of lot 6, section 16, township 38, range 3, in the county of Sawyer, State of Wisconsin.

Mr. CAMPBELL. Has anybody else claimed that land—put in any claim for that besides his father-in-law?

The CHAIRMAN. Has anybody else claimed the land as against your father-in-law?

Mr. LYNCH. I don't know. It is about 60 or 70 miles from here.

Senator LA FOLLETTE. Do you remember making a search for it?

Mr. CAMPBELL. I don't remember.

Senator LA FOLLETTE. Do you mean you don't remember anything about this transaction?

Mr. CAMPBELL. I remember the agent speaking to me about it.

Senator LA FOLLETTE. You don't remember whether you caused the matter to be looked up at that time?

Mr. CAMPBELL. I think I must have.

Senator LA FOLLETTE. You think you must have, but you have no recollection about it.

Mr. CAMPBELL. I have no recollection about it. If it is there, there is no object for use to keep the deed.

Senator LA FOLLETTE. You may have been neglectful. It is a matter of a good deal of importance to these people.

Mr. CAMPBELL. I will have Mr. Scott look it up.

The CHAIRMAN. Did you threaten to put him in jail?

Mr. CAMPBELL. No, sir. I never threatened one of them yet. Put him in jail for asking me questions like that!

The CHAIRMAN. Did you have any words about it?

Mr. CAMPBELL. I don't remember having any dispute.

Senator LA FOLLETTE. Was anybody present when he threatened you?

Mr. LYNCH. At the council.

Senator LA FOLLETTE. The whole council was there?

Mr. LYNCH. Yes, sir.

The CHAIRMAN. Did they all hear him?

Mr. LYNCH. He was sitting right there in a rig in the road. I said he had no authority to threaten me.

The CHAIRMAN. Did you ever make any such statement to him, Major?

Mr. CAMPBELL. I don't think so. I have treated them fair and square, and without they gave me some provocation or something—I have put some Indians out of my office who have come in there drunk and have given me provocation; if they did that I may have said something rough to them—I may have done it, but I don't remember it—if he came in there drunk I may have put him out of the office.

Mr. LYNCH. You see the way it was, I asked him when he was here, and you know he has got a habit of jumping at a fellow—he was a rough man when he was agent here—he was the one that jumped at me himself—he wasn't very backward to jump on anybody that was here.

Senator LA FOLLETTE. Have any people been expelled from this reservation?

Mr. LYNCH. Yes, sir.

Senator LA FOLLETTE. Do you know the circumstances of the cases? Do you know the charges against them?

Mr. LYNCH. I think I do.

Senator LA FOLLETTE. Will you state briefly what they were?

Mr. LYNCH. Well, I don't know—it won't take long to tell it. This woman should have been here—that is, Mrs. Johnson. Her husband is dead. She was ordered off here.

The CHAIRMAN. When?

Mr. LYNCH. That was the time Major Scott was agent, I think—about that time. She was ordered off because she was too smart; she was doing some writing for the Indians to Washington. After they found out what she was doing they threatened her, to order her off, also her brother, Bob Scott.

The CHAIRMAN. At the same time?

Mr. LYNCH. At the same time; the same way; yes, sir.

Senator LA FOLLETTE. Have they ever sought to get back on the reservation?

Mr. LYNCH. I think so.

Senator LA FOLLETTE. Do you know whether or not they are permitted to live here now?

Mr. LYNCH. They don't live here. I don't know whether they would be.

Senator LA FOLLETTE. Do you know whether or not they have had allotments?

Mr. LYNCH. I don't know. I think the mother of this Mrs. Johnson had. I think it is her mother's claim. They were not permitted any allotment at that time.

The CHAIRMAN. I think that is all. Major Campbell, if you have the papers in regard to the expulsion of this woman from the reservation, send them to the stenographer, and they will be put into the record at this point.

LA POINTE AGENCY,
Ashland, Wis., August 8, 1896.

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

SIR: I have the honor to inclose herewith, for your information, copies of letters addressed to Fred J. Vine, farmer in local charge of the Lac du Flambeau Reservation, under date of August 6, relating to the removal of Mrs. Mary Johnson and to the punishment of Na wa queb, subchief.

I thus notify you of my action, as I am satisfied you will hear of it through the interested parties, and to inform you at the same time that I am satisfied that my action will meet with the approval of Inspector Wright in both cases and of Commissioner Leupp in the case of Mrs. Johnson, he having no knowledge of the Na wa queb matter.

I will simply add that Mrs. Johnson appears to be one of those women who keeps herself and everybody about her in trouble all the time, being of a meddlesome disposition, and evidently considers it her mission in life to attend to everybody's business. I have given her every opportunity to prove that she could do right, but she is incorrigible. I have, therefore, removed her from the reservation and recommend that she not be permitted to return.

Mr. Leupp met and talked with this woman for several hours and gave it as his opinion that I would be justified in removing her.

Inspector Wright informed me that if he was agent he would have removed her long ago.

I mention the above not in justification of my own action, which I stand ready to answer for, but for the information of your office, as I take it for

granted she will do a good deal of writing on the subject of her removal and that you will hear from her.

Very respectfully,

W. A. MERCER,
Lieutenant, U. S. Army, U. S. Indian Agent.

UNITED STATES INDIAN SERVICE,
LA POINTE AGENCY,
Ashland, Wis., August 6, 1896.

MR. FRED J. VINE,
Additional Farmer, Lac du Flambeau, Wis.

SIR: On Thursday, July 30, after an investigation by Commissioner Leupp and Inspector Wright of certain charges preferred by Mrs. Johnson against the company and reflections upon the agent and employees of this agency, and as a result of said investigation I notified Mrs. Johnson, in the presence of Inspector Wright, that she had already been the cause of a great deal of trouble, and, in my opinion, should have been removed from the reservation long ago, but that on a previous occasion I had given her another chance, and that I would now give her one more, although she did not deserve it. At the same time I instructed her, in the presence of the inspector, yourself, and others, that if she ever wrote any more letters to outside parties making any complaints, without first submitting them to the farmer or to the agent for explanation before proceeding to write outsiders in the matter, or in any other way caused trouble on the reservation, that I would summarily remove her. In reply to her question if she could be allowed to write letters for Indians, I instructed her that she could write all the letters she wished to for Indians, providing such letters were proper, but that it would not be proper for her to write a letter for any Indian making complaints, which should be referred to the farmer or the agent first, and that if she violated this it would be considered the same as though she had written the letter herself. In spite of this warning and the kind consideration which I showed her, she, within a very few days thereafter, violated my instructions by writing letters addressed to the inspector for certain Indians, which referred to matters that should have been reported to the farmer or to the agent, as stated above; and in a communication from Inspector Wright, who investigated said charges, it has been proved that the same were malicious lies. Therefore she is again in the light of writing letters on matters for Indians which should have been, and could have been, settled on the reservation by an application to the proper authority.

Furthermore, Mrs. Johnson is legally a citizen of the State of Wisconsin and not a member of the Lac du Flambeau band of Indians; likewise all her children are, under decisions of the department and the courts (notably in the Tomahawk case), which make her children of a white father citizens. Other decisions from the department also cover the case of herself and family, and therefore she is not entitled to any protection whatever from the department on account of her Indian blood. But while I should have been glad to have extended any aid possible, she has, by her own actions, made it utterly impossible for me to longer let her remain on the reservation, many of the Indians themselves disapproving of her presence.

You will therefore, upon receipt of this, notify her that she must remove from the reservation and take all her unmarried children with her, and you will see that this is executed without delay, and that she be given only sufficient time to conveniently remove her furniture or other property which she may have there, and that, having been removed, you will take the necessary steps to prevent her return, advising her of the law and the penalty for violation thereof.

If Mrs. Johnson refuses to leave the reservation, you will then proceed to remove her by force, taking herself and children to the depot in the wagon and carefully shipping out her furniture and other effects. Of course you will refrain from doing any bodily harm. You will, if you deem best, read this letter to the chiefs and head men, or even to the Indians in council.

Very respectfully,

W. A. MERCER,
Lieutenant, U. S. Army, U. S. Indian Agent.

P. S.—While I have no particular objection to the two elder boys remaining, I think it best that they should accompany their mother. I understand that

she has a good farm in Wisconsin, and I judge it is to her interests to have her older boys with her. It is better for the boys and certainly better for the agency that all should go, and you will see that they do, even including the late arrivals. And while you are about it, if there are other objectionable characters on the reservation, put them off.

W. A. M.

UNITED STATES INDIAN SERVICE.
LA POINTE AGENCY,
Ashland, Wis., August 6, 1896.

Mr. FRED J. VINE,
Additional Farmer, Lac du Flambeau, Wis.

SIR: Subchief Na-wa-queb, having proved himself entirely unfit to represent a band of Indians in the capacity of chief by his many acts, tending to militate against their interests, and by his total failure, so far as my knowledge goes, to have ever taken the proper course with regard to their interests, and himself personally having been a disturber of the peace by malicious reports and engaging himself and his followers in the past to create discord in the interest of outsiders, agitators, etc., and more recently by causing to be written by Mrs. Johnson a letter to Inspector Wright reflecting upon the contractor, which, at an investigation held by said inspector, was proved to be a malicious falsehood, and having violated the instructions of the department and my own instructions to first report such matters as he referred to to the farmer or to the agent for explanation or settlement, and for his general character, which is well known to myself and others, he will no longer be recognized as chief, and his band must be notified to elect his successor.

Also, you will, upon the receipt of this arrest the said Na-wa-queb and punish him by confinement in the guardhouse for a period of five days, and if his conduct shall be such that you deem it best to increase this confinement you can do so, in your discretion, to the period of thirty days, if necessary, and in this connection you will inform the Indians that hereafter discipline will be maintained and that their foolishness must be stopped; that you will at all times listen to their complaints and act upon them, and that they are at liberty to appeal to their agent at any time, but such conduct as has taken place in the past, in which Na-wa-queb and his followers have been the prime movers, will be no longer tolerated.

You will report your action in this and Mrs. Johnson's case to this office as soon as possible.

Na-wa-queb while in confinement should be allowed to come out twice a day for exercise under charge of the police, and should also be provided with proper food and arrangements made for his proper protection from the weather.

Respectfully,

W. A. MERCER,
Lieut., U. S. A., U. S. Indian Agent.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, September 23, 1896.

Lieut. W. A. MERCER, U. S. Army,
Acting Indian Agent, La Pointe Agency, Ashland, Wis.

SIR: I am in receipt of your report of August 8, 1896, informing me of your action in removing from the Lac du Flambeau Reservation, Mrs. Mary J. Johnson, a person of Chippewa Indian blood, who, however, has no rights of membership with the Lac du Flambeau band of Indians, and of the imprisonment of Na-wa-queb, a subchief of said band, and his deposition for acts inimical to the interests of the Indians occupying that reservation.

In reply I have to say that in view of the known character of Mrs. Johnson as a disturber of the peace on the reservation and an agitator of the Indians, the office concurs fully in your action, believing that it was a proper exercise of your authority as agent for that reservation under section 2147 of the Revised Statutes.

Your action in punishing Na-wa-queb as described also meets with the approval of this office. The office regrets, of course, that any Indian who occu-

pies a position of prominence in any of the bands of your agency should so conduct himself as to make it necessary, in the interests of the tribe, for you to impose punishment, but you have the responsibility of the welfare of the Indians upon you, and it is your duty to use such mild forms of discipline as may be necessary to fully protect them from the results of the vicious conduct of members of the band.

Very respectfully,

D. M. BROWNING,
Commissioner.

The CHAIRMAN. Here is the complaint of Mrs. M. J. Bishton. I don't know whether that is covered in that general complaint or not. [Addressing the interpreter.] Ask these people if there is any one here or if they know of any one where they have traded amongst themselves with property that had not been bought with timber money, money they did not get from the sale of timber, where they had not been allowed to make those trades, were interfered with, and if they know of such a person who is not here, let them send for him, because we want to know where he is and if he wants to say anything to this committee.

Mr. OBERN (after interpreting to the Indians). There is no one here. They say the man they sent for has gone away.

Senator LA FOLLETTE. This is the complaint of Mrs. M. J. Bishton. It reads:

I was removed from this reservation in the summer of 1896 by the officials here, together with my family of 5 children, and have been deprived of our rights here, and have never got our allotments of land. I have tried several times to get my children's names on the census roll, but have never been able to get any satisfaction from the agent, S. W. Campbell, or the farmer. I would like to be restored to rights as a member of this reservation and not ordered off every time I happen to come here where all my mother's people still live, and I want land for all my family if there is any unallotted lands left, or if the so-called "state" or "swamp lands" can be allotted yet, or school land.

The CHAIRMAN. This is the woman you were just talking about?

Mr. LYNCH. Yes, sir.

The CHAIRMAN. Do you know anything about this case, Major Campbell?

Mr. CAMPBELL. She was expelled before I came here.

The CHAIRMAN. Did she ever try to get back?

Mr. CAMPBELL. I have heard she came back. I never interfered with her.

Senator LA FOLLETTE. If that order was not revoked she is subject to arrest if she comes back?

Mr. CAMPBELL. I suppose so. I have never seen the order. I never took pains enough to look up in regard to her.

The CHAIRMAN. Do you know whether this woman has ever applied for allotments for her children?

Mr. CAMPBELL. She wrote to the commissioner, and the commissioner wrote to me, and I think the record will show that the facts of the case were stated to the commissioner.

The CHAIRMAN. Do you know what it was?

Mr. CAMPBELL. In regard to how many brothers she had—I may not be clear about it—it was when she made application over here at Patterson to the commissioner, and the commissioner wrote to me.

The CHAIRMAN. Has this woman ever written to you personally?

Mr. CAMPBELL. I think not.

Senator LA FOLLETTE. Is there any record of the case and the charges upon which her expulsion was based?

Mr. CAMPBELL. I can not tell; I have never been asked to look that up.

Senator LA FOLLETTE. You don't know what she was expelled for?

Mr. CAMPBELL. I don't know.

The CHAIRMAN. Will you make a report and forward to us what the records do show, because it is possible her children are deprived of their rights?

Mr. CAMPBELL. Yes.

Senator LA FOLLETTE. Where does this woman live now, if you know?

Mr. LYNCH. Down the road about 12 or 13 or 14 miles.

Senator LA FOLLETTE. Do you know her post-office address?

Mr. LYNCH. Minocqua.

Senator LA FOLLETTE. Are you able to give the correct spelling of her name at the present time?

Mr. LYNCH. No, sir.

Senator LA FOLLETTE. It is spelled here "Bishton."

Mr. LYNCH. It must be the right spelling; she made it herself.

Senator LA FOLLETTE. This is her own writing?

Mr. LYNCH. Yes, sir; Mrs. M. J. Bishton.

The CHAIRMAN. What was her name before?

Mr. LYNCH. Mrs. Johnson.

The CHAIRMAN. Do you know what her initials were?

Mr. LYNCH. Mary J.

Senator LA FOLLETTE. I will ask you, Mr. Lynch, do you know for what reason she was expelled from the reservation by the former agent—that is, the agent who preceded Major Campbell?

Mr. LYNCH. It is just this way, she done some writing.

Senator LA FOLLETTE. You stated that.

Mr. LYNCH. If I am not mistaken, she has been dismissed from here by Major Campbell.

Mr. CAMPBELL. No orders from me.

Mr. LYNCH. I think so. She applied for land from Mr. Campbell.

Senator LA FOLLETTE. Major Campbell has already stated that is true, unless he has confused it with another case, that of Mrs. Patterson.

The CHAIRMAN. That disposes of these complaints, except this one that they were to be paid in cash for the timber but had to take orders. I understand that matter was gone over this morning at the office, and the rule has been changed so that they are not obliged to take orders.

Mr. WALTER. Yes, sir. The present method of handling the monthly allowances—that is, those that are authorized by the Department, is for us to give the Indian an order to purchase the exact article that is asked for in his request to the department for authority to use certain funds, and in order to make sure that he purchases the exact article, we give him an order instead of cash, the bills to come to this office and payment to be made by this office.

The CHAIRMAN. And that is done pursuant to regulations formulated at Washington?

Mr. WALTER. Yes, sir.

The CHAIRMAN. You said the monthly allowances?

Mr. WALTER. All allowances.

The CHAIRMAN. Explain to the Indians that wherever they are authorized to buy anything the authority has to come from Washington, and that the authorities at Washington provide that the official here, in order to see that they get what they ask to buy when they make the requisition, has to give an order for that particular thing; that that is done under orders from Washington.

(Mr. Obern interpreted to the Indians.)

STATEMENT OF JOHN WILDCAT.

JOHN WILDCAT, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified, through Mr. Obern as interpreter, as follows:

The CHAIRMAN. What is it you want to tell us?

Mr. WILDCAT. It is three or four years since my daughter died. She had a child and we tried to raise the child, but the child also died. She had an account, or credit, at the Indian Office, and all she ever received was $10 of the contract money; the balance remains at the Indian Office. I would like to know if I could get it. I have appealed to the Indian agent, and I think probably the Indian agent is looking after it, but I thought I would like to ask about it.

The CHAIRMAN. Do you know anything about this matter, Major Campbell?

Mr. CAMPBELL. No.

The CHAIRMAN. Do you know anything about it, Mr. Walter?

Mr. WALTER. As he states, his daughter died some years ago. She was married to one Charles Marksman, an Indian I believe, on the Michigan side. He died and, as near as we can find out the facts, the child died previous to the father's death. We submitted his claim, and also the claim of the Marksman heirs for the decision of the Indian Office. The Indian Office decided against Wildcat and said that the money was to go to the Marksman heirs. At the present time there has been an administrator appointed for the Marksman estate on the Michigan side, and they are now in the courts, I understand.

Senator LA FOLLETTE. Have you informed Wildcat of that?

Mr. WALTER. Yes; several times.

Senator LA FOLLETTE. Are you sure about which died first; whether it was the father or child?

Mr. WALTER. As near as we could get at it—from affidavits of all the Indians who seemed to know of the case and the death certificate of Marksman—the child died first.

Senator LA FOLLETTE. Do you know whether the child's father died before the child or whether the child died before its father?

Mr. WILDCAT. The child died first.

The CHAIRMAN. If the child died first, under the law the father would take the property, and then when the father died it would go to the heirs of the father and he could not get anything. Tell him that would be the same among the white people.

Mr. WILDCAT. How about myself? I went to considerable expense keeping my daughter while she was sick until the time of her death, and also took care of the child until the child died. What about that?

The CHAIRMAN. How long ago was that?

Mr. WILDCAT. Three years ago.

The CHAIRMAN. How much do you think that would come to?

Mr. WILDCAT. I don't know how much. You have got better ideas than I have.

The CHAIRMAN. The superintendent has put in a claim for you, and it depends upon the action of the court.

STATEMENT OF MRS. CHARLES PAUPARTE (NAU-WIS).

Mrs. CHARLES PAUPARTE, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. What statement do you want to make?

Mrs. PAUPARTE. Two years ago this spring I sent for $30 to fix my teeth, and I only took $10 out of it and that $20 remained in the office here somewheres. About a month ago I looked for it and I could not find it any place. First I went over to Mr. Walter and asked him, and he said they is not a sign of that $20 there, so he sent over to the company's office, and I went over there and he said they is not a sign there.

The CHAIRMAN. Did you ever get the money yourself?

Mrs. PAUPARTE. No.

The CHAIRMAN. Did you get an order for it?

Mrs. PAUPARTE. I got an order for it.

The CHAIRMAN. What did you do with the order?

Mrs. PAUPARTE. I took the order to Rhinelander to the doctor.

The CHAIRMAN. Do you know how much the order was for?

Mrs. PAUPARTE. Thirty dollars I sent for.

The CHAIRMAN. And he took out $10?

Mrs. PAUPARTE. Yes.

The CHAIRMAN. Did he give you back $20?

Mrs. PAUPARTE. I never seen that money. It was in the office all the time.

The CHAIRMAN. Then you didn't take it with you to Rhinelander?

Mrs. PAUPARTE. I just took the order what they gave me in the office.

The CHAIRMAN. An order for $10.

Mrs. PAUPARTE. For $10. I was going to have my teeth fixed over there. I never seen that money.

The CHAIRMAN. Do you know whether the doctor got his $10?

Mrs. PAUPARTE. Yes; he got his all right.

The CHAIRMAN. How do you know he got his?

Mrs. PAUPARTE. They sent that money to him.

The CHAIRMAN. They sent it from here?

Mrs. PAUPARTE. From here.

The CHAIRMAN. That was three years ago?

Mrs. PAUPARTE. Two years ago this spring.

The CHAIRMAN. You weren't here then, Mr. Walter, were you?

Mr. WALTER. That has come to my notice during the last month, where she evidently made her application and got the funds. The farmer in charge——

Senator LA FOLLETTE. You say got the funds?

Mr. WALTER. Got the funds authorized, I should have said. It was the method of the farmer here to deposit with the company the

entire amount that was authorized, and then he gave orders for certain supplies to be purchased and would pay for it with the company's check. In other words, the company's bookkeeper did the whole of the bookkeeping for him.

Senator LA FOLLETTE. And took charge of the Indians' funds whenever an amount was authorized?

Mr. WALTER. Yes; and kept in his office the entire record of the whole transaction. May 1st, or thereabouts, at the time that I took over the books from the farmer covering this class of work, I called upon the bookkeeper of the company to turn over to me all balances of old accounts with a statement of how much was due each individual Indian. That was done, but the name of this woman did not appear in the list.

The CHAIRMAN. Is there any record in your office, so far as you discovered, of her application and the allowance of her application for this amount?

Mr. WALTER. No, sir; in so far as I know, there is not. There may be in Mr. Egbert's list of papers. That was before our time here, and it was before the time that Mr. Egbert first came here.

The CHAIRMAN. Is there any record down there in any of those which were turned over to you of this $10 transaction?

Mr. WALTER. The only record I could find is—I was talking to Mr. Palmer, the bookkeeper, and the only record I could find was that she had certain moneys placed to her credit on their books, but that she had used all that was placed there. Whether it was this $30 or not, I do not know.

The CHAIRMAN. Have you ever examined that account to see if there was a $30 item?

Mr. WALTER. No, sir.

The CHAIRMAN. Do you suppose he would let you do it?

Mr. WALTER. I suppose so.

The CHAIRMAN. I think you had better look it up, and if it is susceptible of explanation to her, explain it to her. She evidently thinks she is out $20 there.

Mr. CAMPBELL. If you will send the dates to me, I will look it up.

The CHAIRMAN. If you will look at the books you might get some light on it.

Mr. WALTER. It is possible I can find a record of the authority here. I don't know. I will try to get into Mr. Palmer's books and see the other end of it also.

Senator PAGE. What voucher do they take at the lumber company's store when they pay a balance as in this case? Suppose they had paid the other $20, wouldn't they have her receipt or something to show that they had paid it?

Mr. WALTER. In that case, I don't know what they did before I took charge of the books. Now a personal receipt would be required in some form.

Senator PAGE. It ought to be required.

Mr. WALTER. It ought to be required.

Senator PAGE. Have you any doubt but that they did require it—could the business of the office here be transacted with such looseness as not to require a voucher?

Mr. WALTER. I don't think so. At the same time, I think in the majority of cases they used the check as a voucher.

Senator PAGE. Whose check?

Mr. WALTER. Generally the Flambeau Lumber Company's check.

Senator PAGE. She didn't make any check for this $10?

Mr. WALTER. No; I suppose she made a check for the entire $30.

The CHAIRMAN. It may not have been allowed at $30. Where do you suppose the other $20 was put?

Mrs. PAUPARTE. Well, Mr. Egbert was the man that sent that $30 for me.

Senator PAGE. When did you first apply for the other $20 that was coming to you?

Mrs. PAUPARTE. It was about a month ago. I came twice to him, and I went twice to the company, and they sent me to both houses. The company sent me over to his office, and he sends me over to the office twice. I got tired running around, and I quit.

Senator PAGE. Was a month ago the first time you ever made inquiry about that $20?

Mrs. PAUPARTE. Yes.

Senator PAGE. Why hadn't you asked for it before?

Mrs. PAUPARTE. Well, I told him to keep it there until I called again.

Senator PAGE. Told whom?

Mrs. PAUPARTE. Mr. Egbert.

Senator PAGE. It had been two years before that?

Mrs. PAUPARTE. Two years this spring.

Senator PAGE. Hadn't you wanted any of it or needed any of it?

Mrs. PAUPARTE. No; I never asked for that. I told him to leave it there until I called again.

Senator PAGE. Did you buy anything on credit—did you buy anything and have it charged to you at the company's store?

Mrs. PAUPARTE. No; I did not.

Senator PAGE. Did you have it charged on the company's books?

Mrs. PAUPARTE. No, I did not; never used that $20 out of anything; only used just $10 out of $30.

Senator PAGE. Have you had any other complaints or known of any other complaints similar to this and resulting from the same method of transacting business with these Indians?

Mr. WALTER. Yes; there are other complaints, but I think the others have been found.

Senator PAGE. Been dug out in some way?

Mr. WALTER. In some way. There might be differences of some few cents or a dollar or two on some of the claims, but as a rule they were correct.

Senator PAGE. Was the business transacted in this loose way?

Mr. WALTER. When I came here it was.

Senator PAGE. What record is there in your office of cases of this kind where the full amount of money was expended in accordance with the application or approval, if any—any other cases?

Mr. WALTER. We keep a record and copy of all bills that are submitted.

Senator PAGE. I mean these prior transactions?

Mr. WALTER. Practically nothing.

Senator PAGE. You say practically nothing. Is there some loose memoranda there that indicates that there was a good deal of business transacted in that way?

Mr. WALTER. Yes.

Senator PAGE. But nothing from which you can get any definite information—is that what you wish to say?

Mr. WALTER. That is the idea I wish to give.

Senator PAGE. Do you find the authorization on file?

Mr. WALTER. I haven't looked for that special authorization.

Senator PAGE. In other cases?

Mr. WALTER. In a few other cases I have seen the authorization.

Senator PAGE. But the balance of the transaction is involved in confusion and you are not able to work it out?

Mr. WALTER. Not able to get the exact data except in a very few cases; not saying they would balance absolutely, but practically, so it would seem to be an honest transaction all the way through.

Senator PAGE. But a loose method.

Mr. WALTER. But a loose method.

The CHAIRMAN. Under that method, for instance, if she got an order for $30 it was placed there and checked against?

Mr. WALTER. Yes.

The CHAIRMAN. And if she ever got it, there would be checks issued for it?

Mr. WALTER. Yes; provided they kept a record of those checks. I don't know that they did in all cases.

The CHAIRMAN. They certainly would not pay it out without a check or receipt, would they—the company?

Mr. WALTER. They would undoubtedly require a receipt, but they might enter it up not showing what check was issued to cover it.

The CHAIRMAN. Unless he falsified their records it would show that she had either received the full amount or that there was a balance to her credit?

Mr. WALTER. Yes.

Senator PAGE. In making that requisition in this case, how would you make a requisition for $30, including $10 to the dentist—would you say, "$10 for dentist" and "$20 for household goods or groceries at the store?"

Mr. WALTER. If she came at the present time I would make requisition for dental work to the amount that was required to be used that way, specifying the exact amount that she thought would be sufficient to cover it.

Senator PAGE. And then you would make another requisition for the $20, if she wanted $20 after that?

Mr. WALTER. If she wanted it for other purposes I would increase the sum.

Senator PAGE. What would you say about the balance? Would you say "For groceries at the Flambeau Lumber Company's store?"

Mr. WALTER. Specify the exact articles that she wished to buy; that is, in general terms, clothing or subsistence.

Senator PAGE. And having done that, wouldn't you become responsible to pay to the company the other $20?

Mr. WALTER. The company might not be the party I would be dealing with later.

Senator PAGE. I am talking about how you would balance this $30 on your books. You would charge $10 for dental work, and if she wanted goods at the Flambeau store, you would deposit the other $20?

Mr. WALTER. No, sir.

Senator PAGE. What would you do?

Mr. WALTER. I would keep it in the bank to her credit, to expend as it was authorized.

Senator PAGE. Suppose she wished for it at the time?

Mr. WALTER. If it was authorized for a special purpose, and she wanted it for that purpose, it would be issued to her.

Senator PAGE. Would you mention half a pound of tea, or what would you say—groceries?

Mr. WALTER. I would mention that as subsistence on the record.

Senator PAGE. On the order, how would it appear?

Mr. WALTER. On the order I would say for purchase of the kind it would be—subsistence.

Senator PAGE. I was trying to see if I could not find some way in which you can account for or reasonably apologize for this method of doing that business.

Mr. WALTER. I didn't do it.

Senator PAGE. I would like the best reason you can give or apology.

Mr. WALTER. I have no explanation for their method at all, except it was about the simplest form for the farmer to have another man do his bookkeeping.

Senator PAGE. It has worked out all right except in this case?

Mr. WALTER. I think it has. As far as the specific cases have been referred to me, I have known of no special fault.

Senator PAGE. It has worked no wrong?

Mr. WALTER. So far as I know, it has not.

Senator LA FOLLETTE. Unless in this case.

Mr. WALTER. Unless in this case. The present method, if I may explain further, is that each Indian makes application for certain articles or for authority to use a certain amount of money for certain purposes. If it is for the purchase of any item whatsoever, they secure orders on any place, whether it be in the local store or in any surrounding towns, for the purchase of items. This order gives authority for the man to furnish the goods called for and advises him that no additions to or changes from the terms of that order will be permitted. Itemized bills are submitted in return and paid by direct check from this office. If there is any balance from the authorized amount, it is retained or redeposited to the credit of the Indian that made the first request. The itemized bills of any one Indian are inclosed in an envelope, marked with the Indian's name, and are ready for reference at any time.

The CHAIRMAN. If you will, look up the matter of this woman's $20 and advise the committee later.

Mr. WALTER. Yes.

STATEMENT OF CHARLES H. HEADFLYER—Continued.

CHARLES H. HEADFLYER resumed the stand for further examination.

Mr. HEADFLYER. I will speak in Chippewa, so the Indians can understand.

The CHAIRMAN. Very well; you may do that, and Mr. Obern will translate it into English.

Mr. HEADFLYER. Here some time ago you were talking about coupons and the Indians being dissatisfied and complaining in reference to issuing of orders on the store. It is not the intention of the Indians

to kick about the requisitions that are made before giving out any orders. If we make requisitions to Washington for $30 or $40 or $50 for certain goods to be given—it is not about that we are kicking. It is on the $10 monthly allowance that is being issued to some that we are kicking. We object to that being taken to the store. If I had $10 in cash and went to some neighboring town and bought calicos or any goods whatever I would probably save $2 by doing so; the cost undoubtedly would be $2 cheaper. You take a poor Indian, and $2 means considerable to him; he could eat for some time on that. Must we necessarily deal with coupons at this company's store. I have a little store, trying to make a living, and all I have got in the way of orders is $5 this whole summer. Big George is the man that brought me the order, and I asked him how it was that he brought it to me, and he says, "Why, the pork you sell is better than the pork we get at the store." Further, he told me I was selling my flour 10 cents cheaper than they were selling it at the company's store. My wife had some credit, and she was to get $10, and they wanted her to take an order on the company's store.

Senator LA FOLLETTE. Who did?

Mr. HEADFLYER. Egbert, the Indian agent's office here, the superintendent's office, and I told her not to accept it; that we wanted that money to pay for seed and one thing and another, and that we had plenty of eatables and clothing, and so forth.

Senator LA FOLLETTE. When was that?

Mr. HEADFLYER. Last May. I came here that year, and I finally got $25 for her. The balance of the money that was to her credit they didn't want to give her any more money, but wanted her to take orders on the company's store.

Senator LA FOLLETTE. Who said that to you?

Mr. HEADFLYER. Egbert.

Senator LA FOLLETTE. Who is Egbert?

Mr. HEADFLYER. The government farmer.

Senator LA FOLLETTE. Was anybody there besides Mr. Egbert?

Mr. HEADFLYER. That superintendent, Mr. Sickles.

Senator LA FOLLETTE. What does Mr. Egbert do?

Mr. HEADFLYER. I never knew him to do anything. He is always there at the Indian agent's office.

The CHAIRMAN. Now, can you state who would have the say about these things, the farmer or the superintendent?

Mr. WALTER. Superintendent Sickles.

The CHAIRMAN. Is that all?

Mr. HEADFLYER. Would the Indians of this reservation be entitled to a practical farmer that would be able to show the Indians how to farm? The Indian as he is to-day is not a very good farmer, and it would be good to have a practical farmer to show him how to farm. I don't blame the Indians for not knowing much about farming, because there is no one to show him about farming.

AN OLD INDIAN (through the interpreter, Mr. Obern). That is so, too.

Senator LA FOLLETTE. What is that?

THE OLD INDIAN. That is just the case.

Senator LA FOLLETTE. You may take that; Mr. Obern has been sworn.

Mr. HEADFLYER. You can ask any Indian that is here who has ever tried to farm, ask him whether or not any Indian farmer has ever went to him and showed him how to do farm work. Well, suppose that a man makes requisition for $100 to build a house. He hires a man to build this house. Isn't it right and proper that he should give this man an order of $5 for his labor, or $10, whatever the amount might be—isn't it proper that that farmer who the order is presented to should give this man $5 in a check and not an order? There was a man, a contractor, who had a contract to build a building here, and he was away, and his hired help were hungry and in need, and they came to me for a little credit and I gave them $5 in credit—eatables, it was—and when that contractor returned he came to me and told me he would give me an order for that amount; that there was money there that had been granted for this purpose, and I brought the order, and I was refused on the ground that they were not permitted to issue orders for this kind of work.

Senator LA FOLLETTE. By whom were you refused?

Mr. HEADFLYER. It was Sickles, through Walter. I found out later that that man had received an order on the company's store for $5 or $10 and I went to him and asked, "How is it you can get orders on this work to the company's store and my order for the same work is not allowed?

The CHAIRMAN. What answer did he make?

Mr. HEADFLYER. He did not say anything. He was surprised himself.

Senator LA FOLLETTE. Who did you ask?

Mr. HEADFLYER. The man.

The CHAIRMAN. Did you speak to Mr. Sickles or Mr. Walter about it afterwards?

Mr. HEADFLYER. I did not—I just sent an order to them and they answered me back that it could not be done.

The CHAIRMAN. After you found out about the other order down at the company's store, after that, did you ever talk to them about not giving you the order?

Mr. HEADFLYER. No; I never did talk to them any more about it, only I talked to this man who had given me the order.

Senator LA FOLLETTE. Go ahead.

Mr. HEADFLYER. That is about all.

STATEMENT OF FATHER OLERIC.

Father OLERIC. I have been here with the Indians for twenty-eight years.

Senator LA FOLLETTE. How much of that time has been passed upon the Bad River Reservation?

Father OLERIC. Twelve years.

Senator LA FOLLETTE. And how much time have you passed on the Lac du Flambeau Reservation and the Lac Courte Oreille Reservation?

Father OLERIC. I have been here for twelve years and at Reserve, on the Lac Courte Oreille Reservation, for a year at present. Six years ago I was also at Reserve one year.

Senator LA FOLLETTE. How many years ago?

Father OLERIC. Twelve years ago I was at Kashena with the Menominee Indians. Previous to this I was also with the Chippewas, so I have been with the Chippewas now sixteen years. Well, I always was for getting a practical farmer wherever I was. When I was at Kashena and when I was here, and in all my dealings with the Indians I found only one good practical farmer, and that was at Kashena. That man went out with the Indians early in the morning; at 6 o'clock he would hitch up his horses and go out to the Indians and tell them how to clear their land and also told them what to put on the land, and he always saw to it that the Indians did their work, and I must say anyhow while I was there they had good farms, and I think if there was a good practical farmer on each reservation, here as well as at Odanah and Reserve, that we would have some results anyhow from our Indians concerning their farming. Of course, I know that Indians are not Germans or Swedes or such big farmers, yet I think they would all have their 20 acres and so on, and even if they only had 10 acres it would keep starvation away, and this way in a few years their money is gone and their land is nothing but stumps and they will be a burden on the counties where they are residing. If they had some one who would look after this farming business at present, something might be done yet.

Senator LA FOLLETTE. Is there as much land under cultivation by Indians on the Bad River Reservation, at Reserve and here, as there was twelve years ago when you came?

Father OLERIC. Well, they have done a little. Of course, twelve years ago they had just commenced farming anyhow at Odanah, or some years previous. I don't know when they commenced logging here; it was before my time. The one that is called "Government farmer," he simply attends to office business, and I always call him "special agent," because he attends to the business, to the office work, but then he does not go around showing the Indians how to farm; so if there was a farmer on each reservation I think the money would be well spent.

Senator LA FOLLETTE. Is there anything else that you would like to state?

Father OLERIC. I guess that will be all at present.

Senator LA FOLLETTE. Is there anyone here who has any statement or any personal complaint that he would like to make to the committee?

(Mr. Obern interpreted to the Indians.)

(Witness is named.)

STATEMENT OF JOHN A. MARTIN.

JOHN A. MARTIN, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified through Mr. Obern as interpreter, as follows:

Mr. MARTIN. I went to get my check of $10 and I lost track of it. I asked the clerk where it was and he told me he had given it to me. I said, "No, you have got it," and I told him I didn't have it and he insisted that I had it and he said that the check had got into the bank.

The CHAIRMAN. When was this?

Mr. MARTIN. In March, 1909. The man that done my interpreting at that time is here present at this time.

The CHAIRMAN. Was Mr. Walter present?

Mr. MARTIN. It was Walter that I asked. I insisted upon his never giving me the money, and he threw the books around and said "Yes; he did give me the money," and he told me to get out of the office and if I did not get out he would throw me out.

The CHAIRMAN. Did you ever have the check yourself?

Mr. MARTIN. Yes; I had signed it.

The CHAIRMAN. Did you see it there in the office?

Mr. MARTIN. Yes; I seen it there in the office.

The CHAIRMAN. How are those checks sent, to the office or to the individual?

Mr. WALTER. That was previous to the order of March 15, cutting off the monthly checks, and the checks were generally delivered to the individual unless the individual had contracted a debt at the store, and in that case it was held to cover his debt.

The CHAIRMAN. Were these checks payable to the superintendent here?

Mr. WALTER. No, sir; the checks are drawn payable to the Indian himself.

Senator LA FOLLETTE. He is both the payer and payee.

The CHAIRMAN. When these checks are drawn the Indian could come in and get the money on the check if he could identify himself?

Mr. WALTER. Yes.

Senator PAGE. Has this check come back with the indorsement?

Mr. WALTER. The check itself does not come back here. The report of it is in from the bank. The check goes to the treasurer.

The CHAIRMAN. Is it reported?

Mr. WALTER. It is reported as collected.

Senator PAGE. In this case you paid it to the payee the same day?

Mr. WALTER. I don't know in fact just now how it was handled. The records of the office show it was paid.

Senator PAGE. By the bank.

Mr. WALTER. By the bank.

The CHAIRMAN. Do you recall the incident of this man coming in there?

Mr. WALTER. Yes.

The CHAIRMAN. Did you ever have the check?

Mr. WALTER. I will add one slight statement to his. He came in about half drunk and was asking for his check, and stated then that he accused the office people, some of them, of stealing his money, and I told him very promptly to get out of the office and stay out until he was sober.

The CHAIRMAN. Do you know of any checks going through the office?

Mr. WALTER. Yes; it is my business to draw checks. The check being drawn in February was held there in the office. Whether or not it was used to cover a debt that he incurred or whether it was delivered to him personally I can not say at this date.

Senator PAGE. Would the records of your office show?

Mr. WALTER. No; so far as I know. At that time I did not handle the store side of the business; Mr. Egbert was handling that.

Senator PAGE. Should not your records properly show whether the check was given to him or whether the check was retained and paid to some debtor?

Mr. WALTER. They should; yes.

Senator PAGE. Did you look up when he came and made his statement?

Mr. WALTER. I looked up and saw the check had been cashed. Further than that I had no record. From the method of handling these matters it would seem that the check had been delivered to him personally. If it had been used to pay a debt there would have been a record.

Senator PAGE. Is it your belief that he got the check himself?

Mr. WALTER. I believe he did.

Senator PAGE. Is there any difficulty in getting that check in Washington?

Mr. WALTER. I believe not.

Senator PAGE. Does this Indian write?

Mr. WALTER. Why, he writes his name—whether he writes more than that I do not know.

Senator PAGE. He can write his name?

Mr. WALTER. Yes.

Senator PAGE. He would indorse his own check?

Mr. WALTER. Yes.

Senator PAGE. Wouldn't it be an easy matter to ask the department to send that in and settle the whole controversy?

Mr. WALTER. It can be done.

Senator PAGE. Wouldn't you suggest that that be done?

Mr. WALTER. It would be the easiest way possibly to settle the dispute.

The CHAIRMAN. You say you draw the checks?

Mr. WALTER. First I draw the checks.

The CHAIRMAN. I supposed they were drawn at Ashland?

Mr. WALTER. Not since July 1, but prior to that time. This occurred since?

The CHAIRMAN. This was one of the monthly allowance checks?

Mr. WALTER. Yes.

The CHAIRMAN. And these checks were drawn payable to the order of the Indian?

Mr. WALTER. Yes.

The CHAIRMAN. And they could take those checks and get them cashed anywhere where they could identify themselves?

Mr. WALTER. Provided they were properly approved by the superintendent in charge.

Senator PAGE. You say, Mr. Walter, that if they had a debt at the store the check would be delivered to the store?

Mr. WALTER. Yes; to cover the debt there.

Senator PAGE. How would it be possible for him to contract a debt at the store?

Mr. WALTER. It was customary for Mr. Egbert, in case an Indian wanted to buy things ahead of his check being due, to give to the Indian an order for, say, $5.

Senator PAGE. And the store would advance the Indian whatever he wanted on that order?

Mr. WALTER. Yes; and he made a record in a little book of his own showing the order had been issued, and at the end of the month, if he had issued orders, he held the check or a portion of the check at least to cover the payment of those orders that he had so issued.

Senator PAGE. In that case the check would not be delivered to the Indian?

Mr. WALTER. It would not be delivered to the Indian.

Senator PAGE. Would the Indian be required to indorse the check?

Mr. WALTER. Yes; otherwise the check could not be cashed.

Senator PAGE. And then Mr. Egbert would deliver the check and collect the money on it at the store, or issue a check to pay the debt at the store?

Mr. WALTER. Yes; used the check to pay the debt.

Senator LA FOLLETTE. You may say to him, Mr. Obern, that the suggestion has been made by Senator Page that the office here should call upon the Indian Office for that check and show it to him, if it has been paid in the regular way, in the usual course of business; that that will doubtless be done, and if the agent shows him his indorsement he will know that he really had that check, and it was paid to him.

Mr. MARTIN. I did sign the check. I went there and signed the check, thinking I was going to get it, but after I signed the check he told me that Sickles was absent and could not O. K. it, could not countersign it then; and I says, "Give me the check," and he said: "No; I will put it in the safe," and that is the last I seen of the check.

The CHAIRMAN. Well, it will be looked up.

Mr. WALTER. I would simply say this: That the department order that required the superintendent to approve the check after it was signed by the Indian was not issued for months after this man makes his claim, and before that time Mr. Sickles always approved the checks, regardless of the Indians' signatures, before I tore them out of the book.

The CHAIRMAN. This was an ordinary check drawn on a bank?

Mr. WALTER. Yes.

The CHAIRMAN. What bank?

Mr. WALTER. The First National Bank, at Hudson.

The CHAIRMAN. And drawn to his order?

Mr. WALTER. Yes.

Senator PAGE. And he had indorsed it?

Mr. WALTER. And he had signed it—indorsed it.

Senator PAGE. And he gave it back to you?

Mr. WALTER. I don't know whether he did not not.

Senator PAGE. He claims to have given it back to you?

Mr. WALTER. If that was the case it was used to cover an order.

Senator PAGE. Having that in your hands, if you were disposed to wrong the man it would be possible?

Mr. WALTER. Certainly.

Senator LA FOLLETTE. If you used it to cover an order, for instance, at this store, would it have to have his indorsement on it when they used it at the bank?

Mr. WALTER. In the natural requirements of the bank business I should think it would have their indorsement.

Mr. MARTIN. About February of this year I went to him and asked him for a statement of my account. He looked around the books there somewhat, and he finally shoved the book over toward me, and he says: "Look over this for your account, and if you don't believe this, then you can do as you will;" or something to that effect. I could not understand his books, and I wanted him to give me a statement myself. Since my allotment has been cut, I have received a statement only once, and that I got from Major Campbell, at Ashland, Wis. That is all I have to say.

The CHAIRMAN. We will now adjourn for dinner.

(Thereupon, at 6 o'clock p. m., the committee took a recess until 7.30 o'clock p. m.)

AFTER RECESS.

STATEMENT OF KATE CROSS.

KATE CROSS, a Lac du Flambeau Indian, being first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Are you a Chippewa Indian?

Mrs. CROSS. Yes.

The CHAIRMAN. A member of the Lac du Flambeau band?

Mrs. CROSS. Yes, sir. I have an allotment of land here.

The CHAIRMAN. You have some children?

Mrs. CROSS. Yes.

The CHAIRMAN. What are their names?

Mrs. CROSS. Ge-ba-one, Be-zo-na-she-bo-qua, O-ka-ma-wa-bo-qua, O-ba-no-qua.

The CHAIRMAN. Won't they give your children any allotment?

Mrs. CROSS. No, sir.

The CHAIRMAN. Do you know why?

Mrs. CROSS. No, sir; I do not——

The CHAIRMAN. Were they born here on the reservation?

Mrs. CROSS. At Merrill, Wis.

The CHAIRMAN. Is their father a white man?

Mrs. CROSS. No, sir; he is a half-breed Indian.

The CHAIRMAN. Of what tribe or band?

Mrs. CROSS. Here on the Lac du Flambeau Reservation.

The CHAIRMAN. That is all.

STATEMENT OF MA-KWE-GON.

MA-KWE-GON, a Lac du Flambeau Indian, being first duly sworn by the chairman, testified partly through Mr. Obern, as interpreter, as follows:

Mr. MA-KWE-GON. Fourteen years ago I had a credit of $40 and I have never found any record of that. I had a lot of land that was cut over the second time and I was unable to get the scale report on it.

The CHAIRMAN. How long ago was it cut over?

Mr. MA-KWE-GON. Fourteen years.

The CHAIRMAN. Do you know anything about him?

Mr. WALTER. I only know that he brought in some statements from Mr. Campbell's office the other day and asked me about them. It seems he had authority to purchase a team, and that the team did not cost within $14 of as much as was authorized.

The CHAIRMAN. How long ago?

Mr. WALTER. According to his own statement it must have been from three to five years. I could find nothing on his statement that spoke of time or anything that would be of sufficient moment to indicate that he purchased the team, or when it was.

The CHAIRMAN. What time was it?

Mr. MA-KWE-GON. February, 1905.

The CHAIRMAN. When was it you bought the team?

Mr. MA-KWE-GON. Fourteen years ago.

The CHAIRMAN. What is it about the scale report?

Mr. OBERN. He claims that he does not get any scale report and he has a scale report in his hand.

The CHAIRMAN. We can not do anything with that.

Senator LA FOLLETTE. The next complaint is that of Mrs. Louise Chapman. I will read it.

COMPLAINT OF MRS. LOUISE CHAPMAN, INDIAN BELONGING TO LAC DU FLAMBEAU RESERVATION.

When I signed contract made with the Lac du Flambeau Lumbering Company for cutting of pine timber on my allotment I received only $10 and that in the form of a coupon book on the store belonging to above-named lumbering company. I didn't have a choice as to money or coupon. I didn't receive any more contract money till my timber was cut, which was several years afterward.

A number of years ago, perhaps ten, a dam was made on the portion of a small creek that runs through a part of my allotment, doing damage on my allotment; and used said dam for a number of years, perhaps four or five, for sending logs from one lake to another. I never received anything in payment, not even was asked the permission of use of my land.

On one of my allotments, or a portion of my allotment, two deck of logs piled there in the woods last summer; those logs burned.

I have 7 children; only 3 of these children have allotments; 2 of these 3 have only 40 acres. Names of those without land:

Robert Chapman and his 2 children; Jessie Chapman and her 2 children; Olive Chapman; Willie Chapman (having only 40 acres); Lester Chapman (having only 40 acres); Tillie Chapman (having none).

Respectfully,

MRS. LOUISE CHAPMAN.
Per JESSIE CHAPMAN, M.

The CHAIRMAN. Do you know anything about her case?

Mr. WALTER. I know the timber was cut from her allotment last winter.

The CHAIRMAN. Do you know anything about some complaint that some of it was left on the ground?

Mr. WALTER. I have never heard any such a complaint.

The CHAIRMAN. Mr. Young, do you know about this Chapman matter?

Mr. YOUNG. I can not identify the land by the name. I know the lands were all gone over, and we picked up and scaled everything we found. I know the land cut was gone over, and we picked up and scaled everything, and the reports were sent in to the agents on it.

The CHAIRMAN. We had better call her.

STATEMENT OF MRS. LOUISE CHAPMAN.

LOUISE CHAPMAN, a Lac du Flambeau Indian, having been duly sworn, by the chairman, testified as follows:

The CHAIRMAN. You have an allotment here?

Mrs. CHAPMAN. Yes.

The CHAIRMAN. You claim there was some timber left there last spring?

Mrs. CHAPMAN. Not last spring.

The CHAIRMAN. When?

Mrs. CHAPMAN. About five or six years ago, I guess they cut it. They left it down in the woods.

The CHAIRMAN. Do you say it was burned——

Mrs. CHAPMAN. It was burned down last summer, yes.

The CHAIRMAN. Did they leave the timber lying on the ground?

Mrs. CHAPMAN. Yes.

The CHAIRMAN. Five or six years ago?

Mrs. CHAPMAN. Yes.

The CHAIRMAN. How much?

Mrs. CHAPMAN. I could not tell you.

The CHAIRMAN. Anybody here who knows?

Mrs. CHAPMAN. Patterson knows.

The CHAIRMAN. Is Patterson here?

Mrs. CHAPMAN. He is here.

Senator LA FOLLETTE. Was it piled up?

Mrs. CHAPMAN. Yes.

Senator LA FOLLETTE. In big piles?

Mrs. CHAPMAN. Yes.

Senator LA FOLLETTE. And burned there?

Mrs. CHAPMAN. Yes.

Senator LA FOLLETTE. Did you get anything for it?

Mrs. CHAPMAN. I could not tell you.

The CHAIRMAN. It burned last year?

Mrs. CHAPMAN. Yes.

The CHAIRMAN. It had been piled for four or five years?

Mrs. CHAPMAN. Yes, sir; it had been laying there for four or five years.

Senator LA FOLLETTE. How big were the piles?

Mrs. CHAPMAN. Yes; I suppose as high as this wall.

Senator LA FOLLETTE. Did you ever see it yourself?

Mrs. CHAPMAN. Yes; I seen it with my own eyes.

Senator LA FOLLETTE. How far was it from here?

Mrs. CHAPMAN. I was close.

Senator LA FOLLETTE. How far is the land from here?

Mrs. CHAPMAN. From here—I could not tell you how far.

Senator LA FOLLETTE. What is the number of your allotment? Do you know?

Mrs. CHAPMAN. No; I don't.

Senator PAGE. Is it 1 mile or 5 miles?

Mrs. CHAPMAN. Not so far as 5 miles.

Mr. WALTER. About a mile and a half.

Mrs. CHAPMAN. It is on the other side of the lake—the other side of Crooked Lake.

Mr. WALTER. That would be between 4 and 5 miles if it is beyond Crooked Lake.

Mr. FARR. Five or six years ago, I think it is—may be it was five years—some logs were left in the woods. That is liable to happen most any time, but a considerable amount was scaled up at the time of the closing of the logging—scaled up and charged to the contractor the same as delivered—and if he failed to deliver them the loss would be to the contractor unless it was some error, which I scarcely think existed. That happened frequently where logs were left in the woods.

Senator LA FOLLETTE. Any big piles?

Mr. FARR. Yes; skidways. It breaks up suddenly and catches them and they have to leave it.

Senator LA FOLLETTE. Wouldn't they be taken up the next season?

Mr. FARR. That is they should be, unless that road was abandoned, and then it would cost more than the logs would be worth.

Senator LA FOLLETTE. If it was scaled, it would not be any loss to the lady.

Mr. FARR. That would be the practice. It would be an oversight I scarcely think would exist, and anything like that you would have several enormous reports from different sources. The chances are you would see that in the newspapers two or three different times. People go around and they see these things and they usually appear larger than they are. I should think if the logs were left that would be the condition.

The CHAIRMAN. It is your effort and purpose to go through and scale what they call the clean-up?

Mr. FARR. Yes; they go over all the ground now. It has always been the custom to go over the logging roads and skidways. At that time down here that was a part of the work of the scaler, and it went in as a scale in the spring.

Senator LA FOLLETTE. Do you know who the scaler was at that time?

Mr. FARR. I could not just recall.

Mr. YOUNG. Three winters is all that I have had to do with it.

Mr. FARR. We had pretty good scalers at that time, and I personally visited the works.

The CHAIRMAN. Were these logs generally put in by subcontractors?

Mr. FARR. Sometimes we would have subcontractors, one and then another. We had had considerable difficulty about the scaling shortly before that, and this received special attention for a number of years here.

Senator LA FOLLETTE. Is the man Patterson here that you spoke of?

Mr. FARR. Yes.

Senator LA FOLLETTE. Is he in the room?

Mr. FARR. Yes, sir.

Mr. CAMPBELL. I would like to state something. This matter came up in the council some years ago, and I made an investigation of it, and I found from the reports of the farmer that it was scaled just as he says.

Senator LA FOLLETTE. Do you know just whether this was the case or not?

Mr. CAMPBELL. I could not tell you.

Senator LA FOLLETTE. Was it just one case?

Mr. CAMEBELL. Yes; one case.

Mr. FARR. I feel reasonably certain that is correct, because I made special trips here and found that situation.

Senator LA FOLLETTE. Did you make complaint to the council?

Mrs. CHAPMAN. No, sir.

Senator LA FOLLETTE. Was your matter ever up in council?

Mrs. CHAPMAN. No.

Senator LA FOLLETTE. Mr. Patterson's statement might be taken.

STATEMENT OF JOHN PATTERSON—Continued.

The CHAIRMAN. Do you know anything about this lady's allotment?

Mr. PATTERSON. Yes; I seen the logs piled up and burned at the time of the fire last summer.

The CHAIRMAN. Did you ever look at the ends of these logs?

Mr. PATTERSON. No, sir.

Senator LA FOLLETTE. How many logs were there, Mr. Patterson?

Mr. PATTERSON. There were two piles—one pile about the heighth of this ceiling of this room and the other pile of logs was smaller.

Mr. FARR. If these logs existed when he saw them, there is no possibility that they would have been missed. They made a pretty full scale here.

Mr. YOUNG. A year ago this spring there was 82,000 feet scaled up that way, scattered around in the woods.

STATEMENT OF MRS. LOUISE CHAPMAN—Continued.

The CHAIRMAN. What is the other matter?

Mrs. CHAPMAN. My boy signed a contract and did not get the $50.

The CHAIRMAN. Did your boy go to school?

Mrs. CHAPMAN. He was then, but not now.

The CHAIRMAN. The money was on deposit for him, but when he was at school it was kept for him. How old is your boy now?

Mrs. CHAPMAN. He is 19—will be 20 next year. The other one is 18.

The CHAIRMAN. Is he living with you?

Mrs. CHAPMAN. Yes, sir; both of them are at home.

The CHAIRMAN. That is the reason they did not get the money. It is there on deposit to their credit. He won't lose it. The only question is, How soon ought it to be paid over? and that is a matter we can not very well settle. Is there anything more?

Mrs. CHAPMAN. I want to ask you if they can make them go to school yet—these boys?

The CHAIRMAN. We could not answer that question. The boy had better go to school; I can say that to you. That is all of this complaint, I believe. What is the next?

(The complaint was read, as follows:)

COMPLAINT OF CHARLES JACKSON.

I have been here five years and had a hard time to get an allotment of land, but finally got 80 acres of land, but have $380 yet which I can't get, and I am heir to my father's money which is left—$212—which we can not get. When I went to hear what the committee had done in regard to my father's property, I was ordered out of the office by the government farmer, and told I had no business there.

The CHAIRMAN. What do you know of that, Mr. Walter?

Mr. WALTER. I know this much of the case. As he says, he is one of two heirs to his father's money. The amount is probably nearly accurate, but the facts are that although there is a credit of two hundred and some odd dollars, there is a bill of the Flambeau Lumber Company unpaid that exceeds the whole deposit.

The CHAIRMAN. Do you know anything about the correctness of the bill?

Mr. WALTER. It was one of the unsettled cases turned over to us by Major Campbell. I don't know anything about it.

The CHAIRMAN. Has he got a house on there?

Mr. WALTER. I think so.

The CHAIRMAN. Was the bill for lumber for the house?

Mr. WALTER. I don't know what the bill was for.

The CHAIRMAN. We wish you would take this kind of matter and go to the bottom of it and find out about it.

Mr. WALTER. It was advances, and so forth, but the exact items I don't know.

The CHAIRMAN. The books down there will doubtless show what those advances were. I think it ought to be looked up, and we should be told what the facts are. I know it is tiresome work, but it is something that will have to be done.

Mr. WALTER. It is not a matter that occurred under our jurisdiction.

The CHAIRMAN. That is true, but the Indian is now under you, and he is dissatisfied about it, and it may be an investigation of it would enable you to satisfy him about it. What is the next complaint?

The complaint was read, as follows:

COMPLAINT OF MR. JACKSON.

I had 80 acres of land, left me from my dead wife. The company cut $600 worth, which we got, my son and I; but there was lots of timber left and that was cut since, which we never got, and can not find out what has become of the balance; and when I ask the farmer, he sends me to the clerk at the F. L. Company office. He tells me he has not got any word from it either, so between all I have lost out.

The CHAIRMAN. Mr. Walter, do you know anything of this?

Mr. WALTER. I don't know which Jackson that would be.

The CHAIRMAN. Has he ever come to you?

Mr. WALTER. No, sir.

The CHAIRMAN. What is his name?

Mr. WALTER. There are three Jacksons. It might be Charley or Frank or the old blind man.

The CHAIRMAN. He simply ought to be told that instead of going to the farmer he should go to the company, or go to the superintendent and ask him to write down and get a statement of his account. What is the next complaint?

(The complain was read, as follows:)

COMPLAINT OF GA GE GA BE TUNG.

I bought 40 acres of land through the Indian agent, W. S. Campbell, of Ashland, but through his deal I have lost my land, which I paid $700 for. This is a total loss. I had an allotment of 40 acres on the reservation, worth in all 700.70. I borrowed $350 from my son to pay for the land I lost. I would like to know what the agent, W. S. Campbell, done with the $700.

The CHAIRMAN. Let the complainant take the stand.

Mr. WALTER. That is Jack Dowd.

STATEMENT OF JACK DOWD.

JACK DOWD, a Lac du Flambeau Indian, being first duly sworn by the chairman, testified, through Mr. Obern, as interpreter, as follows:

The CHAIRMAN. Did you buy some land somewhere on the reservation?

Mr. DOWD. Yes, sir.

The CHAIRMAN. Where?

Mr. DOWD. Down here in the Merrill Sugar Bush Lake.

The CHAIRMAN. How much were you to give for that land?

Mr. DOWD. Seven hundred dollars.

The CHAIRMAN. How long ago did you buy it?

Mr. DOWD. About seven years ago.

The CHAIRMAN. Did you pay anything on it or have you paid anything on it yet?

Mr. DOWD. Yes, sir; I told those fellows to pay for it.

The CHAIRMAN. Do you know whether they did pay for it or not?

Mr. DOWD. I paid $350 and my son was to pay $350, making in all $700.

The CHAIRMAN. Did you pay your part over to the man?

Mr. DOWD. I told the fellow to pay for it—I don't know who it was—and he said he would tell the Indian agent; he would see that the Indian agent paid for it, or something to that effect.

The CHAIRMAN. How do you know that they didn't pay for it?

Mr. DOWD. I don't know whether they paid for it or not. They probably paid for or probably didn't.

The CHAIRMAN. That will do. That will be looked up. Major Campbell, if you have anything in regard to that, I wish you would send the papers to the stenographer and let them be put in the record at this point.

Jack Dowd, sr., in account with First National Bank, Bayfield, Wis.

May 22, 1906.	Deposit	$645.20
May 25, 1907.	Interest	6.27
Nov. 25, 1906.	Interest	7.54
July 1, 1907.	Interest	1.21
June 30, 1908.	Interest	2.89
Jan. 1, 1908.	Interest	4.45

Contra.

May 29, 1906.	Ck. 1, self	$10.00	
June 19, 1906.	Ck. 2, self	10.00	
July 24, 1906.	Ck. 3, self	10.00	
Aug. 24, 1906.	Ck. 4, self	10.00	
Sept. 5, 1906.	Ck. 5, self	10.00	
Oct. 29, 1906.	Ck. 6, self	10.00	
Nov. 23, 1906.	Ck. 7, self	10.00	
Dec. 15, 1906.	Ck. 8, self	5.00	
Dec. 22, 1906.	Ck. 9, self	10.00	
Jan. 26, 1907.	Ck. 10, self	10.00	
Jan. 28, 1907.	Ck. 11, rent (January 25, 1907)	16.00	
Mar. 1, 1907.	Ck. 12, self	10.00	
Mar. 25, 1907.	Ck. 13, self	10.00	
Apr. 22, 1907.	Ck. 14, pony, harness, seed (April 16, 1907	86.75	
Apr. 26, 1907.	Ck. 15, self	10.00	
May 4, 1907.	Ck. 16, self	10.00	
June 5, 1907.	Ck. 17, self	10.00	
July 1, 1907.	Ck. 18, self	10.00	
Aug. 1, 1907.	Ck. 19, self	10.00	
Aug. 22, 1907.	Ck. 20, Wa sa zwe ni bi (August 9, 1907)	60.00	
Aug. 22, 1907.	Ck. 21, Wa sa ni ni bi (August 9, 1907	15.00	
Aug. 22, 1907.	Ck. 22, Ad ji gwan (August 9, 1907)	15.00	
Sept. 3, 1907.	Ck. 23, self	10.00	
Oct. 2, 1907.	Ck. 24, self	10.00	
Nov. 1, 1907.	Ck. 25, self	10.00	
Dec. 1, 1907.	Ck. 26, self	10.00	
Jan. 2, 1908.	Ck. 27, self	15.00	
Feb. 1, 1908.	Ck. 28, self	10.00	
Mar. 1, 1908.	Ck. 29, self	10.00	
Apr. 1, 1908.	Ck. 30, self	10.00	
May 7, 1908.	Ck. 48, self	10.00	
May 7, 1908.	Ck. 72, clothing, seeds, etc. (20738/09)	50.00	
June 1, 1908.	Ck. 120, self	10.00	
June 30, 1908.	Transferred to W. N. Sickels (25080/08)	154.81	
		667.56	$667.56

WASHINGTON, *January 25, 1907.*

The UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of January 2, 1907, concerning the desire of certain Indians to withdraw from deposit part of their timber money.

1. Jack Doud, sr., having a credit of $625, desires to use $16 to pay for eight month's rent on house at the rate of $2 per month. Both you and the farmer recommend the approval of the application.

2. Alan ji go kwe, timber cut, and having a credit of $1,390.80, desires to withdraw $131.67 to pay a hospital bill she owes St. Joseph's Hospital, covering the period from October 13, 1906, to December 28, 1906, seventy-seven days, at $1.71 per day. You recommend the approval of the application.

This applicant has previously withdrawn, with the consent of this office, $565.

3. Na chi wa si no kwe, to whose credit you have $262.22, wishes to use $35 to pay for a pony which she bought to replace one that died. You say that this woman lives with her husband, who is a Lac Courte Oreille Indian, on that reservation, and the farmer of said reservation, David E. Jacobs, strongly recommends the approval of the application, and you concur in his recommendation.

All the applications are approved, and you are authorized to proceed accordingly.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

WASHINGTON, *April 16, 1907.*

The UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of April 3, 1907, concerning the desire of certain Indians of the Lac du Flambeau Reservation to withdraw from deposit part of their timber money.

1. Jack Doud, sr., to whose credit you have $560, wishes to use $86.75 for the following purposes:

To pay for pony purchased from A ki wen zie, No. 1	$25
To pay Flambeau Lumber Company for harness	18
To pay for 10 bushels potatoes for seeding	10
To pay for 20 bushels oats for seeding	10
To pay for ½ bushel timothy seed	2
To pay for rutabagas and garden seeds	2
To pay for team and labor, 5 days	15
To pay for provisions for spring work	10

2. Ai an ji go kwe, to whose credit you have $1,390, desires to withdraw $225 to purchase a team of horses for her son. You say that she is over 70 years old and is in feeble health.

Application No. 1 is approved, and for the reasons given in your report application No. 2 is denied.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 12, 1907.

The UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: The office is in receipt of your report of August 12, 1907, concerning the desire of certain Indians of the Lac du Flambeau Reservation to withdraw from deposit part of their timber money.

1. Jack Doud, sr., having a credit of $897.45, desires to withdraw $90 to pay out as follows: Wa sa swe ni bi, the old chief, $60; Wa sa ni ni bi, $15; and Ad ji gwan, $15, amounts borrowed from time to time.

2. Alice St. Jermain, having a credit of $99.14, desires to withdraw $73 for the purpose of purchasing a house from the Flambeau Lumber Company, $60, and $13 to pay back rent.

3. Na wa kwe gi ji go kwe, having a credit of $424.78, wishes to withdraw $40, to be paid out as follows:

To pay for labor, which has been owing more than a year	$13
To pay a bill for plowing last spring	8
To purchase a shotgun	15
To purchase a bed	4

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 25, 1908.

The UNITED STATES INDIAN AGENT,
La Pointe Agency, Ashland, Wis.

SIR: In accordance with the recommendations contained in your several letters of the 18th instant, you are hereby authorized to approve the checks of the following-named persons in the amounts and for the purposes specified, from funds standing to their credit derived from the sale of timber on their allotments, viz:

1. Duffie Brosette, for $650, from the $4,000 now standing to his credit, to be used for the purchase of furniture for his home, agricultural implements, lumber, paint, fence wire, and to pay for extra labor on his farm.

2. A. J. Vanderventer to have his monthly allowance increased to $30 per month. You report that Vanderventer has $2,483 standing to his credit. Your recommendation is approved.

3. Jack Doud, sr., for $50, from the $227 now standing to his credit, to be used for the purchase of clothes, hat, shoes, etc., amounting to $25, and the balance for spring work, seeds, etc.

4. Wa ie kwa ka mi go kwe, for $294, from the $5,190 now standing to her credit, to be used to pay for labor and building material to build a house.

5. Elizabeth Baker, for $15, from the $242 now standing to her credit, to be used in the purchase of clothing for her small children.

6. Frank Roy, for $50, from the $1,444.48 now standing to his credit, for the purchase of clothing for his five small children, amounting to $25, the balance to be used in the purchase of seeds and to prepare the ground for planting.

7. Kate Lemieux, No. 2, for $15, from the $617.73 now standing to her credit, for the purchase of clothing and provisions.

8. Joseph Lemieux, jr., for $15, from the $968 now standing to his credit, for the purchase of clothing and provisions.

9. Fillicitas Lemieux, for $15, from the $829 now standing to her credit, for the purchase of clothing and provisions.

10. Robin O'Jibway, for $150, from the $2,064 now standing to his credit, to transfer to his mother, who has just recovered from a severe illness and has no timber money.

11. Henry Bresette, for $30, from the $229 now standing to his credit, to be used in clearing and fencing 1 acre of land.

Very respectfully,

C. F. LARRABEE,
Acting Commissioner.

Jack Doud, sr., in account with United States Indian agent, La Pointe Agency, Wis.

Feb. 14, 1906.	J. H. Cushway & Co., adv. cont		$50.00
Mar. 14, 1906.	Timber		520.27
Mar. 21, 1906.	Timber		175.64
Mar. 26, 1906.	Check 9665	$30.00	
Mar. 31, 1906.	Scale	10.71	
Mar. 31, 1906.	Adv. sign contract	50.00	
Apr. 22, 1906.	Check 9710	10.00	
May 22, 1906.	Check 9917, deposit	645.20	
		745.91	745.91

The CHAIRMAN. What is the next complaint?

The complaint was read, as follows:

COMPLAINT OF O BA SA NA GI SIG.

I had an allotment of 80 acres which I was told cut over $600 worth of timber, and I only drawed $5 and $10 per month for two years, except one time I drew $20, when I was told that my money was all gone, and after two years I was told there was $40 to my credit yet; but I know there must be more money due me.

Senator LA FOLLETTE. Do you know anything about his case?

Mr. WALTER. I know he had a small credit. Offhand I can not give the amount. My recollection is he has a small credit.

Mr. FARR. That occurred perhaps in the time that he left between the original cutting of the timber. It was considered to have been cut clean and then he got a credit for the land trees which were cut.

The CHAIRMAN. Mr. Walter, will you have a statement of it made and furnish it to him, so that he can take it to anybody he wants or you can explain it to him.

Mr. WALTERS. Yes.

The CHAIRMAN. What is the next complaint?

(The complaint was read, as follows:)

COMPLAINT OF FRANK ACKLEY.

I have been here the past twelve years, and have not found out yet why they call the official here the government farmer. I have never known him to in-

struct anyone in farming. Is he placed here to instruct them in anyway, or is he put here to domineer over them?

The CHAIRMAN. If there is nothing to be said on that complaint, we will take up the next complaint.

(The complaint was read, as follows:)

COMPLAINT OF MR. CLOUD.

It is three years since I sold 60 acres of land on the Bad River Reservation, which I was to get $5 per acre. The Indian I sold my land paid the money into the agency, but I have not received a cent, and I can not find out by the farmer here what has become of this money from the sale of my land.

The CHAIRMAN. As I understand now, all these money matters are with the superintendent, aren't they?

Mr. WALTER. Yes. It might be well to state to these Indians now that when any of these people want to talk with anybody about money matters instead of going to the farmer they should go to the superintendent, Mr. Sickles, or to his clerk, Mr. Walter. What is the next complaint?

(The complaint was read, as follows:)

COMPLAINT OF MR. PINE.

Last winter I went to the government farmer and asked him to give me $20 of my money to buy us something to eat where it was cheaper than it was at Flambeau. He said we did not want to buy anything to eat, but he wrote out an order for dry goods and clothing only. We can not get any money at all. When we get an order of $5 or $10 we have to trade it out at once, which we do not like.

The CHAIRMAN. If there is nothing to be said on that, we will consider the next complaint.

(The complaint was read, as follows:)

COMPLAINT OF MR. PINE.

I had a son who died and left 80 acres of land that he had never contracted, and after he died I heard that his timber was being cut and went to investigate and found that the Flambeau Lumber Company had commenced to cut the pine. I asked them who told them to cut the timber. They told me they did not need to have anyone tell them, as they had authority from Washington to cut any timber they wished to, as it would burn, anyway, if not cut.

The CHAIRMAN. Do you know anything about that?

Mr. WALTER. No, sir; I never heard of it before. It does not give the allotment number. If they leave the allotment number or description in, it is very easy to trace it, but without that information it is almost impossible.

The CHAIRMAN. Call this man's name.

Mr. OBERN called for the complainant.

Big George, Mr. Big George. He is not here.

The CHAIRMAN. What is the next complaint?

(The complaint was read, as follows:)

COMPLAINT OF HEAD SPEAKER.

Madwayassung. I had an allotment of 80 acres of land and had quite a lot of good timber left on it which the Flambeau Lumber Company cut without any contract or sale from me, and they only paid me $5. I know it was worth a good deal of money; and the company also cut my dead wife's land without contract, which I did not think was right, and I have never received any money from her land at all.

The CHAIRMAN. Undoubtedly it was cut. The question is one of looking up the record and seeing whether it was cut or whether there was an account and if there is a credit. If there is not, it should be looked up with the company. In these matters send the committee a copy of the results so we will have it in the record.

Mr. WALTER. Yes.

The CHAIRMAN. Mr. Obern, tell the man Jack Dowd, the man who was on the stand, that a statement will be furnished him.

Senator LA FOLLETTE. I would suggest that the interpreter state to these people that when they get a statement that is not clear to them that they have the council come together and ask for a further statement in each case and transmit it to this committee and give a copy to the superintendent.

The CHAIRMAN. When they get these statements they should have some one look them over and explain them, because it may be that they could be explained if some one who understands them looks at them. Now, we will have these next complaints. Go right ahead and read them one after the other, unless there is something about them that wants to be explained.

(Thereupon the complaints were read, as follows:)

COMPLAINT OF NAGWENIBI.

I have 74 acres of land here on this reservation from which the timber has been cut, and I only received $60 in coupon books. I know there must be some money left which I am unable to get.

COMPLAINT OF NEBINAGIBIG.

I have $140 which I am unable to get. I had $900 in all; have taken up all but $140, and this I can not get and would like to know why it is being held back.

COMPLAINT OF NAWAQUA.

I have $1,200. I have drawn $10 in store orders, $5 each time, and had to take it all out in merchandise at once. I want to know why I can not get my money.

LITTLE JOE.

LAC DU FLAMBEAU, WIS., *September 23, 1909.*

When I had $2,000 in Ashland I drew monthly $25 a month for some time, and I don't think I drew so much as that, and when I asked Mr. Vine to send for money he told me not much money, and when Mr. Vine went out of the office Mr. Wright went in and I went and asked him, he told me $730.30, and I think I had about $3,000 yet.

LITTLE JOE.

JIM SALT.

LAC DU FLAMBEAU, WIS., *September 23, 1909.*

This is what I got to say: When I had money in Ashland I went to Mr. Wright and asked him; I wanted to get my sled fixed, and he told me to go to Mr. Phillips, and Mr. Phillips give me a note and told me to take it to the blacksmith, and the blacksmith told me no iron; when iron comes I will fix it, and I went to for my sled I ask him he told me no sled here and my buggy it was gone.

JIM SALT.

MRS. LITTLE JOE.

LAC DU FLAMBEAU, WIS., *September 23, 1909.*

I would like to know what the reason why I did not get no land here. My name was put on the list when Little Joe was, and he got his and I got none,

and my name was put on the new list and they told me that my name was not on the list and got no land yet, and my son Joseph Korn he was on and he did not get no land.

MRS. LITTLE JOE.

COMPLAINT OF DICK CATFISH.

I went to the government farmer and asked him if I could cut cord wood on my father's land last winter. He asked me if I was going to use it myself. I told him not, but that I was going to sell it. He told not to cut any, as the agent would not let me sell any wood off from my place, so I did not. Why is it we can not sell our firewood without the consent of our Indian agent, as it always take so long to get returns from Washington, as we are told they have to write the Interior Department.

Senator LA FOLLETTE. What about that, Mr. Walter?

Mr. WALTER. I think he probably misunderstood. Instead of being told he could not sell, he probably was told he could not cut the wood if there was a live contract on the land. If he is the man I think he is, there was a live contract on his land.

Senator LA FOLLETTE. If the timber had been cut off—if the contract had been fully cut as to the timber—would there be any objection to the Indian cutting the cord wood?

Mr. WALTER. None whatever. In fact, we would rather they would do so. We do that to encourage them in getting money for themselves.

Mr. FARR. That question came up last fall with considerable force, and it was the universal opinion, I think, here and at Washington that they had permission to cut the wood, but they got rotten treatment, so the Indian in charge would not permit it unless they could protect them. I know when I was in charge for a time letters to that effect were sent down here, and I believe that same policy was followed. It was simply done for the purpose of giving them some protection in the selling of it, and to see that they were cutting where they had a right to cut and avoiding complications of that kind.

Senator LA FOLLETTE. It is doubtful if they understood what they were to do. These explanations seem to have been made to some individuals, but not to all of them. It would seem in some of these cases that the explanation was not made clear enough for the Indian to understand.

Mr. FARR. I think some notice was posted.

Senator LA FOLLETTE. Make this statement to them that after the contract is fully completed, the lumber company's contract, and their lands are really cut, that then they will be permitted on applying to the superintendents here to cut the cord wood and sell it, but they just apply and get permission from the superintendents, so the superintendents will know that they are cutting on their own lands, and then there will not be any complications arising, and that the superintendent will aid them in selling, and that all of them can have that opportunity to make money if they want it.

Mr. LYNCH. I know something about this wood business from last winter. The Indians tried to cut wood and sell it. It was only Egbert, the farmer. I never heard the agents say not to cut the wood. Egbert told me, "If you cut any wood without letting me know, I will put you in jail. You will get yourself in trouble." That is Egbert himself and not the superintendent or the clerk or anybody else. So I know that a couple of them secured that wood and hauled

it to 291, about a mile and a half from Flambeau depot. They were loading it on and he came there and told them not to do it. They would not let them cut any wood for themselves to use.

Senator LA FOLLETTE. To sell, you mean?

Mr. LYNCH. To use themselves. So Mr. Sickles then got them to sell the wood that they had cut. That is the truth of the wood business.

The CHAIRMAN. Is that a matter that would rest with your office or the farmer's?

Mr. WALTER. The superintendent's office entirely.

Senator LA FOLLETTE. Do you know anything about it?

Mr. WALTER. The only thing is that we tried to impress upon the Indians the difference betwen cutting wood on land still under contract and land that had been cut over. If they are still under contract, we hold that the company has the first right to say whether they have completed their work.

Mr. LYNCH. Some of these allotments were cut by the Chippewa Lumber Company.

The CHAIRMAN. Go to the superintendent after this. If you go to him first, he can tell whether the contracts are closed or not. In that way you can avoid all trouble and friction. Let the Indians go there and find out. There is no objection to their cutting the wood on the land that has been cut over.

Senator LA FOLLETTE. You can see if the lumber were brought in here without anybody being able to tell just where it came from, the lumber company might set up a claim afterwards that it had been taken off of some of these uncut allotments, and demand some pay for it on account of their having a contract there; and it will avoid all that trouble between the lumber company and the agent if they will come here and have the matter explained first.

Mr. LYNCH. The reason I came there to talk with him was that I thought it was very wrong not to cut this wood if it was going to waste. I worked in these woods for this Flambeau Lumber Company.

The CHAIRMAN. There will be no trouble after this. In order to keep everything straight they ought to go to the superintendent and tell him what they want to cut and there will not be any trouble about it.

Senator PAGE. On several occasions here there have been reports or testimony to the effect that language which the Indians regarded as insulting was used. Do you think it forwards matters at all to threaten to put them in jail or to tell them that they will be knocked down or driven out of the office? Isn't it the best policy to handle these Indians differently?

Mr. WALTER. It depends upon the individual somewhat. Sometimes an Indian will come in there drunk and sometimes raise a row. That class of Indians we have to use force on. It is that class of Indians who are making these complaints. It is not the decent class of Indians. It is not necessary in the most of the cases, but when these Indians come there drunk we tell them to get out and stay out until they can come back sober.

Senator PAGE. Do you think that is necessary?

Mr. WALTER. Certainly; until they can come back sober.

Mr. FARR. I think I can explain about the wood. It has been required that the foreman should handle the matter, and in many cases they have gone to the former——

The CHAIRMAN. Now, they understand that they can go to the superintendent for all these things.

Senator LA FOLLETTE. I want to ask you whether the Indians who have been putting in complaints here are Indians of bad habit with respect to drinking?

Mr. LYNCH. I will tell you I am a poor judge of that. It is something I could not prove against them, and that is something I would not say, that I could not stick up to.

Senator LA FOLLETTE. Is there a good deal of drinking on this reservation?

Mr. LYNCH. There is occasionally. That is what I hear.

Senator LA FOLLETTE. You have the town of Woodrun near here?

Mr. LYNCH. Yes, sir.

Senator LA FOLLETTE. And there are a good many saloons there?

Mr. LYNCH. All saloons there.

Senator LA FOLLETTE. How near the reservation?

Mr. LYNCH. Only about 3½ miles from the reservation.

Senator LA FOLLETTE. And does it depend upon the Indians a good deal for its patronage?

Mr. LYNCH. I think so.

Senator LA FOLLETTE. Then, there must be a good deal of it?

Mr. LYNCH. Yes, sir.

The CHAIRMAN. Now, this man Charles Jackson, who made a complaint here. Tell him that the superintendent will take these matters up and furnish him with a statement showing just what is coming to him. Of course these people understand that the superintendent will not pay them the money, but will simply give them a statement showing whether there is anything to their credit or not. And where they want to get any money they will have to make their application just as they always have done, and it has to go to Washington and be approved at Washington, just as it has always been done.

Senator LA FOLLETTE. And that Sickles is going to make a full explanation in each case, and make it plain, so that they can understand it; and that a copy of that explanation is going to be sent to the committee so that we are going to know that he does the work right.

The CHAIRMAN (addressing Mr. Lynch). You must understand that they must understand that this does not mean that they will get the money any faster or any differently than they have been getting it. We do not propose to do that. If they want to buy a horse or anything of that kind, they will have to make application and have to get it approved, and it will have to go down there to Washington, just as it always has. What we mean is, that the superintendent here will give these people a statement showing how much they have got to their credit, so they will understand it, and when they get this, they should get somebody who understands these things to explain it to them, if they don't understand it themselves.

(Mr. Obern interpreted it to the Indian.)

The CHAIRMAN. Now, what are the next complaints?

(Thereupon complaints were read, as follows:)

CONTRACT MADE IN 1894, JULY 11.

Mi wa no kwed. Subdivision, W. ½ NE. sec. 34, T. 40, R. 4, A. 80.

As I think of my father's money. Is some money left yet? While my mother's was living she was told by the government farmer the money was gone, and after to while the government farmer told her that the money was in office. That's why we think we ought to get the money.

TO TO IONE.

Me Mi Nosh, heir of Abwe Wine. Lots 3 and 4, sec. 11, T. 40, R. 5, A. 71.60. Have been cut 3 times, and they was told them the money was all gone. They think their some money left yet, about $198.30, which they think they ought to have it. First cutting on date May 26, June 2, June 7, 1900. Feb. 9, 16, 25, 1905, and last Aug. 15, 1906. And they want to know where the money is gone.

ENI WI GA BO,
(301 lots).

In or about the year of 1897 an application was made by me, through S. W. Campbell, for one team of horses, worth $400, harness and wagon $100, making in all $500. The above application was approved by the commissioner and sent here to our ex-farmer, W. S. Wright. The application was denied me, and later have found that this amount was charged to my account.

PE SHE KINS (or) GEO. AMOUR.

The CHAIRMAN. Do you know anything about this, Major Campbell?

Mr. CAMPBELL. If he got his check, he paid for the horses.

Senator LA FOLLETTE. Do you remember anything about the case?

Major CAMPBELL. I do not.

Senator LA FOLLETTE. Then that is a better way of stating it.

Mr. CAMPBELL. I can get the statement showing it. I can find out if he got the team.

Senator LA FOLLETTE. I should think in these old cases it would be necessary for the superintendent here to have the assistance of the former superintendent, in order to make the statement complete and carry it clear back.

Mr. CAMPBELL. Certainly.

The CHAIRMAN. If there are any other complaints, you may read them.

(Thereupon the complaints were read, as follows:)

CONTRACT MADE AUGUST 14, 1895, FOR KE KI KO OE JIG.

I think their money left yet, about $471.76. As I think the company will try to beat me out of it, or either Indian agent.

I am, yours, CHAS. DOUDS.

John Barnes (Ba sha ban no kwe) would like to know where this part of the money went to. We only got $115 out of our $200.

This allotment belongs to my mother.

The money was all gone after they give us $115, and we do not know what became of the rest of the money.

Mr. COX. How much of this hard wood or other wood is left on the allotments after they are cut supposedly clean—how big a proportion is it?

The CHAIRMAN. You will have to ask Mr. Farr about that.

Mr. FARR. I should think it would run from a very few cords up to four or five hundred. There would not be so very much on some allotments.

STATEMENT OF MRS. BEN GAUTCHIER.

Mrs. Ben Gautchier, a Lac du Flambeau Indian, having been first duly sworn by the chairman, testified as follows:

The Chairman. Have you an allotment?

Mrs. Gautchier. Yes.

The Chairman. You and your sister?

Mrs. Gautchier. Yes.

The Chairman. Has she any children?

Mrs. Gautchier. Yes, sir; she has thirteen children living.

The Chairman. Has she an allotment?

Mrs. Gautchier. No, sir.

The Chairman. And none of the children?

Mrs. Gautchier. None of the children.

The Chairman. Where was she born?

Mrs. Gautchier. At Chippewa Falls.

The Chairman. And that is where you were born?

Mrs. Gautchier. Yes.

The Chairman. Who was her husband, a white man?

Mrs. Gautchier. A white man, Mr. Handon.

The Chairman. Do you know whether the matter has been before the council?

Mrs. Gautchier. Yes.

The Chairman. What did they do?

Mrs. Gautchier. They said she was married to a white man and she did not need an allotment.

Senator La Follette. She had the same right to claim an allotment that you have?

Mrs. Gautchier. That I would have, and they claim as a member of the band.

The Chairman. Are you a married woman?

Mrs. Gautchier. Yes, sir.

The Chairman. Did you marry a white man?

Mrs. Gautchier. No, sir; Mr. Gautchier is my husband.

Senator Page. Do you keep the hotel?

Mrs. Gautchier. No, sir.

The Chairman. How long have they denied it?

Mrs. Gautchier. Ever since I have been here, twenty-three years. She has been here a number of times. The last trip she made was two years ago; they had a wreck on the train and she was badly injured. Mr. Sickles said he would look into the matter, but that has been going on for a long time.

The Chairman. I suppose the officers go upon the theory that they do not make allotments except where the band, in their council, allow them. Isn't that so?

Mr. Walter. Yes. There are several matters of applications similar to this of Mrs. Handon's. There are some applications which are waiting the action of the council this fall and they have been delayed waiting until after this Senatorial committee has completed its investigations.

Senator La Follette. Just for information on this point, I will ask you, Mr. Obern, what is the rule with the Chippewa Indians as to granting allotments to Indian women who are members of the band, but who have married white men?

Mr. OBERN. Always where they have been found to participate or affiliate with the band it has always been the custom to recognize them as members of the band.

The CHAIRMAN. Where is your sister's husband living at this time?

Mrs. GAUTCHIER. At Ferndale. They moved there about eighteen years ago.

The CHAIRMAN. When they were married?

Mrs. GAUTCHIER. Many years ago.

Senator LA FOLLETTE. Did they live here?

Mrs. GAUTCHIER. No; at Chippewa River.

The CHAIRMAN. They had lived on this reservation?

Mrs. GAUTCHIER. No, sir; never on this reservation.

Senator LA FOLLETTE. Have you a license as a trader on this reservation?

Mrs. GAUTCHIER. I have.

Senator LA FOLLETTE. And under that license what have you done?

Mrs. GAUTCHIER. I kept a curio store.

Senator LA FOLLETTE. Is your license broad enough to allow you to engage in trade generally?

Mrs. GAUTCHIER. Yes.

Senator LA FOLLETTE. Why haven't you had any stock of goods, groceries, dry goods, and general supplies?

Mrs. GAUTCHIER. Why, I was afraid to.

Senator LA FOLLETTE. Why were you afraid to?

Mrs. GAUTCHIER. Mr. Herrick said that anybody that went into business like that, that he would starve them out.

Senator LA FOLLETTE. He would starve them out?

Mrs. GAUTCHIER. Yes, sir.

Senator LA FOLLETTE. What further did he say, if anything?

Mrs. GAUTCHIER. He also said that no one could do any business here of that kind and he would not advise me to. I had a house from him, and he said he would not sell it unless I would promise never to start in business. I told him I never would in that house. I don't intend to start in business there. He also said that no one could start a store here, that he was the "Rock of Ages" in this place, and that frightened me, and I thought that it would not be very well to go against him.

Senator PAGE. Did Mr. Herrick tell you this himself?

Mrs. GAUTCHIER. He told me this himself, because he sent to me after I had made application for the license.

Senator PAGE. This year?

Mrs. GAUTCHIER. Last December. Some time in November it was; I met him and had a talk with him. I told him I had heard some white men had made application to start in business, and I said, "I should think you would rather see me come in here than some white men come in here." I said, "I would like to hear what you have to say; I hope you don't object." He said, "I do." He said, "Just keep quiet. If you don't you know where you will be all right."

Senator LA FOLLETTE. Have you traded at his store?

Mrs. GAUTCHIER. Yes, sir; always traded there for quite a bit.

Senator LA FOLLETTE. You have traded elsewhere also?

Mrs. GAUTCHIER. Yes; we do most of our trading outside.

Senator LA FOLLETTE. How do you find his prices compare with the prices outside?

Mrs. GAUTCHIER. I don't find them bad. I think they are all right; they have been with me.

The CHAIRMAN. Have you any idea that you get special rates?

Mrs. GAUTCHIER. No; I don't think so.

The CHAIRMAN. You pay cash, do you?

Mrs. GAUTCHIER. Yes; always pay cash for everything we get; don't owe a cent to anybody.

Senator PAGE. Do you understand the pay which this company gets for goods is not in every respect just as good as cash to them?

Mrs. GAUTCHIER. How is that?

Senator PAGE. The pay that the company gets from the Government for the goods which they let the Indians have; isn't that in every way just as good to them as cash in hand?

Mrs. GAUTCHIER. Yes, I think it is.

Mr. LYNCH. We have three townships of land which was promised at the date of our treaty—you promised this land, three townships, that was for our own. Now, when you take half the ground, take that away from us and give it to the State, how are you going to fulfill out three townships that you have promised?

The CHAIRMAN. Now, I want to tell you about that. We did not take it away from you. There is a question of whether we can hold it. Of course, the State claimed it under the act that created the State—what we call the "enabling act"—which granted these lands, and it is a question of whether the lands passed to the State or not. Of course, if the courts say it belongs to the State, we do not take the land away but simply lose it, and then we are up to the question of what kind of an arrangement we can make with the Indians to make good the loss. What that will be we can not of course tell. We are not purposely taking it away from you. We may lose it. You see the difference, don't you?

Mr. LYNCH. How is it we made a contract for this timber that was cut?

The CHAIRMAN. Some of this timber burned. Somebody had to cut it or it would be lost, so we gave the work of cutting it to some one, and have put this money in what we call "escrow." It has been paid neither to the Indians nor to the State, but the United States Government has got it, and if it should turn out that we can not hold the lands for the Indians, then the amount of timber which has been cut off of each forty, and has been kept separate for each forty, whoever gets that forty will get with it the amount that came from the cutting of the burned timber on that forty. If, on the other hand, the State gets the land away from us, then we can pay the State for the timber which we have taken. This money is simply kept there to follow the land, whichever way the land goes.

Mr. LYNCH. That is what we don't understand. When we made the treaty there was no such thing as swamp land or school sections. If you take that we have nothing here; our best timber stands out on the swamp lands.

The CHAIRMAN. We know that. That came about in this way. All over this country, in every State of the United States, the Government granted to States the swamp land. Then the question came of selecting these swamp lands, and the United States Government

and the States came together and they said, instead of surveying these lands over again we will take them as they are marked, and in that way some of the high land would pass to the State for swamp land and some of the swamp land would remain in the possession of the Government because it had not been marked as swamp land. That was an agreement made fifty years or so ago.

Mr. LYNCH. Not long ago here there was no swamp lands; you could not claim swamp lands. We just had three townships; and afterwards the State came in here and marked out swamp lands on high land.

The CHAIRMAN. We understand that. The States took the land which had been designated by the United States surveyors as swamp land. I know that is the case in my State; and that is the case up here, isn't it?

Senator LA FOLLETTE. Yes; that is the case here. I am not only speaking for myself now, but for other members of the committee. I think it is fair to say to you that if it should be found that the land belongs to the State and the Government must give it up, then the question presented to the Government would be whether under the treaty the Government should make that good to the Indians. If the obligation rests upon the Government by the terms of the treaty, with which I am not familiar, but if it is found to rest upon the Government—that obligation—I believe Congress would make an appropriation to do what is just in the matter. That is not a promise, you understand, from this committee. We are only a small part of Congress, we are only a small part of the Senate, and only a part of the Committee on Indian Affairs; but I am sure that every member of this committee would do what he could to conscientiously carry out the obligations of the Government if he believed that the treaty required that to be done.

The CHAIRMAN. I have no hesitation in telling you, so far as I am concerned, if I am in Congress when this thing comes up and it turns out that Congress gave the land to the States, I for one should be in favor of making proper restitution to the Indians. While the State knew what it was doing, the Indians did not know what they were doing.

Senator PAGE. You don't mean to say that the Government knew they were making such a treaty——

The CHAIRMAN. No; the Government knew the technical effect of the thing which they, the Indians, did not.

Senator LA FOLLETTE. And the Indians were led to believe that they were going to get the land.

The CHAIRMAN. And if the Congress gave land to the State, I have no hesitation in telling you, so far as I am concerned, that I would be in favor of the General Government making some kind of fair restitution to the Indians. That is all we can promise.

Mr. LYNCH. This is the only place we can ask it, is from the Committee on Indian Affairs. We want these three townships of land right here in a square. We would not like to go away down in the territory where we are not used to it.

Senator LA FOLLETTE. It might not be possible to give you the land, and it might be the Government would appropriate the money and give the value of the land or timber to the Indians in money or place it to their credit in the trust fund.

Mr. LYNCH. That is our best timber. We can say to anybody that wants to come that our best land and timber to-day is the swamp land.

The CHAIRMAN. The courts will have to say who owns the land.

Mr. LYNCH. The Government marked out this land to the State. We want this land; the Government gave it to us, and we want it.

Senator LA FOLLETTE. We understand your position, and I think you do ours. The question of game laws applying to this reservation has been brought up. The committee promised to secure an opinion of the Attorney-General of the United States on this subject. I presume it is the same with all reservations. The Attorney-General has not yet furnished that opinion, but he will do so, and then you will have the opinion of the Attorney-General on that subject, which, you understand, does not settle the law, but that will be something of a guide for you.

The CHAIRMAN. If there is no further business, we will now adjourn.

(Thereupon, at 9 o'clock p. m., the committee adjourned.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
LAC DU FLAMBEAU, WIS.,
September 27, 1909.

The committee reassembled at 9 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, chief supervisor Indian Service, and Maj. S. W. Campbell, United States Indian agent.

ADDITIONAL STATEMENT OF MAJ. SAMUEL W. CAMPBELL, UNITED STATES INDIAN AGENT.

Maj. S. W. CAMPBELL, having been recalled, testified as follows:

Senator LA FOLLETTE. Major Campbell, when did you become Indian agent?

Mr. CAMPBELL. In 1898.

Senator LA FOLLETTE. You were appointed in 1898?

Mr. CAMPBELL. I think so; the 1st of July.

Senator LA FOLLETTE. Did you have authority or supervision over the same territory as Indian agent as you have as superintendent?

Mr. CAMPBELL. More.

Senator LA FOLLETTE. What agencies did you have under your control?

Mr. CAMPBELL. I had Red Cliff, Lac Courte D'Oreilles, Bad River, and Flambeau, in Wisconsin. I had Grand Portage, Fond du Lac, Net Lake, or Bosh Ford, also.

Senator LA FOLLETTE. Have you all of those reservations under your control now?

Mr. CAMPBELL. Excepting this one—I mean by this one, Flambeau. I have not control over Flambeau or Net Lake.

Senator LA FOLLETTE. Were these reservations timbered?

Mr. CAMPBELL. Yes, sir; some of them.

Senator LA FOLLETTE. Were the reservations in Wisconsin all timbered?

Mr. CAMPBELL. I believe so, more or less.

Senator LA FOLLETTE. Some were heavily timbered, were they not?

Mr. CAMPBELL. Bad River had the most, and Red Cliff.

Senator LA FOLLETTE. The principal business over all the reservations in Wisconsin has been that of lumbering, has it not, and logging, since you became agent?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How many Indians in this State were under your control on these several reservations?

Mr. CAMPBELL. I can not tell you that.

Senator LA FOLLETTE. I mean at that time.

Mr. CAMPBELL. I can not tell you that.

Senator LA FOLLETTE. How many are there now?

Mr. CAMPBELL. I could not tell you without looking at the census roll.

Senator LA FOLLETTE. Can you tell approximately?

Mr. CAMPBELL. I think there was something like twelve hundred on Bad River and about eleven hundred on Lac Courte d' Oreilles—about that—and about 350 to 400 on Red Cliff. Flambeau has six or seven hundred. Do you want the Minnesota Indians?

Senator LA FOLLETTE. No. What was your business before you became Indian agent, I mean immediately before?

Mr. CAMPBELL. Merchant.

Senator LA FOLLETTE. At Hudson, Wis?

Mr. CAMPBELL. No, sir; on the Messabe range.

Senator LA FOLLETTE. In the mining camps?

Mr. CAMPBELL. No, sir; I was running a business in Eveleth.

Senator LA FOLLETTE. That is a mining town, is it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Had you ever been a lumber man?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. Had you ever been a logger?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. Had you ever been a scaler?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. Upon each of these reservations the man in authority when you were not present on the reservation was the farmer, was he not?

Mr. CAMPBELL. Yes, sir; that is, for the government of the Indians.

Senator LA FOLLETTE. The man in authority for the government of the Indians, and was he not also in charge for all operations upon the reservation, excepting scaling?

Mr. CAMPBELL. Yes, sir; excepting scaling and that kind of work.

Senator LA FOLLETTE. Did you appoint the farmers?

Mr. CAMPBELL. I think I have. I did not appoint the Lac Courte d' Oreilles farmer.

Senator LA FOLLETTE. That is, there was a man in when you came in charge?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. As the agent, and you allowed him to remain?

Mr. CAMPBELL. I allowed him to remain, and then I requested him to resign.

Senator LA FOLLETTE. How many years did he remain?

Mr. CAMPBELL. I can not tell you that. It was about four or five years.

Senator LA FOLLETTE. You were appointed as agent when?

Mr. CAMPBELL. In 1898.

Senator LA FOLLETTE. That is eleven years ago.

Mr. CAMPBELL. Eleven years ago last July.

Senator LA FOLLETTE. He remained as farmer, then, according to that statement, some six years.

Mr. CAMPBELL. I do not think it was so long as that. I do not think it was six years.

Senator LA FOLLETTE. Is it more than five years ago?

Mr. CAMPBELL. I think it was five. I think he was in about five years.

Senator LA FOLLETTE. He was there about five years—taking it as five years. What was his name?

Mr. CAMPBELL. His name was Nathaniel D. Rodman.

Senator LA FOLLETTE. During the time that he was in that position he was charged, was he not, with drinking?

Mr. CAMPBELL. I think he was.

Senator LA FOLLETTE. And drunkenness? He was charged with gambling, was he not?

Mr. CAMPBELL. I do not remember that that charge was ever filed against him.

Senator LA FOLLETTE. Do you remember that he was not so charged?

Mr. CAMPBELL. I could not say.

Senator LA FOLLETTE. He was investigated by the Indian Office, was he not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. A special inspector was sent here to investigate him, was he not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Who was the special inspector that was sent here to make the first investigation of Mr. Rodman?

Mr. CAMPBELL. I do not know his name. I think Mr. Conser investigated him once, but I am not certain about it.

Senator LA FOLLETTE. Did he recommend that he be removed?

Mr. CAMPBELL. I can not remember that.

Senator LA FOLLETTE. Don't you remember that he did, Major Campbell?

Mr. CAMPBELL. No, sir; I do not. The records will show that.

Senator LA FOLLETTE. And did you not use your influence to retain him over that recommendation?

Mr. CAMPBELL. I am not sure whether I did or not. The records will show.

Senator LA FOLLETTE. But we have not the records here and I would like to have your best recollection.

Mr. CAMPBELL. I can not tell you.

The CHAIRMAN. You know whether you tried to keep him in against the recommendation of the department, do you not?

Senator LA FOLLETTE. No; not of the department; the inspector sent here to make the investigation.

Mr. CAMPBELL. That would be from the department. No, sir; I do not think that I ever recommended him to stay. It may be.

Senator LA FOLLETTE. Charges were made against him several times during the time that he was farmer under you, were they not?

Mr. CAMPBELL. Twice, I think.

Senator LA FOLLETTE. At least twice?

Mr. CAMPBELL. I think he was investigated twice.

Senator LA FOLLETTE. Who made the second investigation?

Mr. CAMPBELL. I thought it was Mr. Conser.

Senator LA FOLLETTE. Who made the first?

Mr. CAMPBELL. I can not remember his name. He was a little fellow. I only saw him a little while. He went down there——

Senator LA FOLLETTE. How long was it between the time when the first charges were filed against him and an investigation followed, and the time when the second charges were filed against him and another investigation followed?

Mr. CAMPBELL. Oh, I do not think it was over two years, if it was that.

Senator LA FOLLETTE. Upon the second investigation the inspector recommended his removal, did he not, upon the charges of drunkenness and gambling and conduct which disqualified him?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. You used your influence the second time, after the second investigation, to retain him in the service, did you not?

Mr. CAMPBELL. I think not.

Senator LA FOLLETTE. Will you say that you did not, Major Campbell?

Mr. CAMPBELL. I think so.

Senator LA FOLLETTE. Did he not remain in the service for a considerable time after the second investigation and after an inspector had recommended his dismissal?

Mr. CAMPBELL. I do not think he remained over six months. He got things fixed up—straightened up. He resigned to take effect after a certain length of time.

Senator LA FOLLETTE. In order to make the record I will ask you, Major Campbell, if it is not a fact that you did not use your influence as agent with the department to retain him after the recommendation following the second inspection upon the second charges, and if he was not retained in the service until he repeated his offenses, and you were compelled yourself because of the bad condition resulting from his conduct, to ask for his removal or consent to it? Is that not the fact, and is that not the record?

Mr. CAMPBELL. I thought he was investigated after that. I remember this distinctly——

Senator LA FOLLETTE. Well, I would like to have you answer the question.

Mr. CAMPBELL. I could not remember that.

Senator LA FOLLETTE. You do not remember about it now?

Mr. CAMPBELL. No, sir; I do not. I can remember this that when I——

Senator LA FOLLETTE. I will ask you, Major Campbell, when you return to your office, to transmit to the committee at Shawno copies of all letters that you wrote the department with reference to the charges against Rodman, and with reference to his being retained in the service.

Mr. CAMPBELL. Very well.

Senator LA FOLLETTE. This Mr. Rodman is the same man who was employed to do scaling for two or three months on the Bad River Reservation last winter, is he not?

Mr. CAMPBELL. Yes, sir; two months and a half.

Senator LA FOLLETTE. He is a brother of the chief clerk in your office, is he not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Who succeeded him as farmer on the Lac Courte d'Oreilles Reservation?

Mr. CAMPBELL. Mr. Jacobs.

Senator LA FOLLETTE. How old a man is Mr. Jacobs?

Mr. CAMPBELL. He is something about my age, I think.

Senator LA FOLLETTE. How old a man is he?

Mr. CAMPBELL. I think he is something like 66 or 67, along there. He is in the sixties.

Senator LA FOLLETTE. How many acres are under cultivation on the Lac Courte d'Oreilles Reservation?

Mr. CAMPBELL. I could not tell you the number of acres that are under cultivation there. There are about one hundred and some families living on the allotment.

Senator LA FOLLETTE. About how many acres are under cultivation?

Mr. CAMPBELL. I could not tell you that—two or three hundred.

Senator LA FOLLETTE. What crops are raised there?

Mr. CAMPBELL. There are gardens, and hay, and such things as that, and potatoes. There is one man who has 40 acres cleaned up there.

Senator LA FOLLETTE. About how many Indians on that reservation engage in farming occupation upon their own land, outside of small gardens?

Mr. CAMPBELL. He told me the other day that there were 55 families when he came there—50 or 55—and he had over 100 now on their own allotments, some cleared, on each one of them, and he thought that was a very good showing.

Senator LA FOLLETTE. That does not quite answer the question I asked you. I do not care for the exact figures, but I want the best recollection or opinion that you have on the subject. Mr. Reporter, will you please repeat the last question.

(The reporter read as follows:)

Senator LA FOLLETTE. About how many Indians on that reservation engage in farming occupation upon their own land, outside of small gardens?

Mr. CAMPBELL. I guess they all raise potatoes and such stuff as that.

Senator LA FOLLETTE. They raise those in their gardens, but outside of the small gardens?

Mr. CAMPBELL. I could not tell you as to that.

Senator LA FOLLETTE. Have you ever gone over the allotments upon which farming is done on that reservation?

Mr. CAMPBELL. Not taking up each one at a time.

Senator LA FOLLETTE. Have you gone around to see?

Mr. CAMPBELL. I have been around.

Senator LA FOLLETTE. Have you covered that reservation in so far as the Indians engaged in farming is concerned, or at any time in-

spected the work going on on the different farms upon which the Indians are engaged in farming?

Mr. CAMPBELL. I do not think I have—all, but I have some. I have ridden out with the farmer when I have been there, and he has called my attention to them.

Senator LA FOLLETTE. How many times have you visited those on the Courte d'Oreilles Reservation?

Mr. CAMPBELL. I can not tell you.

Senator LA FOLLETTE. Give me your best judgment and recollection on the subject.

Mr. CAMPBELL. Oh, there are 25 or 30.

Senator LA FOLLETTE. In all the time—the twelve years?

Mr. CAMPBELL. Yes, sir; maybe more.

Senator LA FOLLETTE. Who is the farmer on the Bad River Reservation?

Mr. CAMPBELL. John F. Miles.

Senator LA FOLLETTE. How long has he been there?

Mr. CAMPBELL. He has been there two or three years.

Senator LA FOLLETTE. Who is his predecessor?

Mr. CAMPBELL. William J. Egbert.

Senator LA FOLLETTE. On the Bad River Reservation?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How long was Egbert there?

Mr. CAMPBELL. About a year or two.

Senator LA FOLLETTE. And who was his predecessor?

Mr. CAMPBELL. Roger Patterson.

Senator LA FOLLETTE. How long was Patterson there?

Mr. CAMPBELL. I do not know when he took charge, but he was in the position there when I came there. He was farmer there when I came there.

Senator LA FOLLETTE. About how many years was he farmer there?

Mr. CAMPBELL. He must have been there five or six years.

Senator LA FOLLETTE. Did you appoint Mr. Egbert?

Mr. CAMPBELL. I think so; yes, sir.

Senator LA FOLLETTE. Had he been one of the county officers of your county down in St. Croix County?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. He was registrar of deeds there for some years, was he not?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. He had been registrar of deeds, had he not?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. County clerk?

Mr. CAMPBELL. He was clerk of the court.

Senator LA FOLLETTE. He was clerk of the court for some years, was he not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How old a man is he?

Mr. CAMPBELL. I guess he is about my age.

Senator LA FOLLETTE. About 67?

Mr. CAMPBELL. Along there somewhere, I think. I think he is a year older than I am.

Senator LA FOLLETTE. Was Mr. Patterson a satisfactory man in that capacity on the Bad River Reservation, Major Campbell?

Mr. CAMPBELL. He was not farmer enough, I always thought. He was too much of a diplomat. He was easy with them, but he had the good will of the Indians better than——

Senator LA FOLLETTE. He bought it sometimes, apparently, or traded for it, did he not?

Mr. CAMPBELL. Well, I do not know about that.

Senator LA FOLLETTE. As appears from some of the testimony taken in this investigation?

Mr. CAMPBELL. Oh, that was on an order.

Senator LA FOLLETTE. He seems to have traded some with the Indians. Where is he living now?

Mr. CAMPBELL. At Meringo. He is in the brick business.

Senator LA FOLLETTE. How long had he been on the reservation in that position when you became superintendent or agent in control over him and over that agency?

Mr. CAMPBELL. I could not tell you that. I could not tell you the number of years he was there before I was there.

Senator LA FOLLETTE. Do you not know about how long? Did you not look up his record at all?

Mr. CAMPBELL. I think he was there in part of Mercer's time.

Senator LA FOLLETTE. Mercer immediately preceded you, did he not?

Mr. CAMPBELL. No, sir; Scott was there a year and a half before I was there.

Senator LA FOLLETTE. Do you not know that he was a pretty poor man when he went onto that reservation, and that when he went off he was in pretty comfortable circumstances?

Mr. CAMPBELL. I do not think he had anything when he went off there but mortgages, so he informed me.

Senator LA FOLLETTE. That was all the information you had on the subject, was it?

Mr. CAMPBELL. That is all I know about it.

Senator LA FOLLETTE. What he told you?

Mr. CAMPBELL. Yes, sir. This I know lately, that when he went into the brick business, he went into the brick business from there, and a receiver was appointed, and he could not carry the brick business on, and it was run under a man in Ashland.

Senator LA FOLLETTE. He did not make the brick business go, did he?

Mr. CAMPBELL. No, sir; his financial condition prevented it. I do not know what he had when he went there or when he went out.

Senator LA FOLLETTE. You appointed Mr. Miles to succeed Mr. Egbert, did you?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. And you appointed Mr. Egbert?

Mr. CAMPBELL. I transferred him down there.

Senator LA FOLLETTE. To the Lac du Flambeau Reservation?

Mr. CAMPBELL. Yes, sir; I did not think Egbert was able to handle Bad River.

Senator LA FOLLETTE. Did you think he was able to handle this reservation, as farmer?

Mr. CAMPBELL. I thought he was. He is a good scaler and a good penman.

Senator LA FOLLETTE. Did you appoint him on account of his penmanship to be farmer over here?

Mr. CAMPBELL. And his judgment. He had quite an experience. He was an old soldier.

Senator LA FOLLETTE. You appointed Mr. Miles to take charge of that reservation. That was a pretty hard position, was it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How old a man is Mr. Miles?

Mr. CAMPBELL. He is 66 years of age. He is six months older than I am. He was born in January, and I was born in June.

Senator LA FOLLETTE. Do you regard Mr. Miles as a competent man for that position?

Mr. CAMPBELL. I did when I appointed him. He has been sick all summer. I am afraid he is going into consumption from the way he coughs, and I do not think he will be able to do it now.

Senator LA FOLLETTE. Until the committee came on here to make this investigation, you had not made any recommendations up to that time for his removal, had you?

Mr. CAMPBELL. No; I have not made any recommendation as yet, but he was going to resign here two months ago. He went off and took his leave of absence to see if he could not pick up.

Senator LA FOLLETTE. How many Indians are engaged in agriculture outside of the little gardens on the Bad River Reservation?

Mr. CAMPBELL. I think there are 60, about.

Senator LA FOLLETTE. What crops do they raise?

Mr. CAMPBELL. Hay, mostly.

Senator LA FOLLETTE. There is very little acreage there, is there not, outside of the hay fields, that is cultivated at all as farms?

Mr. CAMPBELL. Nothing but potatoes and vegetables.

Senator LA FOLLETTE. This is good farm land, is it not?

Mr. CAMPBELL. Yes, sir; but very hard to clear.

Senator LA FOLLETTE. Well, it is cleared at a cost of from twenty-five to thirty dollars and thirty-five dollars an acre, is it not?

Mr. CAMPBELL. No, sir; 33 acres cleared would cost $100 an acre.

Senator LA FOLLETTE. Of course there would be some that would be expensive to clear.

Mr. CAMPBELL. Such as Manypenny's. I remember that because it was more. I thought it was better.

Senator LA FOLLETTE. Clearing has been made on that reservation to your knowledge at thirty and thirty-five dollars an acre, has it not?

Mr. CAMPBELL. Yes, sir; some is a year old, but not so many stumps in it.

Senator LA FOLLETTE. And some of that land was cut over many years ago, was it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. And is in condition to clear and put into little farms at very little expense, is that not so?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How many farms are there, outside of vegetable patches called "gardens," which were formerly called "gardens," on this reservation—on the Flambeau Reservation.

Mr. CAMPBELL. I could not tell you.

Senator LA FOLLETTE. How many farms have you visited yourself, personally, on the Bad River Reservation?

Mr. CAMPBELL. I could not tell you that. I have been over pretty much all of that.

Senator LA FOLLETTE. I suppose you have been around the logging camps; you have been over a good deal of the reservation in the eleven years that you have been agent or superintendent of that reservation, but how many farms have you visited with a view of seeing what the Indians were doing in the way of farming—making that your special errand?

Mr. CAMPBELL. I think I have visited pretty nearly all of them.

Senator LA FOLLETTE. More than once?

Mr. CAMPBELL. Yes, sir; I have been out on all of them. I have been urging and urging the farmers to see that they built on their allotment and get a few acres started for a home.

Senator LA FOLLETTE. That is a very general statement, Mr. Campbell.

Mr. CAMPBELL. I have been up to see——

Senator LA FOLLETTE. Just one moment. What particular farmers do you now remember to have talked with on the Bad River Reservation at their farms about their work on the farms.

Mr. CAMPBELL. I have seen Ed Haskins and Vanderventer and Auger and some others down there, but I can not remember their names so well. I refer to down below Odanah. It is some way out on the branch road that runs opposite Kokogan.

Senator LA FOLLETTE. Just give me the names of them.

Mr. CAMPBELL. I can not give you the names. I can not remember their names.

Senator LA FOLLETTE. How many farms, outside of garden patches, are there on the Lac du Flambeau Reservation?

Mr. CAMPBELL. I told you that I did not know.

Senator LA FOLLETTE. I was not certain whether I asked you that question or not, with respect to this reservation. What particular farms have you visited and what Indians have you talked with—what Indian farmers have you talked with on their farms about the work on the Lac du Flambeau Reservation?

Mr. CAMPBELL. How many farms?

Senator LA FOLLETTE. On this reservation.

Mr. CAMPBELL. That is, Lac du Flambeau? I told you I did not know. You asked me that before.

Senator LA FOLLETTE. How often did you visit the Lac du Flambeau Reservation?

Mr. CAMPBELL. I do not visit it at all now.

Senator LA FOLLETTE. You do not now, but how often did you visit it when it was in your territory?

Mr. CAMPBELL. Just as often as I could get away from my office to go down there.

Senator LA FOLLETTE. That does not help the committee to understand how much supervision you have given it yourself.

Mr. CAMPBELL. I visited it oftener at first than I do now.

Senator LA FOLLETTE. That is all relative. Tell us how often—how many times per year—you came to the Flambeau Reservation.

Mr. CAMPBELL. I think I visited that once a month when I first took charge here.

Senator LA FOLLETTE. How often did you visit it the last year that it was under your charge?

Mr. CAMPBELL. I could not tell you that.

Senator LA FOLLETTE. About how often?

Mr. CAMPBELL. Two or three times.

Senator LA FOLLETTE. The man in charge of that reservation, in full authority there that last year, was this man Mr. Egbert, was it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. How often did you visit the Courte d'Oreilles Reservation this last year?

Mr. CAMPBELL. I am not certain; two or three times.

Senator LA FOLLETTE. And the man who has had full authority in your absence there has been Mr. Jacobs, whom we saw when we visited that reservation, has it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. When was the policy of paying the Indians $10 a month as an allowance changed by the Indian department?

Mr. CAMPBELL. In March of this year.

Senator LA FOLLETTE. When did that order go into effect?

Mr. CAMPBELL. The same month, I think. I am not certain, but it was a certain time after a certain day of the month. I think not later than the 15th. I think that was the circular letter that was sent out. It ceased after that time, after they got it that month.

Senator LA FOLLETTE. When you got that order from the Commissioner of Indian Affairs, what notice did you issue from your office?

Mr. CAMPBELL. A copy of the circular.

Senator LA FOLLETTE. You copied the circular, did you?

Mr. CAMPBELL. Yes, sir; and wrote the farmers.

Senator LA FOLLETTE. And inclosed them a copy of the circular?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Will you please send the committee a copy of the letter with which you transmitted that order?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Did you send any other communications to the Indian farmers upon the several reservations upon this subject other than the one in which you transmitted the copy of the circular?

Mr. CAMPBELL. I think I notified them that that would have to be changed now; they would have to resubmit all they wanted to put on for monthly allowances.

Senator LA FOLLETTE. That is, notified them by writing them again?

Mr. CAMPBELL. Yes, sir; that that would have to be done; that I could not draw any checks, that general order being issued, and in issuing the checks we have to put the number of the commissioner on the check, and the monthly allowance was merely "M. A." put on the check. That was "monthly allowance," and I told them they would have to look out now for the old, and resubmit applications for them to be reinstated.

Senator LA FOLLETTE. There was a second letter on that subject in which you gave them some directions about the old people?

Mr. CAMPBELL. Yes, sir; I think I have.

Senator LA FOLLETTE. Will you please furnish us a copy of that?

Mr. CAMPBELL. Let me explain that second letter. We either had

a letter or I had talked to the farmers about it. I had an interview with the chiefs, I think, of Bad River on the subject.

Senator LA FOLLETTE. You say you think you had?

Mr. CAMPBELL. I am very certain, because they called upon me.

Senator LA FOLLETTE. At your office?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. In Ashland?

Mr. CAMPBELL. Yes, sir. Moses White, Doolittle, and George Messinger, with an interpreter. After they hold a council they always come up to me, and if they want anything from the commissioner, they bring the communication up and present it to me and I transmit it for them.

Mr. HOLCOMBE. Do you know whether there is a meeting of the council here at Flambeau?

Mr. CAMPBELL. No; I do not know anything about that.

Senator LA FOLLETTE. I think that covers about all that I want to make any inquiries on.

The CHAIRMAN. I want to ask one or two questions. Could you tell here what has been the gross receipt of your office since you have been in this position?

Mr. CAMPBELL. No, sir; I could not.

The CHAIRMAN. I wish you would send us a statement showing the gross receipt and gross disbursement.

Mr. CAMPBELL. Year to year?

The CHAIRMAN. Yes.

Mr. CAMPBELL. Very well.

Senator LA FOLLETTE. I wish you would add to that——

Mr. CAMPBELL. Anything you want.

Senator LA FOLLETTE. I wish you would add to that a statement of deposits in the bank for each year. You furnished us one for the last year.

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Now, just have a bookkeeper just furnish one similar to that for each year from the time you took it over.

Mr. CAMPBELL. That statement that I furnished you was not all of the deposits this last year. It was the amount of money in the bank the 1st day of September.

Senator LA FOLLETTE. I do not mean for you to give it to us for each year on the same date.

Mr. CAMPBELL. I can give it to you the first of the year, when we make out our reports. I can make it for every quarter.

The CHAIRMAN. It is not necessary to do that. A year is all right, and would be much less trouble for you.

Senator LA FOLLETTE. I do not think you were present this morning, Major, when some testimony was given—and I think your attention should be called to it. The man in charge of this school at Lac du Flambeau three years just prior, I think, to the transfer of this superintendent was a Mr. Flynn, was it not?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. Was not he a drinking man?

Mr. CAMPBELL. I found out so.

Senator LA FOLLETTE. Did you not find out that he had been a drinking man during all the time that he had been here?

Mr. CAMPBELL. No, sir.

Senator LA FOLLETTE. Do you know that under his management here it happened that some man had gotten into the girls' dormitory at night and occupied a bed with the girls there?

Mr. CAMPBELL. I never knew of that until he and this man fell out; Mr. Flynn and the disciplinarian, I think, fell out, and he told me about it.

Senator LA FOLLETTE. The disciplinarian told you about it?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. When did you get that information?

Mr. CAMPBELL. I can not tell you just exactly when.

Senator LA FOLLETTE. How long did Mr. Flynn remain there after you got that information?

Mr. CAMPBELL. I gave Mr. Flynn the privilege of resigning.

Senator LA FOLLETTE. Why did you not dismiss him? There was a case not only of drunkenness, but a case of gross immorality.

Mr. CAMPBELL. I had nobody to put there to take charge of it.

Senator LA FOLLETTE. Do you not suppose that if you had called on the office at Washington and stated to them the conditions there that they would have immediately sent a special inspector here, or transferred somebody from another school in a case of that kind?

Mr. CAMPBELL. They might have done that.

Senator LA FOLLETTE. Don't you know that they would?

Mr. CAMPBELL. I never had any experience.

Senator LA FOLLETTE. How long did Flynn stay there after you found out what this man told you?

Mr. CAMPBELL. I think he stayed six months.

Senator LA FOLLETTE. And then you gave him the privilege of resigning?

Mr. CAMPBELL. Yes, sir.

Senator LA FOLLETTE. And going out under circumstances where he could impose himself again upon the service?

Mr. CAMPBELL. I presume that you can look at it in that way.

Senator LA FOLLETTE. Who was there ahead of him; do you remember the man's name?

Mr. CAMPBELL. Phillips, I think. Who was there before Flynn; was it Phillips, Mr. Farr?

Mr. FARR. I think so; and Mr. Perry before him.

Mr. CAMPBELL. Yes; and Perry was the first.

Senator LA FOLLETTE. How long did Mr. Perry stay there?

Mr. CAMPBELL. Four or five years, I think.

Senator LA FOLLETTE. How did he come to leave?

Mr. CAMPBELL. Do you mean Perry?

Senator LA FOLLETTE. Yes.

Mr. CAMPBELL. He went into the lumbering business—went off and started something down in Virginia.

Senator LA FOLLETTE. What was Mr. Perry's reputation?

Mr. CAMPBELL. Good; and he is in the service yet.

Senator LA FOLLETTE. He is in the Indian Service?

Mr. CAMPBELL. Yes, sir.

(The committee thereupon adjourned.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
POTTAWATOMIE INDIAN RESERVATION,
Laona, Wis., September 28, 1909.

(The committee met at 9 o'clock a. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor, Indian Service.

The CHAIRMAN. The committee will now take up the matter relating to the Pottawatomie Reservation.

STATEMENT OF JOHN PEGO (CHARLIE KEESICK).

JOHN PEGO, having been first duly sworn, testified as follows:

The CHAIRMAN. Have you people talked over what you desire done with your property?

JOHN PEGO. Yes, sir.

The CHAIRMAN. You Indians on this reservation have some money, and we are trying to see if we can not get some land for you, so that you can live on that land and raise what you require to eat from the land and have something to live on and to live from. You say you have talked the matter over among your people?

JOHN PEGO. Yes, sir.

The CHAIRMAN. Where do you live?

JOHN PEGO. At Armstrong Creek.

The CHAIRMAN. You are a member of the Pottawatomie band?

JOHN PEGO. No, sir.

The CHAIRMAN. I thought you were.

JOHN PEGO. No, sir.

The CHAIRMAN. Do you understand their language?

JOHN PEGO. Yes, sir.

The CHAIRMAN. And you have been conversing with them here this morning, have you?

JOHN PEGO. Yes, sir; and I have for the last fifteen years.

The CHAIRMAN. But you have been talking with these Indians here this morning particularly?

JOHN PEGO. Yes, sir.

The CHAIRMAN. Do you understand what they want from what they have said?

JOHN PEGO. Yes, sir.

The CHAIRMAN. You are an Indian yourself, are you?

JOHN PEGO. Yes, sir.

The CHAIRMAN. Of what tribe?

JOHN PEGO. I am mixed with the Pottawatomies and Ottawas.

The CHAIRMAN. What Indian blood have you?

JOHN PEGO. I am a mixture of the Ottawas and Pottawatomies.

Senator LA FOLLETTE. So you are part Pottawatomie?

JOHN PEGO. Yes, sir; I am a descendant of the Pottawatomies and Ottawas.

Senator LA FOLLETTE. Are you recognized as having an interest with these Indians?

JOHN PEGO. No, sir; just for my labor. That is all.

The CHAIRMAN. Now proceed and tell the committee what their expression of opinions is—what they have agreed upon.

JOHN PEGO. Well, they desire to have this land. They have all consented to that part of it. They voted on it.

The CHAIRMAN. All of these Indians have consented to have land bought for them?

JOHN PEGO. Yes, sir; and homes built for them—that is, to help them along.

The CHAIRMAN. Do they understand that they are not to get any of this money to handle themselves?

JOHN PEGO. Yes, sir; they understand that part.

The CHAIRMAN. Do they understand that the land which will be bought will be so fixed that they can not sell it themselves?

JOHN PEGO. Yes, sir; that is the way they desire.

The CHAIRMAN. They do not want to sell the land, and do not want to handle the money?

JOHN PEGO. No, sir.

The CHAIRMAN. Do they want to stay here in Wisconsin or go somewhere else?

JOHN PEGO. They want to stay here.

The CHAIRMAN. Do they want the land close together or do they want it separated—one man here and another man somewhere else, for instance?

JOHN PEGO. They want the land to be in one lot. Of course they do not want to be all together.

The CHAIRMAN. Now, when this land is obtained, would they want it divided up so that each one would have so many acres, or hold it all in one community?

JOHN PEGO. Each person wants to be allotted.

The CHAIRMAN. They want it allotted?

JOHN PEGO. Yes, sir.

The CHAIRMAN. So that each one will know what his piece is?

JOHN PEGO. Yes, sir.

The CHAIRMAN. They want the title to cover the whole piece of land?

JOHN PEGO. Yes, sir; that is what they desire.

The CHAIRMAN. Have any of them farms now?

JOHN PEGO. There are some; there are 20, I think.

The CHAIRMAN. About 20 homesteads?

JOHN PEGO. Yes, sir; homesteads.

The CHAIRMAN. Would they be willing to work and help build those houses and help clear the land?

JOHN PEGO. Yes, sir; they voted on that.

The CHAIRMAN. Why have they not authorized you particularly to speak for them? You put these motions to them this morning, did you?

JOHN PEGO. Charlie Keesick put the motions to them.

The CHAIRMAN. And you explained it to them?

JOHN PEGO. Yes, sir; I explained it to them.

The CHAIRMAN. Is Charlie Keesick the head chief?

JOHN PEGO. Yes, sir.

The CHAIRMAN. But he is very hard of hearing, is he?

JOHN PEGO. Yes, sir; he is deaf.

The CHAIRMAN. So you know that these things that you tell us are things that they want because they have just been talking and voting on them?

JOHN PEGO. Yes, sir.

The CHAIRMAN. Some of these men understand English, do they not?

JOHN PEGO. Yes, sir; quite a number of them. Of course they can not understand the common language.

The CHAIRMAN. Do you not think that there are a number of people here who understand what you and I are saying now?

JOHN PEGO. No, sir.

The CHAIRMAN. They do not understand enough for that?

JOHN PEGO. No, sir.

The CHAIRMAN. Have you any idea about how many there are to a family? There are about 457 Pottawatomies. Have you any idea about how many families there would be?

JOHN PEGO. No, sir.

Senator PAGE. How many children would they average, in your judgment, to a family—two, three, four, or five?

JOHN PEGO. Two and three. They are very light.

The CHAIRMAN. They are not very large families?

JOHN PEGO. No, sir.

The CHAIRMAN. Are any of these Pottawatomies living in tepees at the present time?

JOHN PEGO. There are some wandering bands who do, but a good many of them live in houses.

The CHAIRMAN. Do you know how they got the houses they are living in?

JOHN PEGO. They built them themselves.

The CHAIRMAN. They appear to be fairly well dressed. How did they get their clothes?

JOHN PEGO. Well, you can judge yourself about their clothes.

The CHAIRMAN. How did they get their clothing?

JOHN PEGO. They work.

Senator LA FOLLETTE. And earn the money?

JOHN PEGO. And earn the money. Some dig roots, and some farm, and some pick berries.

The CHAIRMAN. Do you know whether any of them have any cows or pigs?

Senator LA FOLLETTE. Or ponies?

JOHN PEGO. They have quite a number of ponies.

Senator LA FOLLETTE. But no cows or pigs?

JOHN PEGO. No, sir.

Senator PAGE. Do any of them keep sheep?

JOHN PEGO. No, sir.

Senator LA FOLLETTE. Besides the ponies, do they have harnesses?

JOHN PEGO. Yes, sir.

Senator LA FOLLETTE. And wagons?

JOHN PEGO. Yes, sir; those homesteaders have wagons, most of them.

The CHAIRMAN. How did they get their ponies and wagons and sleds?

JOHN PEGO. They buy them.

The CHAIRMAN. They earn the money, do they?

JOHN PEGO. Yes, sir.

The CHAIRMAN. So as to most of them, such living as they have they get themselves?

JOHN PEGO. Yes, sir; they get it themselves.

Senator LA FOLLETTE. All of them are that way, are they not; they have no other way of subsisting than by earning the money on which to live?

JOHN PEGO. Yes, sir.

Senator PAGE. How many of those families are on the town; supported by the town, in part?

JOHN PEGO. None of them.

The CHAIRMAN. Are most of them full blood?

JOHN PEGO. Yes, sir; most of them.

The CHAIRMAN. Do you know whether the mixed bloods stay with them or go away?

JOHN PEGO. Well, there are a few mixed bloods among them.

The CHAIRMAN. Now, of course, they understand that this talk is only this, that when we get back to Congress we will lay the matter before Congress. They understand that we are not here to make any final arrangement with them, do they not?

JOHN PEGO. Yes, sir; I explained that to them.

(The witness was thereupon excused.)

STATEMENT OF KISH-KIN-A-KAAM, THE CHIEF.

KISH-KIN-A-KAAM (CHARLIE KEESICK), having first been duly sworn, and his interpreter, John Pego, having been similarly sworn, to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You are head chief here, are you?

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. You have been talking with your people here about having the Government buy you some land, have you not?

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. You people want this land bought and allotted to each family, do you not?

KISH-KIN-A-KAAM. We want to know about the taxation.

The CHAIRMAN. We will get to that later. First, we want to know how you want it bought. We understand that you want it bought in one big piece and allotted separately.

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. And you want it here in Wisconsin near where you have been living?

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. You understand that you would not get any of the money to handle yourselves, but the Government would buy the land and spend the money for you. Do you understand that?

KISH-KIN-A-KAAM. Yes, sir; I understand that.

The CHAIRMAN. And you understand that this land will be fixed so that you can not sell it; nobody can get it away from you?

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. Now, that is satisfactory to you people, is it? Is that the way you people want it, so that nobody can get it away from you?

KISH-KIN-A-KAAM. Yes, sir.

The CHAIRMAN. You wanted to know about the taxes. If this plan is carried out by the Government, the Government would handle the money, and the Government would have some of the money left, and it would take care of the taxes until these people could learn to pay the taxes themselves.

KISH-KIN-A-KAAM. I leave that to the members.

The CHAIRMAN. You understand that when you have property that you own yourself, you have to pay taxes on it just as we do; but these people do not know anything about paying taxes, so the Government, out of this money that is left, for a while would take care of those taxes, so that the property would not be taken away from those people. We would have to watch that for you. You understand that, do you?

KISH-KIN-A-KAAM. Yes; I understand that.

(The witness was thereupon excused.)

STATEMENT OF JOHN THUNDER.

JOHN THUNDER, having been first duly sworn, and his interpreter, John Pago, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You are a member of the Pottawatomie band of Indians, are you?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. You have just had a talk, have you not, some of you leading men in the room?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. You have been talking about the Government buying some land for you people?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Now, tell us what you want us to do.

JOHN THUNDER. I say just the same as Kish-kin-a-kaam.

The CHAIRMAN. Just tell us what he said, so that we can put it down and bring it to the attention of Congress in Washington as to what you want. Do you want the Government to buy some land for you?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Do you want it all in one big piece?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Then you want it allotted and divided so that each one will know what is his land?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Then you want it so that you can not sell it?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. That is the way you want it, is it?

JOHN THUNDER. Yes, sir; I want it so that I can not squander it.

The CHAIRMAN. You understand that this money would not be put into your hands, but that the Government would transact the business; you understand that, do you?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Is that the way you want it?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. Now, will these people help put up the buildings, and help clear the land—will you people do some of the work?

JOHN THUNDER. Yes, sir.

The CHAIRMAN. With the work that you would do and the material that you have on the land, do you think $100 would build a good, comfortable home; that is, as I say, with your own work and the material that you have?

JOHN THUNDER. Yes, sir; $100 will be enough.

Senator LA FOLLETTE. What do you think is the average cost of the houses in which they are now living, outside of the material they got off of their land, and their own work—shingles, doors, floors, and windows?

JOHN THUNDER. Seventy dollars.

The CHAIRMAN. Do you know anyone here who is particularly anxious to talk with us about this matter?

JOHN SHAWANO. The lumber is very dear now. Seventy dollars is not enough. It is not sufficient to cover the expenses.

(The witness was thereupon excused.)

STATEMENT OF JOHN MAN.

JOHN MAN, having first been duly sworn, testified as follows:

The CHAIRMAN. You are one of the Pottawatomie Indians, are you?

JOHN MAN. Yes, sir.

The CHAIRMAN. Several of you this morning have been talking over the subject of the Government buying land and fixing farms, have you not?

JOHN MAN. Yes, sir.

The CHAIRMAN. Tell the committee what you want done with the money that the Government has in its hands that belongs to you people.

JOHN MAN. The same as the others.

The CHAIRMAN. We would like to have you tell in your own way just what you want done. You have been talking about this matter, and the committee would like to have you state what you desire done.

JOHN MAN. I want land and the material.

The CHAIRMAN. Do you want this so that you can spend the money, or do you want the Government to pay the money out for you?

JOHN MAN. I want the Government to pay it out for me.

The CHAIRMAN. That is the way you want, is it?

JOHN MAN. Yes, sir.

The CHAIRMAN. Now, do you want the land so fixed that you can sell it so that somebody can get it away from you, or do you want it so that the Government can hold the title for you?

JOHN MAN. I want the Government to hold it for me.

The CHAIRMAN. That is the way you want it, to have the Government hold it?

JOHN MAN. Yes, sir.

The CHAIRMAN. Why do you want the Government to hold it?

JOHN MAN. That is the way I desire, that the Government look out after the land for us, because I am not able to.

(The witness was thereupon excused.)

CHARLIE KEESICK (speaking in Indian to the Indians assembled). Do all of you gentlemen here, members, adopt this resolution, to have it done as it has been explained before by the witnesses on the witness stand?

Cries (interpreted by John Pego) of "Yes."

The CHAIRMAN (to John Pego, the interpreter). I wish you would ask the people here if they have any complaints or suggestions to make outside of what has already been put in the record.

Senator LA FOLLETTE (to Interpreter Pego). Tell them that it will take some time to do this; Congress does not meet until December, and that it may take a year before this can be done. We can not tell. It has got to go to the Senate and the House of Representatives, if it should be accepted, and then it will have to go to the President and to the Indian Office to work it all out. This committee will tell the Senate what the committee desires.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN (to John Pego, the interpreter). Tell them that the money of the Pottawatomies is in the Treasury of the United States, and it can only be gotten out by the making of a law.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN (to John Pego, the interpreter). State to them that when the Senate, the body which this committee represents, acts upon the matter it will have to go from there to the House of Representatives, and that body must act upon it also.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN (to the interpreter). Then it goes to the President, and then it goes to the Indian Office, and then a man will be sent up here to work at fixing the matter up.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN. That all takes time, and it may take a year; it may take two years. We can not tell.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN. You must not get discouraged or dissatisfied, but have patience and wait, and we will do the best we can for you.

(The above was interpreted to the Indians by John Pego, the interpreter.)

The CHAIRMAN. This committee will ask the Government to buy the Indians land on which to place homes and shacks on the place and houses, and put the Indians where they can make their own living upon their places. They understand that, do they?

(The above was interpreted to the Indians by John Pego, the interpreter.)

JOHN PEGO (the interpreter). Yes, sir. They understand that.

The CHAIRMAN. Now, tell them that the committee is very much obliged to them for coming here and making their statement.

(The above, having been interpreted by John Pego, the interpreter, the committee thereupon took a recess until 2 o'clock p. m.)

AFTER RECESS.

(The committee reassembled at 2 o'clock p. m.)

Present: Senators La Follettee (acting chairman) and Page; also E. P. Holcombe, chief supervisor, Indian Service.

The ACTING CHAIRMAN. The committee will hear any additional statement that any of you present desire to make.

STATEMENT OF ERRICK MORSTAD.

ERRICK MORSTAD, having first been duly sworn, testified as follows:

The ACTING CHAIRMAN. What is your full name?

Mr. MORSTAD. Errick Morstad.

The ACTING CHAIRMAN. Where do you live?

Mr. MORSTAD. At Carter.

The ACTING CHAIRMAN. Where is Carter?

Mr. MORSTAD. It is in Forest County, 15 miles south of this place.

The ACTING CHAIRMAN. You have been acquainted with these Indians how long?

Mr. MORSTAD. The first time I got acquainted with the chiefs here, and some few others, was toward twenty-five years ago.

The ACTING CHAIRMAN. And from that time on you have seen more or less of them right along, I suppose?

Mr. MORSTAD. Not just right along; I have been trying to do something for them in a missionary line for sixteen or seventeen years.

The ACTING CHAIRMAN. You are a minister, are you not?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. Of what church?

Mr. MORSTAD. Of the Evangelical Lutheran Church.

The ACTING CHAIRMAN. You have done a good deal of missionary work among the Indians for some time, have you not?

Mr. MORSTAD. Well, I have been teaching and trying to do something for them, but on account of their being so badly scattered it has made it pretty nearly impossible so far as getting much, of any, results are concerned.

The ACTING CHAIRMAN. You were present this morning when their testimony was taken?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. And you were present during the time they were holding a council to decide what they would prefer to have done with respect to their money and how they would like to have it applied?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. You have some understanding of their native tongue—of their native language—have you not?

Mr. MORSTAD. I have; yes, sir.

The ACTING CHAIRMAN. So that you were able to follow it when they were discussing the matter among themselves, were you not?

Mr. MORSTAD. With the aid of the interpretation; yes, sir. It came rather quick when they were speaking.

The ACTING CHAIRMAN. But you would be able to tell us whether they generally assented, in so far as they expressed themselves, to the plans which were given to the committee by their chief?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. And they did, did they?

Mr. MORSTAD. They did.

The ACTING CHAIRMAN. What is the name of this firm of attorneys in Washington, or the attorney?

Mr. HANNAN. The attorney in Washington with whom they have a contract is R. V. Belt.

The ACTING CHAIRMAN. Do you know Mr. R. V. Belt, an attorney of Washington?

Mr. MORSTAD. I have not met him, but have had correspondence with him for the last seven years or more.

The ACTING CHAIRMAN. You have been in correspondence with him for seven years?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. With respect to what matter?

Mr. MORSTAD. This claim of the Wisconsin Pottawatomies.

The ACTING CHAIRMAN. You know, do you, that at one time the department denied that they owed the Indians any money?

Mr. MORSTAD. They denied it until a year ago last April.

The ACTING CHAIRMAN. Will you state to the committee how they were convinced—I do not mean in detail, but who carried the matter through successfully and succeeded in convincing the department that the Government was indebted to the Indians under treaty obligations made in the past?

Mr. MORSTAD. Mr. Belt has, some of these last three years, had associated with him a firm of other attorneys, Kappler & Merrilat, I understand, but I am pretty well satisfied that he has at all times done the most of the work, and, in fact, I know that it must be principally ascribed to R. V. Belt.

The ACTING CHAIRMAN. What, if any, assistance have you rendered Mr. Belt in that work on the ground here?

Mr. MORSTAD. I have had Indians assembled for the councils that had to be held. At first I made also the preliminary roll of them.

The ACTING CHAIRMAN. That is, you took a sort of census of them?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. In order to ascertain how many of them there were?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. And which of them were entitled to be placed upon this roll?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. As having any rights in this money?

Mr. MORSTAD. Yes, sir. I placed on the roll, according to the best of my judgment at the time, those who were entitled under the law, and most of them proved to be so after the decision had been made. They first sent, three years ago, Inspector Churchhill to make a roll of them.

The ACTING CHAIRMAN. The Indian Office did?

Mr. MORSTAD. Yes, sir; the Indian Office; and his roll was not finally accepted, and two years ago they sent from the Indian Office Doctor Worcester, who made a roll that was accepted both by these and the relatives in Ontario, Canada.

The ACTING CHAIRMAN. State what you did in the matter yourself in assisting Doctor Worcester, if anything.

Mr. MORSTAD. Well, I was with him and did a good deal of cooperating at the time. I recommended that our chief, Charles Keesic, be taken along especially for his knowledge of the people and the genealogy, but, as you have noted, he is somewhat hard of hearing, and in having them examined I did most of the interpretation. I spelled the Indian names, and so forth.

The ACTING CHAIRMAN. Did you travel over this country with Doctor Worcester and also in Canada with him?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. Were you in Canada more than once?

Mr. MORSTAD. Not for the Government. I was back there last June on a missionary trip—last summer.

The ACTING CHAIRMAN. Do you know whether a contract was made with the attorneys for collecting this money?

Mr. MORSTAD. It was made with Mr. Belt.

The ACTING CHAIRMAN. With Mr. Belt. Do you know what per cent was specified in that contract as the amount which Mr. Belt should receive if he was successful in the collection of this money?

Mr. MORSTAD. The contract was made out for 20 per cent.

The ACTING CHAIRMAN. With whom was this contract made on the part of the Indians?

Mr. MORSTAD. We had a council here of them, represented as best we could, trying to get word around to the different settlements, and I am satisfied we have most of them, at least, together.

The ACTING CHAIRMAN. They were not all represented, were they?

Mr. MORSTAD. No, sir.

The ACTING CHAIRMAN. Mr. Morstad, do you know whether these Indians have maintained a tribal organization so that they were in a position to contract as a tribe or not, or whether the contract was simply made with the individual Indians who were present?

Mr. MORSTAD. It would be pretty hard for me to determine. Different settlements were represented.

The ACTING CHAIRMAN. That is, there were Indians present from different settlements?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. But you do not know whether those Indians were authorized to speak for all of the Indians in the several settlements?

Mr. MORSTAD. I could not, of course, say that. Mr. Belt was recommended to us through Senator Nelson, of Minnesota, that he made the preliminary statement of the matter. I understood that he was very well versed in Indian matters, and also from Senator Nelson's recommendation that he was the man to get. But I was shocked at the per cent, and I wrote back to Senator Nelson about it, and he said he would have a hard task, etc., and outlined to me what would be the probabilities and the obstacles before him, etc., and the only thing I could do then was to put it before a council of the Indians. I read Senator Nelson's comments on it and my own views. I put it to them and they were in favor of it, I think unanimously, and of course that took it out of my hands.

The ACTING CHAIRMAN. They were very anxious to get their money, were they?

Mr. MORSTAD. Yes, sir.

The ACTING CHAIRMAN. Do you think from what you know about it that $5,000 would be a reasonable fee for the services rendered?

Mr. MORSTAD. I am not in a position to pass any judgment upon it, Senator. I know that Mr. Belt has had a great deal of work to do; certainly many times more than I have had. I have tried to do what I could. I spent time, and sometimes money on it.

The ACTING CHAIRMAN. You know that without your services he would not have been able to do anything, do you not?

Mr. MORSTAD. Well, I have done what I could. They tried in vain for a long time, I know, previous to this, to do something with it.

The ACTING CHAIRMAN. Previous to your taking hold of it?

Mr. MORSTAD. Yes, sir.

Senator PAGE. Mr. Morstad, what is your nationality?

Mr. MORSTAD. I am a Norwegian.

Senator PAGE. In your intercourse with these Indians, has it oftentimes occurred that they have come to you in their distress and received your help?

Mr. MORSTAD. How do you mean?

Senator PAGE. Have you fed them?

Mr. MORSTAD. Oh, yes, sir; of course, when they came to my house. I have never turned them away, of course. I have fed them.

Senator PAGE. And you have done that for many years?

Mr. MORSTAD. Well, I should not count that that has been much to consider, or anything, for that matter. As has been said here, they are rather a self-supporting people. I have known Indians who would cost a great deal more in that respect than those.

Senator PAGE. Now, I would like to ask Mr. Rogers a few questions to bring out if we can the relation of the surrounding towns, in the event a township should be allotted to these men, and I hope you will feel free to bring out any matter that I do not bring out.

(The witness was thereupon excused.)

STATEMENT OF ARTHUR ROGERS.

ARTHUR ROGERS, having been first duly sworn, testified as follows:

The ACTING CHAIRMAN. Do you live here in this county?

Mr. ROGERS. Yes, sir; I live in the town of Caswell, in this county.

The ACTING CHAIRMAN. What distance is that from Laona?

Mr. ROGERS. It is 18 miles north.

The ACTING CHAIRMAN. What distance do you live from where some of these Indians have taken homesteads?

Mr. ROGERS. From 8 to 12 miles.

The ACTING CHAIRMAN. Are you acquainted with the country in the neighborhood where they are located?

Mr. ROGERS. Yes, sir.

The ACTING CHAIRMAN. Are you very well acquainted with the whole county?

Mr. ROGERS. I have cruised pretty nearly the whole county.

The ACTING CHAIRMAN. And you know the value of land, and, generally speaking, you know the quality of the land, do you not?

Mr. ROGERS. Yes, sir.

The ACTING CHAIRMAN. And its character and the character of the timber upon it?

Mr. ROGERS. Yes, sir.

The ACTING CHAIRMAN. Not only the land where they are located, but the land around it for several townships?

Mr. ROGERS. Yes, sir.

Senator PAGE. Mr. Rogers, you have stated that you were supervisor?

Mr. ROGERS. Yes, sir.

Senator PAGE. You have heard the discussion this morning in regard to the allotment of the land to these Indian families?

Mr. ROGERS. Yes, sir.

Senator PAGE. And I think you told me that if a part of the lands were allotted and the other lands were left unallotted, that it would be to the injury to the adjoining towns?

Mr. ROGERS. I do; yes, sir.

Senator PAGE. I ask you this question because when the matter comes up in Washington it will tend to refresh our recollection and perhaps point us to our duty to the surrounding towns. Now, your idea is that 20 acres to a family would be substantially as good as more. Did I so understand you?

Mr. ROGERS. No; 20 acres to a family would be small. I would say 80 acres—20 to a head—and individuals.

Senator PAGE. Do you think that an Indian, with his wife and two or three children, would take care of 80 acres?

Mr. ROGERS. It would be all they could take care of. I do not think they would even take care of that.

Senator PAGE. Would it not be, perhaps, sufficient if they had 40 acres?

Mr. ROGERS. No, sir; I will give my reasons for that. Most of them have ponies, and they have to have a range of territory for grazing, and, while they might not farm over 10 or 15 acres, it would not give them range enough for their stock.

The ACTING CHAIRMAN. And if they are to go into agriculture they will have to have other stock besides the ponies?

Mr. ROGERS. Yes, sir; and they will need more territory to range on than they would naturally farm. They might farm 20 acres and range 60 of them.

Senator PAGE. Now, in case the Government should see fit to buy a township 6 miles square, as I would call it on this map here, what part of that township, which is supposed to be 23,000 acres, would be available land?

Mr. ROGERS. Well, as to the townships in Forest County, I will say that 80 per cent of it will be agricultural land in every respect, in every county.

The ACTING CHAIRMAN. In every township, you mean?

Mr. ROGERS. Yes, sir; township; that 80 per cent will be agricultural land. Some of it may be lowland, although it is good agricultural land. It is a good grass country.

Senator PAGE. Now, suppose 40 acres were allotted to a family; have you any recommendation with regard to the next generation? If we should buy a township, would you advise that as soon as the next generation gets large enough that the Government say to them that if they will take 10 or 20 acres and cultivate it, that out of the balance of the township, over and above the 40 acres to a family, the next generation could have 10 or 20 acres.

Mr. ROGERS. I think that might be possible, or they might be satisfied with what money is left, if they wanted to go away. Some would want to go away anyway.

Senator PAGE. As to the money part of it, I think we have decided that that had better be kept at home to take care of those here, but you suggest that that would leave this land outside to grow up to the injury of the other land.

Mr. ROGERS. I think it would.

Senator PAGE. So that probably disposes of that matter. Is there any objection, if we should provide that the next generation could have an allotment made to them conditioned upon their clearing it up and cultivating it?

Mr. ROGERS. That would be all right.

Senator PAGE. What quantity of land would you advise the Government to give to each of the next generation?

Mr. ROGERS. Ten or 20 acres.

Senator PAGE. I should think probably 20 acres would be enough?

Mr. ROGERS. Yes, sir.

Senator PAGE. Ten would not be enough, you think?

Mr. ROGERS. No, sir.

Senator PAGE. The 20 acres would soon exhaust the balance, while 10 acres would perhaps be as much as they would cultivate and clean up according to your suggestion?

Mr. ROGERS. Yes, sir; it will be a great many years before you will see any one family clear up more than 10 or 15 acres. That is my experience. I have lived in Wisconsin all my life, and in the North, among the Indians, and 10 or 15 acres to a family will be as much as they will clear. They will raise a little corn and stuff, and they will range the balance of it.

Senator PAGE. The matter of these schools has been discussed while you were present?

Mr. ROGERS. Yes, sir.

Senator Page. And the suggestion has been made that by giving that 40 acres to a family we could bring them into some narrow limits, which would give them a central school which would not be far away, and each scholar could be sent there. Have you any advice or suggestion to make with regard to that?

Mr. ROGERS. Well, two miles and a half would be our limit in our schools, in our rural district. That would be pretty near a township, and if you made them centrally located—a township and a school in the center of it—it would very nearly reach them all.

Senator PAGE. The scholars go 2½ miles to school, do they not?

Mr. ROGERS. Oh, yes, sir; I have done that myself.

Senator PAGE. Would not a mile and a half be better?

Mr. ROGERS. A mile and a half would be better, but in the rural districts we are bringing the children from the country 3 or 4 miles.

Senator PAGE. At the expense of the town?

Mr. ROGERS. Yes, sir; we thought it would be cheaper than to build them a schoolhouse out there. Something like that might be done with the outside Indians.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF JOHN PEGO.

JOHN PEGO, having been recalled, testified as follows:

The ACTING CHAIRMAN. Mr. Pego, do you live with these Indians?

JOHN PEGO. No, sir.

The ACTING CHAIRMAN. Do you live in the same neighborhood?

JOHN PEGO. I live in the neighborhood; yes, sir.

The ACTING CHAIRMAN. How long have you lived in their neighborhood?

JOHN PEGO. Well, I have lived here since 1893.

The ACTING CHAIRMAN. You have already testified that you are an Indian of mixed blood, part Pottawatomie and part Ottawa?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. I will ask you to state whether you speak the Pottawatomie language?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Have you acted as interpreter for these Indians at other times besides to-day?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. For how many years have you served them from time to time as interpreter?

JOHN PEGO. I do not know. It seems that they had at one time another attorney. I have forgotten his name now. It was something like Pollock. He took hold of the case, and when he dropped it——

The ACTING CHAIRMAN. He gave it up, did he?

JOHN PEGO. Yes, sir; he gave it up and then R. V. Belt took hold of it. I signed a contract as interpreter with R. V. Belt.

The ACTING CHAIRMAN. You signed a contract as interpreter with Mr. Belt?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. That was when the Belt contract was made?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Have you done interpreting for these Indians under that contract?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. From the time it was signed?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. As often as you were called upon to do the work?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Have you been called upon to interpret when Mr. Belt was here?

JOHN PEGO. I never saw Mr. Belt.

The ACTING CHAIRMAN. He has not been here in person, has he?

JOHN PEGO. No, sir.

The ACTING CHAIRMAN. Have you been called upon to interpret when any representatives of the Indian Office were investigating the matter and taking steps to make a roll of those who were entitled to a share in this money?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Did you travel with Mr. Churchill?

JOHN PEGO. I believe I did.

The ACTING CHAIRMAN. And assisted in interpreting?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Did you travel with Doctor Worcester?

JOHN PEGO. No, sir; I did not travel with Mr. Worcester.

The ACTING CHAIRMAN. Did you do any interpreting for Mr. Worcester when he was here?

JOHN PEGO. No, sir; when he went to Canada I did not go with him.

The ACTING CHAIRMAN. But when he was here in Wisconsin, I mean.

JOHN PEGO. No, sir.

Senator PAGE. Have you ever received any pay for those services?

JOHN PEGO. Well, I did at one time; yes, sir.

Senator PAGE. From whom?

JOHN PEGO. From Churchhill.

The ACTING CHAIRMAN. How much did you receive?

JOHN PEGO. I have forgotten now how much it was. It was for thirty days—something like that.

The ACTING CHAIRMAN. You received pay for thirty days?

JOHN PEGO. Yes, sir.

The ACTING CHAIRMAN. Have you acted for these Indians in connection with the investigation of this matter at other times for which you have not been paid.

JOHN PEGO. Yes, sir; at other times.

The ACTING CHAIRMAN. Can you give the committee any idea of the amount of time that you have spent in that work?

JOHN PEGO. I could not get at it exactly.

The ACTING CHAIRMAN. You have not kept an account of it, have you?

JOHN PEGO. No, sir; I have a man here who kept an account as near as he could, and Mr. Thunder kept a little account for the council.

The ACTING CHAIRMAN. Would you like to have him make a statement to the committee about it, or can you make it yourself?

JOHN PEGO. I would rather he would make the statement. Of course, it would be more satisfactory.

Senator PAGE. You say you live in this village?

JOHN PEGO. Not in the village.

Senator PAGE. How far from the village do you live?

JOHN PEGO. Thirty miles.

Senator PAGE. Have you any children?

JOHN PEGO. Yes, sir; I have children.

Senator PAGE. Do you send those children to a school?

JOHN PEGO. Yes, sir; I do not belong to this tribe, though.

Senator PAGE. Do you send them to a white school?

JOHN PEGO. They go to a government school; yes, sir.

Senator PAGE. That is at Hayward, or some school like that, is it?

JOHN PEGO. It is in Michigan.

Senator PAGE. From your knowledge of the Indians, do you think it is practicable to enforce the law in regard to education; that is, compulsory education? You know the whites have a law which compels parents to send their children to school. Do you think a law compelling the Indian to send his children to school could or would be enforced?

JOHN PEGO. Well, I think it would be.

Senator PAGE. Do the Indians, as a rule, send their children to school here—these Pottawatamies?

JOHN PEGO. Well, where it is convenient to go to school, they send them.

Senator PAGE. You think they appreciate the advantages of education, do you?

JOHN PEGO. Yes, sir.

Senator PAGE. How far do you think they would send their children to school if they were located in a township together; would they send if it was 2½ miles distant?

JOHN PEGO. Yes, sir; about 2 miles.

Senator PAGE. Do you think that distance to the town would prevent them from sending their children to school—2½ miles?

JOHN PEGO. It would be too far.

Senator PAGE. Do you think they would send them within 2 miles?

JOHN PEGO. Two miles; yes, sir.

Senator PAGE. You have heard the discussion with regard to this question of schools, have you not?

JOHN PEGO. Yes, sir.

Senator PAGE. Do you think that the Indians, as a class, would be pleased to have their lands so located as to bring it within a 2-mile center of a school?

JOHN PEGO. Two miles; yes, sir.

Senator PAGE. You think they would appreciate that, do you?

JOHN PEGO. Yes, sir.

Senator PAGE. And you think with that school that near they would send their children?

JOHN PEGO. Yes, sir.

Senator PAGE. Is it not true that a good many Indians do not appreciate the advantage of education?

JOHN PEGO. Yes, sir; I know that.

Senator PAGE. What per cent of them, do you think, believe in the advantages of education? Are there half of them who would send their children to school usually?

JOHN PEGO. I think more than half.

Senator PAGE. What do you say with regard to that, Mr. Morstad?

Mr. MORSTAD. I agree with Mr. Pego in saying rather more than half.

Senator PAGE. Who would send their children to school if they had convenient opportunity?

Mr. MORSTAD. Yes, sir.

Senator PAGE. How far do you think the Indian would have to live from the school to prevent his sending his children?

Mr. MORSTAD. Well, 2 miles, I think, would perhaps be rather too much.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF JOHN THUNDER.

JOHN THUNDER, having been recalled, testified as follows:

The ACTING CHAIRMAN. You know Mr. Pego, Mr. John Pego, do you not?

JOHN THUNDER. Yes, sir.

The ACTING CHAIRMAN. Do you know that he has done interpreting for these Indians in connection with the collection of their money and the contract made for it?

JOHN THUNDER. Yes, sir.

The ACTING CHAIRMAN. Have you kept an account of the time that he has spent in that work?

JOHN THUNDER. Part of it.

The ACTING CHAIRMAN. How much time have you kept an account of so that you can state the part of it that you know about?

JOHN THUNDER. How many days?

The ACTING CHAIRMAN. Yes. State all you know about that.

JOHN THUNDER. I can not state. Of course I have a time book that I kept in which I kept track of Pego's time.

The ACTING CHAIRMAN. Have you that time book with you?

JOHN THUNDER. Not in person.

The ACTING CHAIRMAN. Can you state from memory how much it is?

JOHN THUNDER. I can not state exactly.

The ACTING CHAIRMAN. If you had your book, could you state?

JOHN THUNDER. Well, I kept some dates with regard to Pego's time.

The ACTING CHAIRMAN. If you had the book, could you tell from the book what time Pego had given to this work, in so far as you know about it?

JOHN THUNDER. Yes, sir.

The ACTING CHAIRMAN. I suggest, Mr. Pego, that you make a statement with reference to that. You can see Mr. Thunder and make out a statement of your account and sent it to the committee at Washington—the Senate Committee on Indian Affairs—and it can be added to your statement.

JOHN PEGO. Very well.

Senator PAGE. Was there any arrangement between you two as to the price that should be charged for this work?

JOHN THUNDER. No, sir.

Senator PAGE. What is the usual price which the Indians have had to pay when they have had to have an interpreter?

JOHN PEGO. That never was settled to what I would get a day. It was left to the office.

The ACTING CHAIRMAN. I think that is all.

(At 3.30 o'clock p. m. the committee adjourned to meet at Neopit, Wis.)

NEOPIT, WIS., *September 30, 1909—9.30 a. m.*

Mr. O-SHAW-O-GE-SHIG, a Potowattomie Indian, having been first duly sworn by the chairman, testified, through an interpreter, as follows:

The CHAIRMAN. Where do you live?

Mr. O-SHAW-O-GE-SHIG. In Wisconsin, here, on the reservation.

The CHAIRMAN. Near this reservation?

Mr. O-SHAW-O-GE-SHIG. No; about 100 miles from here.

The CHAIRMAN. West of here?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. Near what town?

Mr. O-SHAW-O-GE-SHIG. Owens.

The CHAIRMAN. You are a Potowattomie?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. Do you belong to the Kansas or Wisconsin band?

Mr. O-SHAW-O-GE-SHIG. Yes; Kansas.

The CHAIRMAN. What is it you want to say to us?

Mr. O-SHAW-O-GE-SHIG. This is my boy, and he has got an allotment in Kansas, and he has not gotten any annuity money, and that is what I want to ask about. I don't see why he don't get any annuity money.

The CHAIRMAN. Did you get any?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. What is your boy's name?

Mr. O-SHAW-O-GE-SHIG. Ta-posh.

The CHAIRMAN. And you are on the rolls; you get your annuity?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. Where do they send you the money?

Mr. O-SHAW-GE-SHIG. Owens, Wis.

The CHAIRMAN. Did he ever get any?

Mr. O-SHAW-O-GE-SHIG. No, sir.

The CHAIRMAN. Do you know whether he is enrolled?

Mr. O-SHAW-O-GE-SHIG. Well, he is supposed to be on the roll. He has got his name at the office there.

The CHAIRMAN. Have you got any other boys?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. Do they get theirs?

Mr. O-SHAW-O-GE-SHIG. This boy standing right there, he gets an annuity.

The CHAIRMAN. He gets his?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

The CHAIRMAN. Where is his paid?

Mr. O-SHAW-O-GE-SHIG. Right there at the same place.

The CHAIRMAN. What is his name?

Mr. O-SHAW-O-GE-SHIG. Po-co-mo-gis-shig.

Senator LA FOLLETTE. Do you know the number of your son's allotment, the one who has an allotment in Kansas? It can be traced easily if you can give the number of his allotment.

Mr. O-SHAW-O-GE-SHIG. No, sir.

Senator LA FOLLETTE. Can you give it?

Mr. O-SHAW-O-GE-SHIG. No, sir; they never gave us the number of the allotment we got. They have got it all up there. They did not send it to us.

Senator LA FOLLETTE. Has this boy been living here with you?

Mr. O-SHAW-O-GE-SHIG. Yes, sir.

Senator LA FOLLETTE. Just the same as your other boy?

Mr. O-SHAW-O-GE-SHIG. Yes, sir; I have got some more boys. I have got a lot of boys yet.

The CHAIRMAN. The other boy got his annuity?

Mr. O-SHAW-O-GE-SHIG. Yes, sir; two boys got their annuities and this one didn't get it.

The CHAIRMAN. How much do you get a year?

Mr. O-SHAW-O-GE-SHIG. I ain't got my own this fall yet.

The CHAIRMAN. When you do get it how much is it?

Mr. O-SHAW-O-GE-SHIG. This fall I get $5.51, I guess. I ain't got mine yet.

The CHAIRMAN. That is all. We will take this up when we get back home.

The INTERPRETER. Here is another man. He speaks in behalf of his wife. He is not enrolled himself.

The CHAIRMAN. Is your wife one of the Potowattomies?

The INDIAN (whose name is not given). Yes, sir.

The CHAIRMAN. Where does she live?

The INDIAN. She lives here at present on the Menominee Reservation.

The CHAIRMAN. What do you want?

The INDIAN. Payment has been made to other children, and my children didn't get any payment.

The CHAIRMAN. Did they ever get any before?

The INDIAN. No, sir.

The CHAIRMAN. Do you get an annuity?

The INDIAN. No, sir; I don't get any.

The CHAIRMAN. What children got annuities?

The INDIAN. My wife is the only one enrolled, and she drew money.

The CHAIRMAN. What is your wife's name?

The INDIAN. Wa-wa-i-kish-e-ko.

The CHAIRMAN. Where does she get her annuity?

The INDIAN. At Phlok.

The CHAIRMAN. What are the names of the children?

The INDIAN. Wa-sa-qua-mo.

The CHAIRMAN. Boy or girl?

The INDIAN. Girl.

The CHAIRMAN. How old is she?

The INDIAN. Seventeen. I have other children.

The CHAIRMAN. Give the names of all of them.

The INDIAN. Che-quash, a boy 13 years old; Pe-na-se-quick, a boy 11 years old; I-a-to-pit, a boy 3 years old. The oldest one received an annuity. It is not this oldest one; it is another one, an older one, that drew the annuity.

The CHAIRMAN. Living now?

The INDIAN. She is dead now. She did draw an annuity at one time.

The CHAIRMAN. Give her name.

The INDIAN. Wap-sa-go-quah. She died August 16, 1907. I was told when this girl was 18 years old she would get her money. She died before she was 18.

The CHAIRMAN. We will look it up when we get home. That is all.

(The subcommittee thereupon adjourned.)

MENOMINEE INDIANS.

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Keshena, Wis., September 29, 1909.

(The committee met at 12 o'clock meridian.)

Present: Senators Clapp (chairman), La Follette, Page, and Brown; also E. P. Holcombe, chief supervisor, Indian Service; and William T. Cox, assistant forester, Forest Service, Agricultural Department.

The CHAIRMAN. The committee will now hear any statements those present desire to make.

STATEMENT OF MITCHELL OSHKANNANIEW.

Mr. OSHKANNANIEW. I have prepared a statement in writing that I would like to read to the committee.

The CHAIRMAN. You may proceed.

Mr. OSHKANNANIEW. The Menominee Indians have been engaged in lumber business for the past thirty years, and have been somewhat economical with their timber, they doing the first logging operation on their reservation on a small scale, picking up the dead and down timber about the year 1878. All this work was done entirely by the Indians themselves, which was a very good lesson for the Indians, in the meantime preserving the green timber for the future. Efforts have been made time and again by various lumbermen in securing legislation to obtain all or a portion of their timber, the Indians at all times declining to entertain any proposition made to them by any lumbermen or by Congress, until in the year 1890, when Congress passed a law on June 12, 1890, by request of Generals Whittlesey and Painter, the friends of the Indian, authorizing the sale of 20,000,000 feet of their timber each year, and the proceeds of sales of said timber being deposited in the United States Treasury to their credit, and patiently the Menominee Indians worked under this law for seventeen years, studying and taking advantage of all the privileges they had in learning the lumbering business in the saving of both their timber and money in their operations.

I feel confident enough to say to-day that there is not one particular work you might mention in the line of lumbering but what the Indians can do. You may think that I am praising the Indian a little too high, but give us a fair trial, test our ability in this line of business. Through economy, and by the good management of the government officials, and the assistance of experienced and successful lumbermen, we were enabled to accumulate something like two and a half million dollars in the United States Treasury to our credit.

In the month of June, 1905, over 40,000,000 feet of our green timber was blown down by a cyclone at the northwestern corner of our reservation. In a council of the Menominees, which was called for the purpose of discussing the question of the saving of this blown-down timber, it was in this council when it first came in the mind of the Indians that there must be profit in the manufacture of timber into lumber, and the Indians came to the conclusion that they would go into the manufacturing of their timber into lumber, commencing on a small scale, the same as they did when they first went into the logging business. Joseph Farr, general logging superintendent, was present in this council, and discussed the question with the Indians, and suggested two plans, and promised the Indians that he would be back again to arrange matters for them, but instead went right straight to Washington, D. C., and did not show up again, this being not the first time he and other lumbermen have employed every means to have Congress pass a law authorizing the sale of all the timber within the blown-down district. With the assistance of some good senatorial friends, we defeated the passage of the Brown bill, as it was known, and passed the act of June 28, 1906, which met the approval of the Menominee tribe. The Indians went to logging same as usual, complying with said fact; but before the law could be ex-

ecuted to the letter, the present law of March 28, 1908, was passed, being contrary to the wishes of the tribe, after overcoming the many obstacles that were encountered in the past thirty years.

After accumulating our fund and preserving our forest to its present condition, the only solid body of timber east of the Rockies, and being placed in such a shape as to disregard our voice and be deprived of all privileges which were being enjoyed by the Indians in the past, one E. A. Braniff, fresh from some eastern college, assumed charge and monopolized the whole lumbering operations upon our reservation; he erected the mill at the headwaters of West Branch River, instead of at Keshena and the Wold River, where all its tributaries empty. We want the mill removed to Keshena Falls, where it belongs. We are willing to sacrifice all the costs to remove it. Those men have caused a delay in the cutting and manufacturing of our timber and caused the same to lay for three years in the forest, deteriorating, before it could be manufactured. They laid obstacles in our way to prevent our success. Those people have interfered with our lumbering operations for the past four years to such an extent that we commenced to think that those men are only a curse to our tribe. If this enterprise is only a detriment to our tribe, it is better to discontinue it. The price of lumber is increasing so that the timber is better standing in the forest than to have the proceeds in the Treasury.

Therefore we appeal to the Government for justice, and the power lies with you honorable members of this committee. We trust that you will look into this matter, down to the root of the question, and right the wrongs.

The CHAIRMAN. As to this $2,500,000, do you claim that you accumulated it through the lumbering operations?

Mr. OSHKANNANIEU. Yes, sir.

The CHAIRMAN. And not from the sale of lands or timber?

Mr. OSHKANNANIEU. No, sir.

The CHAIRMAN. You mean the lumbering that you people did yourselves?

Mr. OSHKANNANIEU. Yes, sir; it was logging.

The CHAIRMAN. What is your objection to the present plan?

Mr. OSHKANNANIEU. My objections to the present plan is the mismanagement that is being done in an extravagant manner.

The CHAIRMAN. In what particular?

Mr. OSHKANNANIEU. Well, there are so many of them——

The CHAIRMAN. Well, give us some of them.

Mr. OSHKANNANIEU (to F. S. Gauthier). Will you please explain this to the committee.

Mr. F. S. GAUTHIER. Yes.

STATEMENT OF F. S. GAUTHIER.

Mr. F. S. GAUTHIER, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you a member of the Menominee Indian tribe?

Mr. GAUTHIER. Yes, sir.

The CHAIRMAN. Are you a member of the committee?

Mr. GAUTHIER. Yes, sir.

Senator LA FOLLETTE. May I just inquire whether the manager, or whatever he is called, in charge of this operation that is going on, is present here to-day?

Mr. OSHKANNANIEU. No, sir.

Senator LA FOLLETTE. Was he notified that this testimony was to be taken?

Mr. OSHKANNANIEU. Yes, sir; he was notified that this proceeding was to be held.

The CHAIRMAN. I believe it was expected to take up the questions at Neopit, where there might be some things that will come up of just a little different nature. The plant and the office are over there, and Mr. Braniff is also there, and we expect to have a full discussion of the subject over there at Neopit.

Senator LA FOLLETTE. It seems to me that if Mr. Braniff is to be put on trial for the conduct of his work he ought to be here.

Mr. FARR. I think that was the understanding, but I wanted to get a record of the matter. They can take it up over there, I suppose, about as well as they can here.

Senator LA FOLLETTE. It would seem to be fair and proper if he is to be arraigned for the way he is conducting the business that he should be here.

Mr. OSHKANNANIEU. We have other matters to discuss with this committee. Can we not select some other matter from the programme that we have arranged and discuss them and have this other matter discussed at Neopit with Mr. Braniff?

Senator LA FOLLETTE. Yes; I think that would be better.

Mr. OSHKANNANIEU. It would be more convenient for this committee of ours to discuss this matter at Neopit.

The CHAIRMAN. Very well; you can suggest your other matter now and we will postpone this until we get to Neopit.

Mr. OSHKANNANIEU. I desire to suggest the matter of the old traders' debt.

The CHAIRMAN. The committee is here to consider any matters requiring departmental or congressional action that you may desire to present.

Mr. OSHKANNANIEU. With respect to that matter, I wish to say this: We have appointed two attorneys, and we would like to have them present if we are to discuss that matter.

The CHAIRMAN. Who are they?

Mr. OSHKANNANIEU. Constock is the attorney of record.

The CHAIRMAN. Where is he?

Mr. OSHKANNANIEU. At Cumberland, Wis.

Mr. REGINALD OSHKOSH. I did not know that this matter was to be brought up.

The CHAIRMAN. You do not have to bring it up. The committee is here to take up any matter that you people desire to present to us that requires congressional action, or the action of the department.

Mr. OSHKANNANIEU. I am not a member of this committee that was appointed to look into this Neopit affair, but I have another matter to present. I was a member of the committee which was abolished some time ago, and no action has been taken upon the vote of the tribe that was taken at the time they abolished the committee.

The CHAIRMAN. What action do you refer to?

Mr. OSHKANNANIEU. This matter of abolishing the Menominee business committee. If that is to be brought up I would like to bring in a witness.

The CHAIRMAN. That is a question of tribal administration; is it not?

Mr. OSHKANNANIEU. Yes, sir; the committee was abolished by act of the tribe, and I would like to explain the circumstances that took place, and I would like to show why this committee was abolished, and what influences were at work to abolish this committee.

The CHAIRMAN. Do you claim that they were outside influences?

Mr. OSHKANNANIEU. I have reason to expect so; yes, sir.

Mr. REGINALD OSHKOSH. Can I put in a few words there? I do not think that that matter is a proper matter to be brought before you gentlemen. I think that that matter belongs to the tribe.

The CHAIRMAN. You may be sworn and state your case.

STATEMENT OF MITCHELL OSHKENANIEW.

MITCHELL OSHKENANIEW, having been first duly sworn, testified as follows:

Senator LA FOLLETTE. I think, Mr. Chairman, that so much of that matter as pertains simply to the administration of affairs within the jurisdiction of this tribe this committee has nothing to do with.

The CHAIRMAN. Certainly not.

Senator LA FOLLETTE. If, however, people outside of the tribe are interfering in the affairs of the tribe and with the administration of its business, that might be a matter which it would be pertinent to inquire into, but only as to that portion of it. I think the tribe is capable of managing is own business, and ought to do so—that is, I mean its internal affairs that come fairly within the scope of its council meetings.

The CHAIRMAN. You were a member of the business committee, were you?

Mr. OSHKENANIEW. Yes, sir.

The CHAIRMAN. And the committee was abolished when?

Mr. OSHKENANIEW. June 26, 1908, in the afternoon.

The CHAIRMAN. Has there been any business committee since?

Mr. OSHKENANIEW. Not until this committee was appointed to attend for that special purpose to look into this Neopit affair.

The CHAIRMAN. When was that committee appointed?

Mr. OSHKENANIEW. The 15th of September.

The CHAIRMAN. How long had this business committee lasted that was abolished two years ago?

Mr. OSHKENANIEW. I can not exactly tell the exact length of time.

The CHAIRMAN. About when?

Mr. OSHKENANIEW. The constitution under which this committee was elected was adopted in—I have forgotten the time—but here is the constitution that was adopted by the tribe and presented to the tribe [exhibiting paper].

The CHAIRMAN. When was that adopted?

Mr. OSHKENANIEW. The 18th day of October, 1904.

The CHAIRMAN. Is that constitution still in force with the tribe?

Mr. OSHKENANIEW. The members who were elected under this were suspended at the time the business committee was abolished.

The CHAIRMAN. Do you claim that outsiders accomplished that?

Mr. OSHKENANIEW. We have reason to believe that.

The CHAIRMAN. Were they in anyway connected with the Government?

Mr. OSHKENANIEW. No, sir.

The CHAIRMAN. Was it any one connected with lumbering?

Mr. OSHKENANIEW. It was outside members.

The CHAIRMAN. Outside members of the tribe?

Mr. OSHKENANIEW. People who are not members of the tribe.

The CHAIRMAN. Do you mean Indians?

Mr. OSHKENANIEW. Well, partly Indians.

The CHAIRMAN. Do you claim that anybody connected with the Government interfered with the Indians to abolish this business committee?

Mr. OSHKENANIEW. Yes, sir; I believe so.

The CHAIRMAN. Who?

Mr. OSHKENANIEW. I believe that Shepherd Freeman was one of them.

The CHAIRMAN. What was he doing?

Mr. OSHKENANIEW. He was Indian agent at that time.

The CHAIRMAN. How long ago?

Mr. OSHKENANIEW. He was dismissed some time last year.

The CHAIRMAN. Who else?

Mr. OSHKENANIEW. He was one, and members who are trying to get enrolled in our tribe. They could not get enrolled, and they laid the blame on the shoulders of the business committee, and they circulated false things about the business committee, that they were doing wrong, and so forth to get the members of the tribe to abolish that committee. I would like to explain that. I have it in writing.

The CHAIRMAN. Go ahead. You may proceed.

Mr. OSHKENANIEW (reading):

GREEN BAY AGENCY, KESHENA, WIS., *December 16, 1908.*

Hon. ROBERT M. LA FOLLETTE,
United States Senate, Washington, D. C.

DEAR SENATOR: I inclose herewith a petition signed by 90 members of the Menominee tribe of Indians, requesting for the reinstatement of the Menominee business committee, which was abolished by a vote of 59 members of the tribe at a council called for another purpose, and held from Tuesday, June 23, until Friday, June 26, 1908.

I write this letter to accompany the inclosed petition for the purpose of explaining the situation of our affairs and what has taken place on our reservation during the past summer.

The causes which led to the attack and removal of the Menominee business committee by 59 members of the tribe are as follows:

The Menominee business committee, performing the duties of its office for and in behalf of the tribe, fought against the enrollment of the half-breeds and their descendants, who took their rights and withdrew from the tribe in 1849; and also what are known as the Tourtillottee people, who are known to the tribe as being of Chippewa and white origin. These people do not like the Menominee business committee because the said committee fought against them and prevented their enrollment on the rolls of the Menominee tribe of Indians; for that reason they sought in every way to undermine and destroy the business committee, and to get it out of the way, so that the tribe may have no one to defend its interest.

Shepard Freeman, superintendent, who was recently discharged from the service, was our Indian agent many years. He was in the employ of the Payne Lumber Company, of Oshkosh, Wis., before he was appointed Indian agent; as Indian agent he was opposed to the policy of manufacturing the Menominee

Indian timber on the reservation; he wanted to have the Indian timber on the reservation sold on stumpage, thereby favoring the Oshkosh lumber interests. He used his influence to scare the ignorant members of the tribe against the La Follette bill; and he incited them to rise up against the Menominee Indian business committee, because the said committee advocated the policies embodied in the La Follette bill.

The business committee also fought against the traders' bill, and the traders fought against the said committee to have it abolished; this we believe was done to deprive the tribe from proper representation, so that the traders could then be enabled to collect or take large sums of money fraudulently from the Menominee tribe of Indians.

All the interests referred to which were hostile to the Menominee business committee, as stated, joined forces and worked together to overthrow the Menominee business committee; false charges were preferred against the Menominee business committee, which were circulated broadcast among that tribe for the purpose of inciting the Menominee Indians to abolish said committee. At this time a general council of the tribe was called, pursuant to the following notice, which read as follows:

GREEN BAY INDIAN AGENCY,
Keshena, Wis., June 8, 1908.

Menominee Indians, take notice that a general council meeting of the Menominee tribe of Indians is called, to be held at 9 o'clock on Tuesday, the 23d day of June, 1908, at the council house, Keshena, Wis., for the purpose of passing upon certain applications for enrollment with the Menominee tribe of Indians. All male Indians who are recognized members of the tribe and are 21 years of age and over are requested to be present.

SHEPARD FREEMAN,
Superintendent and Special District Agent.

This was the purpose for which the council was called. The council met, and was in daily session from the 23d day of June, 1908, until noon, June 26, 1908. Special Agent Thomas Downs presided at these meetings. Before the meeting adjourned at noon, June 26, 1908, Special Agent Thomas Downs called upon one of the Indians who was hostile to the said Menominee business committee, and requested him to produce a paper he—the Indian—had in his possession, which some lawyer had written for him. The Indian handed the paper over to Special Agent Thomas Downs, who read it. This document was in the nature of a petition or a request for the removal of the Menominee business committeee, but no signers were mentioned as having signed the paper. Special Agent Thomas Downs then put the question to a vote of the council, and after the voters had been counted, he ordered the Indians to meet in the afternoon and take up the matter with Superintendent Shepard Freeman.

Judging from the action of Special Agent Thomas Downs, and the enemies of the business committee, it was evident that some understanding had been made between them, and that probably it was planned to strike at the business committee then and there.

At 2 o'clock p. m., June 26, 1908, the council met to abolish the said committee. Many of the Indians who had attended the council meeting for many days had already gone home, and a small majority of those who remained consisted of those who were hostile to the Menominee business committee. This council was presided over by Shepard Freeman, with his employee, James A. Tourtillotte, as secretary, both of whom were hostile to the Menominee business committee. Shepard Freeman, in the chair, made a speech against the business committee, after which it was moved and carried that the Menominee business committee be abolished, which was done by a vote of 32 in favor and 22 against; but some days afterwards, when the minutes of the council were reduced to writing, the figures were represented as being 59 and 22 in favor of abolishing the constitution of the Menominee tribe of Indians.

I desire to state that there are over 450 enrolled and recognized adult male members of the tribe who are entitled to vote at our tribal councils and that it requires a majority of the vote of the whole tribe to abolish the constitution of the Menominee tribe of Indians; that whenever a council is called for any purpose it has always been customary to give due notice to the tribe of at least a week or ten days before the council takes place. In this council which abolished the constitution of the tribe and of the business committee June 26, 1908,

only 59 members of the tribe are recorded as being the number of Indians who voted to abolish the constitution of the Menominee tribe of Indians and the business committee which had been duly elected under it.

I desire to point out the fact that 59 members do not constitute a majority of the adult male members of the tribe. And, further, the whole tribe was not notified that a council was called June 26, 1908, for the purpose of abolishing the Menominee business committee and the tribal constitution. No notices were posted anywhere on the reservation to that effect, and when the council which abolished the constitution of the Menominee tribe of Indians and the Menominee business committee was held June 26, 1908, a large majority of the tribe was not present at said council, because a large majority of the Indians did not know that a council was to be held at that time for such a purpose.

And, further, the Menominee business committee was not given an opportunity at said council to defend itself of the charges preferred against the said committee by its enemies. All of the accusations which had been made against the business committee were not proved up to be true at the council meeting. The record of the council meeting does not show the charges preferred against the Menominee business committee nor the proof thereof, which fact shows clearly the accusations made against the business committee were based on hearsay and are utterly without foundation. We therefore, in behalf of the Menominee business committee, respectfully request you to transmit to the honorable Secretary of the Interior our petition and to use your influence in our behalf to the end that the Menominee business committee be recognized by the Government of the United States, as it has been since it was organized, as a representative body representing the Menominee tribe of Indians, and we request that the action of the council which was held in the afternoon of June 26, 1908, which abolished the constitution of the Menominee tribe of Indians and the Menominee business committee be disapproved and rejected for the reasons stated in this letter. We further request that our present Indian agent be instructed to reinstate the Menominee business committee to its former position in the tribe.

In connection with this I desire to state that during the council meetings held from June 23 until June 26, 1908, Special Agent Thomas Downs, who was sent here to investigate certain applications for enrollment with the Menominee tribe of Indians, favored certain individual half-breeds. He even tried hard to enroll white women by intimating that the Secretary of the Interior desired that white women who are married into the tribe should be enrolled as members thereof.

But what we protest and object to most is his action favoring in every possible way the applications for enrollment with the Menominee tribe of Indians of James H. Tourtillotte and the other Tourtillottes at the rehearing granted by the Interior Department before him at Keshena, Wis. At this hearing he refused to hear all the evidence which the Menominee tribe of Indians desired to submit against the enrollment of the Tourtillotte people. He showed favor to the Tourtillotte witnesses by permitting them to correct their mistakes, when they made any, when they were making their testimony. He even helped them to make stronger statements in favor of the Tourtillottes, but he did not do so with the tribe's witnesses. His actions and his words show that he would rather see them confused and make mistakes in their testimony, from which he did not permit them to correct themselves. During the hearing Special Agent Thomas Downs expressed himself more than once to the effect that he believed the testimony of the tribe's witnesses was only a made-up testimony, which showed plainly his feeling and his attitude upon the question at issue before the hearing over which he presided.

When the vote was taken on the Tourtillotte application for enrollment 55 members of the tribe are represented as being the number who voted for said application and 52 against it. Special Agent Thomas Downs did not permit to vote five enrolled and recognized members of the tribe who desired to vote against the Tourtillotte application.

If the said five members had been permitted to vote, the vote would have stood 57 votes against the enrollment of Tourtillottes and 55 for enrollment.

There are over 450 adult members of the male sex enrolled and recognized and entitled to vote at our tribal councils. If the department desires a fair vote to be taken on the Tourtillotte application it would be well to require all the adult male members of the tribe to vote on said application. But this has not been done. We do not understand why it is that some of the government officials should be very much in favor of the enrollment of James H.

Tourtillotte as a member of our tribe. Among them may be mentioned Special Agent Thomas Downs, Ex-Superintendent Shepard Freeman, and others. They like this man, it appears to us, to such an extent that they would like to make him a member of our tribe—that is, to give him a share of our land and money. We have proved up once that this man is of Chippewa and white origin and that he has not a drop of Menominee Indian blood in his veins, after which his name, as well as the rest of the Tourtillottes, was stricken out from the roll of the Menominee tribe of Indians. Since then he induced the Interior Department to grant him a rehearing in the matter of his application. He fought his battle last summer under the protection of Special Agent Thomas Downs's official mantle, and we have reasons to expect that he made a good showing before the Interior Department.

As to the methods employed by James H. Tourtillotte to secure his enrollment with our tribe may be judged by the nature of the methods he once employed to defraud the United States Government of a large sum of money, for which he was indicted, tried, and found guilty and sentenced to the state penitentiary a Waupun, Wis., where he served a term of imprisonment some years ago. I inclose herewith a copy of a certified copy of the records of the United States district court for the eastern district of Wisconsin, in which it is revealed the character of this man James H. Tourtillotte, whom we have to deal with. The original certified copy from which this copy was taken is now on file in the Indian Office at Washington, D. C.

We understand that James H. Tourtillotte can not hold any office under the State of Wisconsin since he was found corrupt and was sent to states prison. If this is so, the State of Wisconsin is to be commended for being strict upon this point; more so, because the State is more strict than the United States Government, which employs James H. Tourtillotte in an important position in the Indian service of the Menominee Indians.

During the hearing last summer Special Agent Thomas Downs promised that he would furnish the Menominee business committee with a copy of the minutes of the proceedings of the hearing, held before him, but he has not done so; and the business committee does not know what kind of a report Special Agent Thomas Downs sent in to the Interior Department. If the business committee had had a copy of the minutes of the proceedings it would have been enabled to make exceptions to certain portions of his report.

We therefore request that the report and recommendations upon the Tourtillotte cases of Special Agent Thomas Downs be laid aside for the reason as stated, and that a rehearing be ordered upon said Tourtillotte cases, and that an honest man other than Special Agent Thomas Downs be sent here to investigate the matter, or that no action be taken upon said cases by the Interior Department until such copies are furnished to said Menominee business committee as promised by Special Agent Thomas Downs.

Yours, respectfully,

UNITED STATES OF AMERICA, EASTERN DISTRICT OF WISCONSIN, UNITED STATES DISTRICT COURT.

At a general term of the said court held at the city of Milwaukee, in and for said district, and commencing on the first Monday of January, being the sixth day of January, in the year of our Lord one thousand eight hundred and ninety.

EASTERN DISTRICT OF WISCONSIN, *ss:*

The grand jurors of the United States of America, for and with the eastern district for Wisconsin aforesaid, on their oaths present that heretofore, to wit, on the 19th day of September in the year of our Lord one thousand eight hundred and eighty-seven, at Shawano, in the eastern district of Wisconsin aforesaid, Frances Otter, Joseph Gauthier, James H. Tourtillott, late of said county of said district, at the time and place last aforesaid, did fraudulently, maliciously, and unlawfully conspire to combine and agree together between and among themselves to defraud the United States of a large sum of money, to wit, out of the sum of two thousand five hundred and eleven (2,511) and thirty-three one-hundredth dollars, which said sum had heretofore been allowed to one Harriett Courville by the Government of the United States as a pension as the mother of the late Joseph Antoine Courville, who was a private in Company K of the Seventeenth Regiment of Wisconsin Volunteers, by making and causing to be made a false and fraudulent voucher purporting to be duly signed and verified by said Harriett Courville, who was then deceased, and who was known

by said Frances Otter, James H. Tourtillott, and Joseph Gauthier, to be deceased, and said voucher purporting to be duly witnessed; and by forwarding said false and fraudulent voucher to A. B. Judd, who was the pension agent of the United States at Milwaukee in said district, and who was the duly authorized agent of the United States for making payment within the said district of the said sum of money allowed as aforesaid, and who was not aware of the death of the said Harriett Courville, and by inducing and causing the said A. B. Judd as such agent to accept and rely upon said false and fraudulent voucher as genuine and thereby inducing and causing said A. B. Judd as such agent of the United States to transmit to the said Frances Otter a money draft and drafts duly drawn on the Assistant Treasurer of the United States for said sum payable to the order of said Harriett Courville, and by unlawfully signing and causing to be unlawfully signed an endorsement on said money draft and drafts in the name of the said Harriett Courville, payee, and thereby fraudulently obtaining from the United States the sum of two thousand and eleven and thirty-three one-hundredth dollars. And that thereafter, to wit, on the 19th day of September, A. D. 1887, at the county of Shawano aforesaid, in said district, in pursuance of said combination and agreement, and to effect the object of said conspiracy, the said Frances Otter, well knowing the said Harriett Courville to be deceased, did then and there falsely and fraudulently, and in the name of the said Harriett Courville, cause to be prepared, signed, witnessed, and verified before said James H. Tourtillott, clerk of the circuit court of Shawano County, Wisconsin, who was then and there duly authorized by the laws of the United States to administer oaths in that behalf, a false and fraudulent voucher, which upon its face conforms to the requirements of the pension department of the Government of the United States as to proof of pension vouchers and a copy of which said voucher is as follows, to wit:

[Original—Mother.]

Be it known that I, Harriet Courville, do solemnly swear that I am the identical person named in the pension certificate in my possession, No. 236181, dated 1st day of August, 1887, and whose name is inscribed on rolls of the Milwaukee agency at the rate of eight dollars per month from 29th March, 1862, and $12 per month from March 19, 1886.

That I am the mother of Joseph Antoine Courville, who was a private, K, Seventeenth Wisconsin, other Irish Brigade; that I have not been married since his death; that I have been and am still dependent on my pension for support; and that my post-office address is Shawano, in the county of Shawano, State of Wisconsin.

HARRIET (her x mark) COURVILLE.

(If pensioner signs by mark, two witnesses who can write.)
LOUIS OSHKENANIEW.
MITCHELL KOSHKOSHKA.

Deposition of two witnesses.

We, the undersigned witnesses, do solemnly swear that we are well acquainted with the above-named pensioner; that she is the identical that she represents herself to be; and that, to our best knowledge and belief she has not married since the death of her late son, above named; and that our acquaintance is such that, if she had resumed marriage relations, the fact would have to come known to us.

LOUIS OSHKENANIEW.
MITCHELL KOSHKOSHKA.

STATE OF WISCONSIN, *County of Shawano, ss:*

Personally appeared before me this 19th day of September, 1887, the above witnesses, Louis Oshkenaniew, of Shawano, Wis., and Mitchell Koshkoshka, of Shawano, Wis., who I believe to be creditable persons, and the pensioner, Harriet Courville, and made oath in due form of law to the truth of the foregoing statements subscribed by them; and I certify that the aforesaid pensioner exhibited to me her pension certificate, No. 236181, and signed the following duplicate receipts in my presence.

J. H. TOURTILLOTT,
Clerk of the Circuit Court.

The pensioner will sign these receipts in the presence of the magistrate.

$2,511.33. SEPTEMBER 19, 1887.

Received of Alfred B. Judd, United States pension agent, of Milwaukee, Wis., twenty-five hundred and eleven and thirty-three one-hundredths dollars by check assistant treasurer United States at New York, No. 322-223-4 dated September 22, 1887, being for three hundred and five months' and five days' pension due me on pension certificate No. 236181, from the 19th day of March, 1862, and to the 4th day of September, 1887, for which I have signed duplicate receipts.

HARRIET (her x mark) COURVILLE.

(Witness who can write:)
J. H. TOURTILLOTT.

That the said J. H. Tourtillott affixed his official seal as a clerk of the circuit court of Shawano County to said voucher, and he, the said J. H. Tourtillott, well knew when the said Frances Otter signed and executed said voucher and receipt attached thereto that she was not the Harriet Courville named in said voucher, and that she was not entitled to the amount named therein from the United States, and he also well knew that the said Harriet Courville was deceased, and she had been dead for many years, and that he, the said J. H. Tourtillott, took the deposition of the witnesses named in said voucher and affixed his signature and official title and official seal to said voucher and witnessed the signature of said Frances Otter in the name of Harriet Courville, the receipt attached to said voucher in pursuance of said combination and agreement and to effect the object of the said conspiracy.

And in further pursuance of said combination and agreement and to effect the object of the said conspiracy and obtain from said A. B. Judd, pension agent of the United States as aforesaid, his money draft and drafts as such pension agent on the assistant treasurer of the United States at New York to the order of said Harriet Courville, who was then deceased, for the sum of twenty-five hundred and eleven and thirty-three one-hundredths dollars, mentioned in said false and fraudulent voucher, said Frances Otter did then and there, to wit, on the 19th day of September, 1887, at the county of Shawano aforesaid, in said district, transmit and caused to be transmitted by mail said false and fraudulent voucher to said A. B. Judd, who then was United States pension agent at Milwaukee, Wis., and who was then unaware of the death of the said Harriet Courville, and was duly authorized by the United States as such pension agent to pay by draft and drafts on the assistant treasurer of the United States at New York to the order of said Harriet Courville the sum of twenty-five hundred and eleven and thirty-three one-hundredths dollars; mentioned in said false and fraudulent voucher.

And in further pursuance of said combination and agreement and to effect the object of the said conspiracy, and by reason of the premises aforesaid, thereafter, to wit, on the 24th day of September, A. D. 1887, at Shawano County aforesaid, in said district, said Frances Otter, well knowing said Harriet Courville to be deceased, in the name of said Harriet Courville did receive by mail, and did cause to be received by mail by said A. B. Judd, pension agent of the United States as aforesaid, who was then unaware of the death of the said Harriet Courville, his two certain money drafts as such agent on the assistant treasurer of the United States at New York for the aggregate sum of twenty-five hundred and eleven and thirty-three one-hundredths dollars; that is to say, one such draft for twenty-five hundred dollars and one such draft for eleven and thirty-three one-hundredths dollars, each made payable to the order of said Harriet Courville.

And that thereafter, to wit, on the 26th day of September, A. D. 1887, in the further pursuance of the said combination and agreement, and to effect the object of the said conspiracy and for the purpose of having the two last-mentioned drafts cashed, said James H. Tourtillott and said Joseph Gauthier and said Frances Otter, in the name of said Harriet Courville, met together at the railroad station in Shawano, in the county of Shawano, and journeyed together by railroad to the city of Oshkosh, Wis., and presented to the Commercial National Bank of said city of Oshkosh the two drafts received from A. B. Judd, pension agent of the United States, as hereinbefore set forth, and requested the Commercial Bank to cash the same, and to that end the said Frances Otter then and there did, to wit, on the said 26th day of September, 1887, sign by mark an indorsement on each of said two last-mentioned drafts in the name of said Harriet Courville in the form usually required by the pension department, and said James H. Tourtillott then and there identified the said Frances Otter to the

said Commercial Band as Harriet Courville, when in fact the said James H. Tourtillott and Frances Otter both well knew that said Harriet Courville was dead and that said Frances Otter was not entitled to said drafts or the proceeds thereof.

And the said Frances Otter, in further pursuance of said combination and agreement and to effect the object of said conspiracy in the name of said Harriet Courville, who was then deceased, thereupon did request and direct said Commercial Bank to collect said sum of twenty-five hundred and eleven and thirty-three one-hundredths dollars from the United States and pay the same to her, and that in consequence thereof and of the foregoing premises, and in the further pursuance of said combination and agreement and to effect the object of said conspiracy, said Frances Otter did then and there receive from the United States, through said Commercial Bank, the sum of twenty-five hundred and eleven and thirty-three one-hundredths dollars, contrary to the statutes of the United States of America in such cases made and provided and against the peace and dignity of said United States.

[Endorsed:] A true bill. Signed Elihu Coleman, attorney of the United States for the eastern district of Wisconsin. Denis Cuilligan, foreman of the grand jury. Filed April 18, 1890. Edw. Kurtz, clerk.

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN.

Before the honorable James G. Jenkins, judge of said court. The United States of America *v.* James H. Tourtillott and Joseph Gauthier. Criminal indictment. May 8, 1890.

This day came the district attorney and the defendants with their respective counsel, and the trial of the issue herein was resumed.

And the jurors of the jury aforesaid being charged by the court, retired to their room under the charge of a sworn officer to deliberate upon their verdict, and afterwards came into court, and on their said oaths respectfully do say that they find the said defendants James H. Tourtillott and Joseph Gauthier guilty in manner and form as charged in the indictment.

And thereupon the said defendants moved the court for a new trial for the reasons filed.

And it is ordered by the court that the said defendants give bail in the sum of $5,000 each, conditioned for their appearance before the court on Saturday, the 17th day of May instant, to abide the order and the judgment herein.

And the said defendant James H. Tourtillott entered into recognizance in the sum of $5,000, with A. W. Straw as surety conditioned for his appearance on the 17th day of May instant, to abide the judgment of the court, and not depart without leave.

UNITED STATES DISTRICT COURT, EASTERN DISTRICT OF WISCONSIN.

Before the honorable James G. Jenkins, judge of said court. The United States of America *v.* James Tourtillott and Joseph Gauthier. Criminal indictment. May 17, 1890.

This day came the district attorney, Mr. Elihu Coleman, and also the defendants, James H. Tourtillott and Joseph Gauthier, and the defendants, by leave of the court, withdrew their motion for a new trial.

Whereupon the court doth now here sentence the said defendant James H. Tourtillott, that he be imprisoned in the state prison of the State of Wisconsin, at Waupun, Wis., for two (2) years, and that he pay a fine of fifteen hundred dollars to the United States, such imprisonment to commence at 12 o'clock noon to-day.

And the court doth now here sentence the said defendant Joseph Gauthier that he be imprisoned in the house of correction of Milwaukee County, in this district, for six (6) months, and that he pay a fine of twelve hundred and fifty dollars ($1,250) to the United States and stand committed until such fine is paid.

And said fine of Joseph Gauthier having this day been paid into court by Garret Sullivan, it is ordered by the court that the same be deposited by the

clerk in the First National Bank of Milwaukee to the credit of the Treasurer of the United States.

And it is further ordered by the court that execution of the sentence of imprisonment of the said defendant Joseph Gauthier be, and hereby is, suspended until the further order of the court.

UNITED STATES OF AMERICA, EASTERN DISTRICT OF WISCONSIN.

The President of the United States of America: To the marshal of the eastern district of Wisconsin, and to the warden of the state prison of the State of Wisconsin, at Waupun, Wisconsin.

Whereas James H. Tourtillott has been, by the district court of the United States of the eastern district of Wisconsin, convicted of the offense of conspiring with Joseph Gauthier and Frances Otter to defraud the United States out of $2,511.33 in violation of section 5440 of the U. S. Revised Statutes and has been sentenced by this court to imprisonment for two years in the state prison of the State of Wisconsin at Waupun, Wis., and to pay a fine of fifteen hundred ($1,500) dollars to the United States, such imprisonment to commence at 12 o'clock noon this day;

You, the said marshal, are hereby forthwith commanded to deliver into the custody of said warden of the state prison of Waupun, Wisconsin, the body of said James H. Tourtillott, and you, the said warden of said state prison, are hereby required to receive the said James H. Tourtillott into your custody in the said state prison at Waupun, Wisconsin, and him there safely keep until the expiration of said term of imprisonment, or until he shall be otherwise discharged according to law.

Witness the honorable James G. Jenkins, judge of the district court of the United States for the eastern district of Wisconsin, at the city of Milwaukee, in said district, this 17th day of May, A. D. 1890, and of the Independence of the United States the 114th.

EDWARD KURTZ, *Clerk.*

Served by delivering the body of the within-named James H. Tourtillott, together with a copy of this writ, to the warden of the state prison at Waupun, Wis., this 20th day of May, A. D. 1890.

G. N. WISWELL, *Marshal.*

UNITED STATES OF AMERICA,
Eastern district of Wisconsin, ss:

I, Edward Kurtz, clerk of the circuit court of the United States of America for the eastern district of Wisconsin, do hereby certify that I have compared the foregoing with its original now on file and of record in my office, and that the same is a true and correct copy of the indictment, verdict, sentence, and commitment of the defendant, James H. Tourtillott, in the case of the United States *v.* Frances Otter et al.

In testimony whereof I hereunto set my hand and duly affixed the seal of the court, at the city of Milwaukee, in said district, this 8th day of February, in the year of our Lord one thousand nine hundred and six, and of the Independence of the United States the 130th.

[SEAL.] EDWARD KURTZ, *Clerk.*

The CHAIRMAN. Were you at that meeting of the council?

Mr. OSHKENANIEW. That afternoon I was not.

The CHAIRMAN. Why were you not there?

Mr. OSHKENANIEW. I had attended a meeting, or an investigation, a hearing, for over ten days, and I was pretty tired, and I acted as kind of counsel for the tribe in cross-examining the witnesses, and that afternoon the pressure upon me was such that I was completely tired out when the council was over at noon, and the afternoon council was called for the purpose of abolishing the committee, and I thought the other members of the committee to which I belonged would be able to attend to that.

The CHAIRMAN. Were the other members present?

Mr. OSHKENANIEW. Yes, sir; they are here.

The CHAIRMAN. The committee desires to have the statements of people who can state facts within their own knowledge.

Mr. OSHKENANIEW. Yes, sir.

Mr. REGINALD OSHKOSH. Could we not take up matters of more importance to us than this personal matter?

The CHAIRMAN. So far as this is personal, the committee does not intend to consider it. If it involves the action of officials, it is important.

The CHAIRMAN. You have filed your statement in full. Now you can state what acts of the officials you complain of, so far as they come within your knowledge.

Mr. REGINALD OSHKOSH. Chairman Clapp——

The CHAIRMAN. One minute; you can file your petition now, and if there are any of these facts within your own knowledge relative to the action of officials, you can state them to us now.

Mr. OSHKENANIEW. I have witnesses who are going to testify on that point.

The CHAIRMAN. Are there any facts within your own knowledge? If there are, you may state them to us now.

Mr. OSHKENANIEW. I have heard——

The CHAIRMAN. I am not speaking of what you have heard, but the facts within your own knowledge. Are they facts within your own knowledge?

Mr. OSHKENANIEW. No, sir.

The CHAIRMAN. Then we will call some one who can testify to them.

(The committee at this point took a recess until 1 o'clock p. m.)

AFTER RECESS.

(The committee reassembled at 1 o'clock p. m.)

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor, Indian Service.

The CHAIRMAN. What has the committee here to bring up this afternoon besides this business-committee matter and the logging business, which will come up at Neopit? Outside of those two, what has the committee got to bring before us this afternoon?

Mr. OSHKOSH. The committee hasn't got anything, only this logging operation at Neopit.

Mr. GAUTHIER. I understood from your secretary that you had made out a programme, and it seems to me that there are some matters that ought to be brought up here, such as the half-breed question.

The CHAIRMAN. What is that question?

Mr. GAUTHIER. The half breeds that have made application for enrollment.

The CHAIRMAN. Have they been admitted?

Mr. GAUTHIER. No, sir; the cases are all still open.

Senator LA FOLLETTE. What is your custom as to that?

Mr. GAUTHIER. The Secretary of the Interior has so far settled the question.

The CHAIRMAN. You are not in the habit of holding a council and passing on the question of enrollment?

Mr. GAUTHIER. Before the papers leave this place the tribe takes a vote on it.

The CHAIRMAN. Has the Secretary admitted any that the tribe has rejected?

Mr. GAUTHIER. Yes; in some cases, and some others that the tribe has accepted the Secretary has rejected.

The CHAIRMAN. Rejected by the Secretary?

Mr. OSHKOSH. Yes. There is a treaty made between the Menominee Indians and the mixed bloods in 1849, where they dissolved partnership, and their descendants are making an effort to establish their rights again.

The CHAIRMAN. Is that treaty in writing anywhere?

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. Who has it?

Mr. OSHKOSH. You will find that in the department at Washington.

The CHAIRMAN. The Government was a party to it?

Mr. LARSON. I think the committee itself is at sea as to the legal status and rights, and so on, of the half-breed Indians for enrollment with the tribe. It seems prior to 1849 the so-called "half breeds" were not recognized as being on an equal footing with a full blood. The Government entered into a treaty that provided for the payment of $50 to the half-bred Indians, and the committee has been in doubt since whether that was $50 paid for the rights of the half breeds and excluded them from participation in any further enjoyment of tribal property, or simply something that was allowed to the half breeds on account of having been deprived of the annuity, and so forth. The committee has written to the Indian Office here asking whether there is any reference on file in this office showing what effect that payment had on the rights of the half breeds. The Attorney-General has finally taken the stand that the half breeds and their descendants who received money at that time are not entitled to enrollment.

Senator BROWN. What does this tribe say about it?

Mr. LARSON. This tribe, I think, has uniformly excluded them.

Senator BROWN. The tribe and the Secretary of the Interior take the same position?

Mr. LARSON. Yes. This petition is intended to be presented by the half-breed Indians. They do not participate in the enrollment. I have had a large number of them make application to me to file applications for enrollment here. I have told them that the only way to settle that question was to go into the legal phases of it—to take it up and get a decision on their legal rights—and until that time there would be no use of filing further applications.

The CHAIRMAN. It seems at present the department and you people agree about excluding the half-breeds?

Mr. OSHKOSH. Yes, sir. The question is this: There are other people who are not descendants of the people who made this treaty in 1849, who are being brought forward just because they are mixed bloods or half-breeds.

The CHAIRMAN. That is a mere matter of fact that in each case the department and the Indians will have to work out.

Mr. OSHKOSH. I don't see any reason why these people should be delayed in establishing their rights under the treaty of 1849, when they are not a party.

The CHAIRMAN. Do you know of any particular name that could be put in the record, which would come under this question?

Mr. OSHKOSH. I could name David Kitson.

The CHAIRMAN. David Kitson has made application and the tribe is willing to admit him, is it?

Mr. OSHKOSH. No, sir; the tribe thinks because he is a half-breed he is a part of the '49.

The CHAIRMAN. I understood you to say there were some which the tribe was willing to admit, but the department would not admit them.

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. Name one of those, so as to make a case on which we can ask the department for the facts.

Mr. OSHKOSH. I can not think of a person just at present.

The CHAIRMAN. If you think of one before we get through, you may tell us of the name.

Mr. OSHKOSH. Yes, sir; I will.

The CHAIRMAN. As I understand you, David Kitson is a mixed blood, but he does not get his mixed blood out of the crowd that was included in that treaty?

Mr. OSHKOSH. No, sir.

Mr. LARSON. If the committee will pardon the suggestion, I will say that I have been studying for quite a few years the subject, and I am now convinced that there ought to be some legislation giving some court jurisdiction to pass upon the question of the right of these different Indians to enroll. There has been so much delay in all parts of the Government.

The CHAIRMAN. What we want to get at here is the complaint of these Indians, if there is any, on any matter they wish to bring before us. We want to first dispose of all these things which the committee wants to present to us. Most of these people understand English, don't they?

Mr. OSHKOSH. Yes, sir; about two-thirds of them anyway.

The CHAIRMAN. Are these the members of your committee?

Mr. OSHKOSH. Yes; Mr. Tucker, Mr. Gauthier, Mr. La Belle, Mr. Chin, and Mr. Lamont. Mr. Lamont says the old traders' bill ought to be discussed here.

The CHAIRMAN. We will hear whoever wants to present that matter.

Mr. OSH-KE-NA-NIEW. I think that matter has been gone over carefully, and it has been attended to as much as it could be and now lies before the court. The only thing to do now is for these attorneys on both sides to take up the matter and fight the battle over. There is nothing we can do now until the attorneys on both sides do it.

The CHAIRMAN. Is there any other matter that the committee wants to bring up?

Mr. OSHKOSH. There is a controversy that has existed for long years between the Stockbridge Indians and the Menominees. The Stockbridge Indians occupied a portion of our reservation right across the river from Keshena. I am not familiar with the matter, but there are people who have studied that question who probably would be able to bring the fact before you gentlemen.

The CHAIRMAN. Do the Menominees hold a claim against the Stockbridges for the use of that land?

Mr. OSHKOSH. Yes; they took the timber off it. They cut the timber from the west side of the Wolf River and then later on 2 miles farther west of the present reservation they occupy now. We claim—we have a claim against them for the value of the timber they have taken off of it. The Menominee Indians did not authorize such a thing and did not know there was such a thing existing between these two tribes, and also the Stockbridge Indians acknowledge there was such a thing existing—they do not deny it. The Stockbridges are just as anxious to settle that matter as we are.

The CHAIRMAN. The way to do would be to send to some one to look it up and get all the facts.

Mr. OSHKOSH. That has been done already. It is so old the stumps could not be scaled, and the amount of lumber that they have taken could not be ascertained.

Senator LA FOLLETTE. Is there any testimony from which it could be ascertained?

Mr. OSH-KE-NA-NIEW. Yes, sir; there is.

The CHAIRMAN. What is the testimony?

Mr. OSH-KE-NA-NIEW. It is the testimony of people who lived at the time the timber was cut and who have some knowledge.

The CHAIRMAN. When the Government investigated the matter, didn't they take their testimony?

Mr. OSH-KE-NA-NIEW. No; there has never been any investigation made on this subject.

The CHAIRMAN. I understood Mr. Oshkosh to say there had.

Mr. OSH-KE-NA-NIEW. At the time when the two committees, the Stockbridge and the Menominee committee, met here, if I am not mistaken, Mr. Freeman, who was superintendent of logging, he accompanied some Menominee Indians and Stockbridge Indians to go over the ground and ascertain for themselves the amount of timber taken by the Stockbridge Indians, but they came back without any report.

The CHAIRMAN. Was that done, Mr. Farr?

Mr. FARR. Yes, sir; that was done by my brother, William Farr.

The CHAIRMAN. Of course we could not now hear the people on both sides as to the amount of that timber. It would have to be done by some one appointed for that purpose, and if it is true that whoever did it did not go into it fully, they should go over it again. We can just make a note of it here. Do the Stockbridges deny that, or do they admit it?

Mr. LARSON. It is a matter that has been disputed for a good many years. It is hardly a matter that this committee could go into at this time.

The CHAIRMAN. Of course that is what I understand.

Mr. LARSON. The Stockbridges do not admit it. There is no question but what the Stockbridges in 1856, when they were placed here by the Government, waiting for the Government to assign to them certain tracts of land, roved about this reservation and settled along the reservation here, and probably some timber was taken while they were waiting for the Government to set apart certain lands for their exclusive use, and the present reservation, after a great deal of delay, was finally set aside for their exclusive use.

Senator LA FOLLETTE. Do they admit that they took some timber?

Mr. LARSON. I have been here for twenty-four years. I do not represent them in this matter, but I understand it is disputed on both sides.

Senator LA FOLLETTE. Is it disputed as to the amount?

Mr. LARSON. No; I do not think the matter could possibly be settled outside of a court. The matter has been up before the committees a good many times.

The CHAIRMAN. We can only make a note of that.

Senator LA FOLLETTE. In that connection, is it the desire of the Menominee Indians that a bill should be passed authorizing the Court of Claims to ascertain the facts and report them to Congress?

Mr. OSH-KE-NA-NIEW. Yes, sir; that is the only way we think it could be settled.

Senator LA FOLLETTE. Otherwise it will drag along; if you do not present it in some concrete form, it will drag along for years until it is impossible to get any testimony on the subject—until everybody is dead who knows anything about it.

Mr. OSH-KE-NA-NIEW. We have some testimony now.

Senator LA FOLLETTE. It would seem that that action or some other action ought to be taken at once. If legislation is necessary, a bill ought to be prepared to get the facts and lay it before Congress to investigate it.

The CHAIRMAN. Have you any idea how much you claim?

Mr. OSH-KE-NA-NIEW. According to the testimony we have secured on behalf of the tribe here, witnesses claim between six and seven million feet of timber were cut off of that strip of land.

The CHAIRMAN. What I was getting at was whether it would warrant the expense of employing attorneys. That will be sufficient on that. Is there anything else that the committee wants to bring up?

Mr. OSH-KE-NA-NIEW. We understand that the Stockbridges have $55,000 to their credit in the United States Treasury. It is the desire of the tribe that that should be withheld from them and not distributed among them until this is settled.

Mr. LARSON. There is a bill providing that that should have been distributed among them in 1906. Not only that, but the trespasses—if any there were—if they were committed, there is no evidence showing it was by members of that tribe. Congress in 1906 passed this act for the disbanding of the tribe and for the division of all tribal property.

Mr. OSH-KE-NA-NIEW. We asked Congress to withhold the money.

The CHAIRMAN. You ask that now. He says an act was passed for the distribution, and if so, it is very doubtful whether Congress could take it back again.

Mr. OSHKOSH. Wasn't that request made to the department to withhold that $75,000 before this act was passed?

Mr. OSH-KE-NA-NIEW. I don't know whether it was before or after. I made a request in behalf of the tribe and asked the Commissioner of Indian Affairs to withhold that money, and I addressed a letter to the United States Senate asking them the same question.

Mr. OSHKOSH. Mr. Labell wants to make a statement.

The CHAIRMAN. He may be sworn.

STATEMENT OF THOMAS LABELL.

THOMAS LABELL, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

Mr. LABELL. There is lots of our folks here who live in this part of the reservation, but there are a great many of the members of this tribe who live at a distance and who can not come here and hear what we ask from this committee to examine, that is for the benefit, and we have drawn up our grievances and we only wish to present them before you for the people, and I think the people would like to have them presented here before you.

The CHAIRMAN. Is there anything more than you have already spoken of?

Mr. OSH-KE-NA-NIEW. He means as to the logging.

The CHAIRMAN. You filed a paper this morning, is there anything more than that?

Mr. LABELL. Yes.

The CHAIRMAN. What is it?

Mr. LABELL. This is the feelings of the tribe.

The CHAIRMAN. You can read it to the people here.

(Mr. Gauthier thereupon read as follows:)

To the Senatorial committee:

We, the undersigned committee, chosen by the Menominee tribe of Indians in general council assembled for the purpose to inform you as to the grievances the said tribe has with reference to the management of the tribal affairs and disposition of their property on the said reservation by the officials at Neopit, of which Mr. Braniff is in charge, hereby respectfully ask that the following charges be investigated, viz:

First. That from the time the work of construction was commenced at Neopit and up to the present time a large amount of the tribal funds has been used up for which the tribe received no value, because those in charge were wanting both in practical experience, and management, and judgment, and as a result all the improvements made at Neopit on said reservation has cost the tribe about 50 per cent more than what it should have cost had the work and expenditures been handled by men of experience and good judgment; and besides the tribe feels that a great deal of said work which has been done and is now being done is of no benefit to the tribe and unnecessary to keep the mill running at said place and does not hasten the manufacturing of the timber into lumber, which is now fast going to waste, and to verify our complaint we ask, on behalf of the tribe, that you inquire into the cost of some of the so-called "improvements" and compare it with the figures what it should have cost had the same been properly managed; for instance, the road from Neopit to Flox; the building of the tramways around the mill; cost of the building of river and stream improvements, including the dams; filling around the mill-yard dams that were built at a large cost and never used and never will be used, consequently of no benefit to the tribe; also, call your attention to the dam which was blown out and another one built in its place, which is of no use for driving purposes and, consequently, a dead loss to the tribe; valuable timber which has been sluiced through the dam at Neopit and wasted; the building of costly residences and cottages which is of no benefit to the tribe, and numerous other extravagances. The tribe feels that from what they know of value that the cost of the improvement made would be about 50 per cent more than the present value of all the improvement made, not taking in consideration the money which has been expended on so-called "improvements" which are utterly valueless to the tribe, and the tribe feels that they have just cause for complaint, and that they are justified to ask you to investigate and lay the responsibility where it belongs and, if proper, to reimburse the tribe for the amount so squandered.

Second. We further feel aggrieved and are convinced in our own minds that there is too much money spent at Neopit, because the timber which is accessible

to that mill does not warrant such an expenditure, for the reason that the mill is not built at the right point—too far up river; that it was not the tribe's intention to have such a mill as the present erected there and continually protested against it, but in spite of all our protest we were ignored; the tribe's intention and wishes were to erect portable mills in the blown-down district to saw out the hard wood or timber which could not be floated on streams, and have a mill erected at Keshena Falls, one of the best water powers in the State, where the tribe has at this time a small sawmill; there nature has furnished ample power, and almost every log which floats could be taken and manufactured into lumber, where, on the other hand, in order to saw them at Neopit the logs would have to travel past the falls as far as Shawano, then reloaded on cars and taken to Neopit, a distance of about 40 miles and within about 6 miles from where cut, or taken to Suring, Wis., and sent in a roundabout way to Neopit by cars, a distance of about 60 miles and within about 14 miles from where cut, which is very expensive and a loss to the tribe. It could very easily be arranged with railway companies to build a spur to Keshena Falls, which is only about 4 miles from the nearest railroad at Thornton, Wis. There is now about 60,000,000 feet, or more, dead and down timber going to waste on the Wolf and tributaries which, in order to be sawed up, has to be sent or shipped to Neopit as aforesaid, but could be taken with very little cost to Keshena Falls, if the tribe had a mill there with sufficient capacity to saw the same, and therefore ask your honorable committee to look into this matter and, if you deem it for the best interest of the tribe, to see that the great expenses at Neopit is curtailed and arrangements made for a good mill at Keshena Falls, where the tribe would have all the advantages, such as schools and houses to live, etc., and where nearly all the timber on the reservation could be sawed, when only a small proportion could be sawed at Neopit unless brought there as aforesaid.

Third. We further are aggrieved by the fact that the officials at Neopit, Mr. Braniff in charge, is making preparations to do the logging to supply the mill at Neopit. This, we think, is a great injustice to the tribe, and also a loss, because a great number of persons living on the reservation have logging outfits, roads, and camps built in the timbered portions of said reservation, the hard earnings and savings for years, which would be of no value to them. The Government has already purchased a large number of horses for that purpose, which means no work for the team owned by individual members of the tribe, because our past experience has taught us that we can not obtain work for our teams, and work, if given to us, it is only at a very small pay and assigned to the hard work, while the government teams are favored; besides, the logging, if done by the Forest Service, would be much more expensive than if done by the members of the tribe; for example, the tribe has done their own logging for a period of seventeen years and made money, and never paid or received more than $5.60 per thousand feet for hauling logs for a 4-mile haul. When the Government did logging last winter, where the haul was not more than a mile, roads having been built, and also the shanties were built by said Indians, and cost, not allowing the Indians anything for the use of their roads and shanties, $6.43, as near as we could find out; the tribe logged and hauled 4 miles, built their own shanties and roads at a cost not to exceed $5.60, including the expense of scaling the logs; the Forest Service is now building frame houses in the woods, with the intention to use them for shanties, and also frame hovels for horses, with plank floors; houses furnished with iron bedsteads, springs, and steel ranges, etc.; built very costly roads never known in the history of logging in this part of the country, all of which we deem a loss to the tribe; and we estimate that the logging so done would cost the tribe more than double if done by themselves, and ask that this matter will be investigated by you, and, if you deem it proper, to see that a law be enacted to permit the Indians to do the logging and provide that they may draw about 50 per cent of their logging contract, when logs are on skids, to help to pay for supplies and other things as they go along, to be furnished by the Government at wholesale prices, because we feel that we have not sufficient individual funds to wait and obtain credit till at the end of the logging season. This we urge, because we feel it is a matter of justice, a means of support to the members of the tribe, create a feeling of independence, and awaken an interest in the work.

Fourth. We further charge the officials at Neopit of having more men employed in and around the mill than is actually necessary to run the same, and state that by visiting the mill a few days ago we saw men actually sleep, while they should be at their post; and during the time the mill was running we saw

them sleeping at a stretch of several hours at different parts in and around the mill, and after making inquiries we were told that this was going on night after night and that the men said they had a snap and were changing off; one would sleep a while, then the other in turn, but all they had to be careful of was to be awake when the timekeeper came around about 4 in the morning; and by going through the mill and yards we saw many things which we thought ought to be looked into. For instance, we saw where the Forest Service had logged last winter that they could only make a 10-foot board out of a supposed 12-foot log, and out of 14-foot log a 12-foot board, and so on. After asking the reason we were told that the logs were not cut the right length, and that there were very many logs, or nearly all, came to the mill in that shape; they were very good timber and quality, mostly white pine; this was a loss to the tribe of 2 feet on every log or on every board, and shows that Mr. Brauiff is not the proper man to have in charge, nor would he be competent to oversee logging; besides, when traveling through the woods where he has logged last winter we found a lot of logs left to decay in the woods, which should have been picked up, and a loss to the tribe; where he has built or is building roads the stumps are cut at least 2 feet from the ground, which means a loss of 2 feet of valuable timber to the tribe. This, we think, ought to be investigated and the loss made good to the tribe by the parties in charge, if it is just and proper that it should be done, which we think it is, for the reason that the Indian Office made the individual loggers make good for all timber left in the woods, and were also charged up with all butts or stumps left too long. We also saw that the lumber which has been sawed and now piled in the yards at Neopit is sawed in an unskillful manner and not in the dimensions as the market demands to bring the best prices, and convinced us that the person in charge is inexperienced and not the right man to have charge of our mill at Neopit, and think it too costly to educate and make a mill man at our expense, when there are so many in the country who have already the required experience, and ask that this matter be also investigated if you think proper to do so.

Fifth. The tribe is further aggrieved and think it proper to be investigated that they have frequently been charged that they were not willing to stay at Neopit and work in and around the mill, but would stay about a month and then leave, which may be true to some extent, but the reason is that but a few Indians live in that section of the reservation, having their families in some other part, and when they went to Neopit with the intention to move there and build for themselves a place to live in, find that they can not obtain a sufficient amount of lumber to build a suitable house to live in, and are told that they can only get 4,000 feet of lumber, which is not sufficient, and have even to beg for that amount, and the result is that they are compelled to quit, or board at the rate of $4 a week and have their families live away, which is too expensive for the wages they are able to earn. This can be seen by the houses the Indians have to live in at Neopit. There are thousands of feet of lumber which could and would be used by them, if allowed to do so, which is now used for filling purposes for bottoms to pile lumber on, when there is much other and less valuable stuff which might be used for that purpose and cull the waste be given to Indians that want it for building purposes. This the tribe thinks is an injustice and a waste as long as the members of the tribe could make use of said timber, and think that parties wishing to build should be allowed more than 4,000 feet of lumber for that purpose, and ask you to make inquiries why it is that the authorities will only allow the members of the tribe such a limited amount for building purposes, and why good and merchantable timber is buried every day in the swamphole instead of allowing Indians the use thereof for building purposes, especially when they are willing to haul to the mill, at their own expense, the logs for said building purposes—only ask for the permission to cut the logs.

In conclusion, we can conscientiously say that it is the wish of the tribe to keep the mill arunning and to continue to saw our lumber, and that they want to keep the mill agoing, and that the tribe is not discouraged, even the expenses are very heavy so far, but that we have faith that it will be a money-making scheme for the tribe in future. But they know and feel that in order to do so we must have an experienced man at the head of it, and if that is accomplished we know that we have a paying proposition; and we further say that it is the wish of the tribe that it be given a voice in the management of the mill, and that the tribe will hereafter insist that some rule or law be enacted giving that right to the tribe. The tribe feels that it should have something to say when it comes to the question of disposing of their own property, and we

would further say that we insist that the right to log be given to the tribe and not to the Forestry Service, for reasons heretofore stated, and hope that our requests do not appear to you as unreasonable, but, on the other hand, that it will meet with your approval and soliciting your aid.

All of which we respectfully submit.

PETER LAMATH, *Chairman*,
F. S. GAUTHIER, *Secretary*,
REGINALD OSHKOSH, *Assistant Secretary*,
LOUIS KESHENA,
MOSE TUCKER,
THOS. LABELL,
Committee.

In view of the foregoing statement of grievances we herewith append the following specific charges:

Whereas the Menominee Indians are dissatisfied with the mismanagement of logging and lumbering operations upon their reservation, which were instituted by the Forest Service and are now being conducted by one E. A. Braniff, and whereas $811,549.02 of our tribal funds has been expended disregarding the voice of the Indians in such operations, and whereas expenditures are now being made at the rate of more than $1,000 per day and a large part of such expenditures are being made in a manner that yield no return to the tribe, and that E. A. Braniff has not complied with the act of March 28, 1908, Mr. E. A. Braniff not having the ability to manage the lumbering operations at Neopit, and also for other reasons, as will be given below:, therefore we prefer these following charges: Nos. 1, 2, etc., and statements of the committee of the Menominee tribe, other members as well as nonmembers to substantiate our charges against the said E. A. Braniff.

Charge No. 1: Incompetence.
Charge No. 2: Extravagance.
Charge No. 3: Lack of courtesy.

The CHAIRMAN. There will be people there to-morrow who can swear to these facts?

Mr. GAUTHIER. Yes.

The CHAIRMAN. Is there anything else that the committee wants to present before we take up any individual matters?

Mr. OSHKOSH. Our chief, Oshkosh, made a request that he would like to make known his wishes before you gentlemen.

The CHAIRMAN. Who will act as interpreter here?

Mr. TURTELOT. I will interpret, Mr. Chairman.

STATEMENT OF CHIEF OSHKOSH (THROUGH MR. TURTELOT AS INTERPRETER).

CHIEF OSHKOSH. I am glad to see you to-day, I am glad to have you here to see our little town, to have you come here and personally view our town. I am an Indian man, and an Indian man does use many words to formulate his ideas and make anyone understand him, and I will tell you to-day what the Indians think. This is asked by all the Indians who have any funds in Washington. The Menominee Indian is poor. He is stopped from gaining a livelihood as he has heretofore been allowed to do. It is the desire of our Menominee Indians that $50,000 be sent here to be paid out in per capita payments. The winter is coming on and many of them are poor and in straitened circumstances. That is all I desire to say, and every Indian that is here to-day desires me to say that.

Mr. OSHKOSH. Could legislation be secured so as to provide for a per capita payment quarterly or semiannually, so that it would be

definite, for the Menominee Indians to receive that money year after year?

The CHAIRMAN. Congress would have power to do it. The question is, whether Congress would feel it was best to do that. Now, where Indians can get their living we find that they grow faster and learn faster and develop faster if they do not have money paid out to them by the Government; but, of course, if the Indians are suffering and need the money they doubtless ought to have it. We will take the matter up with Congress when we get there. I would like to ask you a question. Haven't most of these Indians got homes of some kind?

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. And do they have gardens?

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. And they raise what they want to eat?

Mr. OSHKOSH. Most of them do.

The CHAIRMAN. What chance is there for their getting work and earning wages—I see they are all well clothed—where do they get that money?

Mr. OSHKOSH. Working.

The CHAIRMAN. Who do they work for?

Mr. OSHKOSH. We have many ways of earning money.

The CHAIRMAN. Do you have many people among you who are unable to earn anything, and whom you have to support yourselves?

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. What proportion?

Mr. OSHKOSH. I don't know how many Indians are included in what we call destitute members and who are supported out of the funds. Mr. Turtelot could probably explain about how many there are.

Mr. TURTELOT. There are about 75 members of the Menominee Indians who are allowed a ration of flour and pork every two weeks, 10 pounds of pork and 20 pounds of flour every two weeks. Some families get it and some do not. I believe that there are many others who are deserving of it and who can not get it.

The CHAIRMAN. How is that drawn?

Mr. TURTELOT. They come here and make application for it.

Senator LA FOLLETTE. Who determines what Indians shall receive this assistance?

Mr. TURTELOT. Usually the agency physician or the agent.

The CHAIRMAN. Do the Indians themselves have any committee or council of headmen or anything of that kind to determine that question?

Mr. TURTELOT. They have a great many, you know. They are frequently here, these poor Indians, come in here and report to the agent. If they are sick, they will be put on the roll temporarily.

The CHAIRMAN. Do you think that amount of ration ought to be increased materially?

Mr. TURTELOT. Not materially, I don't believe. It is such a small amount it is not much help to them, 10 pounds of pork and 20 pounds of flour every two weeks; that does not go very far if they have a family.

Senator LA FOLLETTE. Do you think that an Indian court could be trusted to determine what Indians should receive this assistance and report the matter to the agent?

Mr. TURTELOT. Well, they possibly might; but I think that the man who is best qualified to determine that is the agency physician.

Senator LA FOLLETTE. Well, he does determine it now, doesn't he?

Mr. TURTELOT. To a certain extent; yes, sir.

Senator LA FOLLETTE. Doesn's he determine the matter fully and entirely; isn't it left to him to determine?

Mr. TURTELOT. Not entirely; no. The only case that is left to him is where a person is sick and he is called upon to go and see that sick person. If they are in such circumstances that they are unable to care for themselves, he will recommend that they be placed on the roll.

Senator LA FOLLETTE. If a person is feeble but not sick enough to require the services of a physician, they might be in need under those circumstances and the physician would have no knowledge of it.

Mr. TURTELOT. That is true.

Senator LA FOLLETTE. Who would pass upon such a case?

Mr. TURTELOT. Those people would have some friend come into the Indian court and pass upon it.

Senator LA FOLLETTE. Does the Indian court dispose of these matters, in your opinion, in the right way?

Mr. TURTELOT. I believe they do.

Senator LA FOLLETTE. Are they inclined to be too liberal or too critical?

Mr. TURTELOT. Well, there is this criticism, I presume: If you have a near relative that would come to you and ask you to help them, you would be very apt to help them.

Senator LA FOLLETTE. Then you think the court might be guilty of some favoritism?

Mr. TURTELOT. Possibly.

Senator LA FOLLETTE. What suggestion have you to make as to change in the matter; do you think it would be better to have the physician or some one else vested with authority to determine in all cases who should receive assistance?

Mr. TURTELOT. I think so; yes.

Senator LA FOLLETTE. And report the matter to the agent?

Mr. TURTELOT. Yes. I think the agency physician is the most capable man to go to a family and find out their physical condition and find whether they are sick or not. A person might be unable to earn a livelihood even if he was not sick.

Senator LA FOLLETTE. You think the physician would be the best judge of that, taking into account their physical condition and their age and everything that would affect it?

Mr. TURTELOT. Yes, sir.

Senator PAGE. Is there an allotment of a certain amount which can be given to each Indian?

Mr. TURTELOT. Yes, sir.

Senator PAGE. How is that done? How do the Indians get that?

Mr. TURTELOT. By authority from the Indian Office. It is authority to issue 10 pounds of pork and 20 pounds of flour every two weeks.

Senator PAGE. Would you suggest that amount be increased?

Mr. TURTELOT. To some families, yes; some not.

Senator LA FOLLETTE. Is that to the family or to the individual?

Mr. TURTELOT. To the individual, although the individual may be supporting a family of three or four.

Senator LA FOLLETTE. If there was a family of four, would that quantity be issued to each member of the family?

Mr. TURTELOT. No, sir; just to the head of the family.

Senator LA FOLLETTE. Then if the family were small it might be pretty well provided for with that amount, and if it were large it might be very poorly cared for with that amount?

Mr. TURTELOT. Yes.

Senator LA FOLLETTE. That hard and fast rule would seem to be objectionable.

Mr. TURTELOT. Yes, sir.

Senator LA FOLLETTE. There ought to be somebody on the ground to investigate—some one with authority to do whatever is necessary to meet the conditions.

Mr. TURTELOT. Yes, sir.

Senator LA FOLLETTE. So as to increase the amount, if it was required.

Mr. TURTELOT. Yes, sir.

Senator PAGE. What would be your suggestion as to that?

Mr. TURTELOT. My suggestion, as I said before, is that it should be left to the discretion of the agency physician as to how many there are in a family and how much they should have.

Senator LA FOLLETTE. Over what territory are the Menominee Indians distributed?

Mr. TURTELOT. Ten townships.

Senator LA FOLLETTE. And they are scattered over those 10 townships?

Mr. TURTELOT. Probably northeast there is a settlement about 16 miles, and about the same distance northwest, and at Neopit and 6 or 8 or 10 miles above Neopit. That would make it 24 or 25 miles; 30 miles to the extreme part.

Senator LA FOLLETTE. Do they live mostly in settlements or villages?

Mr. TURTELOT. Yes, sir; mostly.

Senator LA FOLLETTE. And one physician covers the ground fairly well?

Mr. TURTELOT. Well, it is quite a burden for him. They have a physician at Neopit.

Senator LA FOLLETTE. And one here?

Mr. TURTELOT. Yes, sir.

Senator PAGE. Is there only one central depot where they can draw these rations?

Mr. TURTELOT. Yes, sir.

Senator PAGE. Where is that?

Mr. TURTELOT. That is here.

Senator PAGE. This is about the center of the township?

Mr. TURTELOT. This is as near the center as you could place it. If you place it north of here it would be difficult for the people here.

Senator PAGE. How far would the Indian have to come to draw his rations who lives the farthest from here?

Mr. TURTELOT. Now?

Senator PAGE. Yes.

Mr. TURTELOT. About 27 miles, I think.

Senator PAGE. Isn't that so great a hardship that many of them do not avail themselves of it?

Mr. TURTELOT. Yes, sir; that is true. Sometimes they send by others when it is convenient and others are willing to take it. Some of these Indians are unable to get it.

Senator PAGE. When one gets rations by sending by another, does the second party go to the physician or the proper parties authorized to issue the rations?

Mr. TURTELOT. Yes, sir.

Senator PAGE. Is it done in a way that is practical now?

Mr. TURTELOT. There is hardly any system to it now. Sometimes the second person will go to the judges and sometimes he will go to the physician and sometimes to the agent. The physician sometimes is unable to determine whether the party is in such a position that they should have aid.

Senator PAGE. As one who is conversant with this matter, what improvement can you suggest?

Mr. TURTELOT. I believe the best thing would be, if it is possible, to visit these homes, and then it is hardly possible for him to do it at these extreme northern points in the reservation, this one physician, although he might call upon the Neopit physician to attend to that upper part of the reservation.

Senator PAGE. Do you think it would be practicable to establish another supply depot anywhere?

Mr. TURTELOT. Well, it would be hard to tell, unless you know what proportion of the Indians were indigent or whether you could locate another one that would be advantageous to the Indians or not. Sometimes they are located in one part of the reservation and sometimes in another.

Senator PAGE. Do you think it would be practicable to have committees scattered around through the reservation who were authorized to direct distribution of food when it was necessary?

Mr. TURTELOT. It would be practicable to have a number of policemen in these different localities and have them go around and visit these people and report.

Senator PAGE. Are these policemen usually men of sufficient judgment and discretion to be intrusted with that duty?

Mr. TURTELOT. Yes, sir.

Senator PAGE. Have the Indians talked about this matter in council?

Mr. TURTELOT. I don't know that they have.

Senator PAGE. Has the matter been discussed so you would know what the wishes of the Indians are?

Mr. TURTELOT. They have not discussed it in detail.

Senator PAGE. If it was a very important matter you would discuss it, I should think.

Mr. TURTELOT. The most important matter has been the per capita payment. A great many think in giving these rations they are using money that ought to be divided among them.

Senator LA FOLLETTE. Would it not be possible in some simple way to have a census taken of these indigent Indians and a list prepared?

Mr. TURTELOT. I hardly think that would be practicable.

Senator LA FOLLETTE. That would form a basis for the larger part of this distribution. Of course, it would be subject to amendment or additions whenever conditions changed?

Mr. TURTELOT. There is such a rule now. We have the names of all of these at the present time who I considered as entitled to it.

Senator PAGE. Having that, is there any difficulty in meeting the requirements of the situation as quickly as it could be done in any other way?

Mr. TURTELOT. The only reason is that he has not authority to give them as much as they ought to have, some families.

The CHAIRMAN. The rule is all right, but the agent is lacking in authority to give sufficient to these families.

Senator LA FOLLETTE. The authority is not elastic enough.

Mr. TURTELOT. Ten pounds of pork and 20 pounds of flour every two weeks. Now, if the head of a family is an Indian and he has got 5 or 6 children and a wife to support, 20 pounds of flour and 10 pounds of pork is what the agent can issue and no more, and that does not make enough.

Senator PAGE. Don't you think the Indians as a body would be capable of formulating some rule more elastic to meet the exigencies of this case?

Mr. TURTELOT. I think the proper person to formulate that rule would be the agent in charge; he would be more competent to do that than the Indians.

Mr. HOLCOMBE. Is the rule requiring the issuance of rations applicable only to the head of a family?

Mr. TURTELOT. Yes, sir.

Mr. HOLCOMBE. Only to the head of the family?

Mr. TURTELOT. Not exactly that, either, because we do sometimes where there is a minor that is sick in the family we issue to the head of the family for the support of that minor.

Mr. HOLCOMBE. The difficulty is that it is issued ordinarily to the head of the family regardless of the size of the family?

Mr. TURTELOT. Yes, sir.

Mr. HOLCOMBE. And is a hard and fast rule, is it?

Mr. TURTELOT. Yes, sir.

Mr. LARSON. The difficulty with the system is the lack of elasticity.

The CHAIRMAN. Of course, that is it.

Senator LA FOLLETTE. There ought to be outside limits fixed.

The CHAIRMAN. Is there anything else the committee wants to bring before us?

Mr. OSHKOSH. I have mentioned the per capita payment. We have had some per capita payment made to us; it has been customary for the last four or five years to receive a payment semiannually, and that is not settled. We have had difficulty in getting our last payment. That is not settled; our payments are indefinite. We would like to have it arranged so we could have our payments twice a year.

The CHAIRMAN. Of $50 a year.

Mr. OSHKOSH. Fifty thousand dollars a year; that is $100 a year.

Mr. LARSON. That would be a little over $60 a year each that they have been receiving.

Senator LA FOLLETTE. Up to what time?

Mr. OSHKOSH. Last March.

Senator LA FOLLETTE. Isn't it the fact a ruling was made with respect to all of these payments?

Mr. HOLCOMBE. Yes.

Senator LA FOLLETTE. They were cut off on all the reservations at the same time. The department made a ruling which went into effect March 15 stopping the payments on all of these monthly payments and quarterly payments and semiannual payments, stopped them on the 15th of March on all reservations. Perhaps Mr. Holcombe had better state the reason that was given for that.

Mr. HOLCOMBE. You are probably more familiar with it than I am. As I understand, the reason given by the department is this, that the $10 payment was so small it was not enough so that the Indian could do anything with it in the way of improving his home, and we found under that system that it had just about this effect, that the Indian would wait for the payment to come around, the monthly payment, and when the time for it arrived he would live pretty well for a few days, and when it was gone he would sit down and wait for the next one to come, and it was unfair that the Indian should be allowed to form those habits instead of habits of industry. Now, possibly with these Indians, as you have developed to that point where you have established your homes and you cultivate your ground and perform labor and earn money outside, possibly this rule should not have been applied to this reservation. I do not know that it should have been applied to any reservation, although in my own judgment I think that where Indians have money and where they can expend it with any degree of intelligence or with any business ability at all, that they ought to be given an opportunity to learn how to do business by handling some of their own money, but I do not think $10 is enough to teach them very much with respect to business habits.

Mr. GAUTHIER. When did you say this rule took effect?

Mr. HOLCOMBE. I think on the 1st of March it was issued to go in effect on the 15th of March. That is a mere matter of recollection, however.

The CHAIRMAN. I do not think it applies to the Menominees.

Mr. HOLCOMBE. Maybe it does not apply to them at all.

Mr. GAUTHIER. I know we got our per capita payment since.

The CHAIRMAN. It only applied to Indians where their timber was being cut under contract, as it is being at Bad River and Lac Courte d'Oreilles and those places. The experience of people who have to do with this Indian question all over the United States is that it does not help him any to dole out a little money every little while to them, that the Indians make the most progress who earn their own livelihood, and then if they get money, they get enough to buy a team or a wagon or something of that kind, and it has been the experience right along that it does not help the Indians to be doling out $10 or $20 or $30 at a time to them. That is the reason why the rule was put in on these contracts up here. However, we will take the matter up with the department and with Congress when we get back.

Senator LA FOLLETTE. Is the farmer of this reservation present?

Mr. EUL. Yes, sir; I am the farmer.

STATEMENT OF THEODORE EUL.

THEODORE EUL, a government farmer for the Menominee Reservation, having been first duly sworn by the chairman, testified as follows:

Senator LA FOLLETTE. Are you the farmer on this reservation?

Mr. EUL. Yes, sir.

Senator LA FOLLETTE. How long have you been farmer here?

Mr. EUL. Sixteen years.

Senator LA FOLLETTE. And you are the farmer at the present time.

Mr. EUL. Yes, sir.

Senator LA FOLLETTE. Are you in charge of the Indian farm?

Mr. EUL. Yes, sir; there is no Indian farm. There is individual farming amongst the Indians.

Senator LA FOLLETTE. A farm connected with the agency?

Mr. EUL. The school farmer. He is exclusive of the agency part of it.

Senator LA FOLLETTE. You haven't charge of that at all?

Mr. EUL. No; I ain't got charge of that.

Senator LA FOLLETTE. How old are you, Mr. Eul?

Mr. EUL. I am 67 years old.

Senator LA FOLLETTE. And you have been here about sixteen years?

Mr. EUL. Sixteen years.

Senator LA FOLLETTE. Do you keep in your office a record of the crops produced upon the farms on this reservation, the individual farms of the Indians?

Mr. EUL. Yes, sir.

Senator LA FOLLETTE. I have before me what I suppose is a copy of that report.

Mr. EUL. I gave Mr. Valentine the record for ten years, last year.

Senator LA FOLLETTE. I understand that this paper which I have here is from the superintendent.

Mr. WILSON. That came from the annual report; was copies from the annual report.

Senator LA FOLLETTE. Of the production upon this reservation?

Mr. WILSON. Yes, sir.

Senator LA FOLLETTE. Have you a record in your office of the total crops of each year and the amount of grain and vegetables since 1904?

Mr. EUL. No; except what I took this year.

Senator LA FOLLETTE. Have you the record for 1905?

Mr. EUL. No, sir; I have a record from 1893 up to 1903—from 1893 until 1903—and then I was withdrawn from the farm. The farm was given up entirely under Mr. Freeman.

Senator LA FOLLETTE. You were withdrawn from the farm in 1903?

Mr. EUL. In 1903; yes, sir.

Senator LA FOLLETTE. Then you haven't had charge of the farm since 1903?

Mr. EUL. No, sir.

Senator LA FOLLETTE. Or anybody else?

Mr. EUL. Anybody else.

Senator LA FOLLETTE. And that has all been done by the agent?

Mr. EUL. All been done by the agent; yes, sir.

Senator LA FOLLETTE. He abolished the office of farmer?

Mr. EUL. He abolished it.

Senator LA FOLLETTE. Not the department?

Mr. EUL. Not the department.

Senator LA FOLLETTE. He took over the work you had charge of and did that work himself?

Mr. EUL. Yes, sir. I presume he put in the record and everything of that kind, too. Mr. Valentine asked me for a report, and I told him I could give him a report from 1893 up to 1908. I have got the record at home.

Senator LA FOLLETTE. You haven't it here?

Mr. EUL. I haven't it here. It is close by and I can get it.

Senator LA FOLLETTE. You have it in your books, I suppose, and we could have a copy of it made?

Mr. EUL. I have got it in my books for every individual.

Senator LA FOLLETTE. Didn't you report it to Mr. Valentine, and wasn't it made a part of the annual report of the Indian Commissioner printed in his annual report for this reservation?

Mr. EUL. For Mr. Valentine?

Senator LA FOLLETTE. For the Indian Commissioner, whoever the Indian Commissioner was.

Mr. EUL. Mr. Valentine was here last year. In this shape I carry my business so you can see how I keep everything. Every year I make a book like that, and I have got all of those books.

The CHAIRMAN. What are you doing now?

Mr. EUL. I am back now.

The CHAIRMAN. You are back now as farmer?

Mr. EUL. Yes; since Mr. Valentine came here. He put me right on this farming.

Senator LA FOLLETTE. Then you have charge of this work again?

Mr. EUL. Yes, sir.

The CHAIRMAN. You people wanted a farmer, didn't you, or what did you want?

Mr. OSHKOSH. I think it is a good idea to have a farmer here who can go around this country and give encouragement to some of these Indians who do not take an interest in these things. When the farmer goes around he gives encouragement to the Indians.

The CHAIRMAN. It seems for a time that you did not have any.

Mr. OSHKOSH. Yes.

Mr. EUL. For six years there was no farmer at all.

The CHAIRMAN. What is the general condition here? Are they making considerable effort toward learning farming and making a little start and getting ahead that way?

Mr. LABELL. To a certain extent. When they used to do their own logging they used to make a few dollars in logging and that gave them encouragement to do farming. Since that was done away with I do not know—it has about been given up, it is ready to die almost, it seems to me that way; but I think if we have a farmer that encourages them a little bit in the way of farming and if we had the privilege of doing our work as we have been doing years back, I think in a few years they would not ask the Government to look after them at all. It used to be that the Government furnished us with seed, but lately we have had to buy it. It seems that every-

thing we have tried to ask for has been turned down. Our people feel that in time they will give orders here that they must drive us out in the woods some way. Even our personal property, they are driving us out of it without giving us the privilege of doing the logging and the labor that we have done years back. We have had camps scattered all over this reservation when we were doing this logging, and now they have come in there and taken the benefits of all of this work from us.

The CHAIRMAN. Are you a full blood?

Mr. LABELL. No, sir.

The CHAIRMAN. What breed.

Mr. LABELL. I am a half blood—half French and half Menominee. My mother was a Menominee.

The CHAIRMAN. What are you—a full blood?

Mr. OSHKOSH. I am a full blood.

The CHAIRMAN. Mr. Lamont, what are you—a full blood?

Mr. LAMONT. I am a full blood.

The CHAIRMAN. What is the average of these people; are they mostly full bloods or mixed bloods?

Mr. TURTELOT. I don't believe there are a dozen full-blood Menominees on the reservation.

Mr. EUL. The first year, in 1893, when I came here, we threshed 3,343 bushels, and then we kept on improving, and last year we threshed 28,000 bushels; and I think the Menominee Indians have done really very well under the circumstances. Then Commissioner Jones withdrew the seed from them, and they got a sort of a setback and grew discouraged, and then in 1903 I was withdrawn entirely. Mr. Freeman said the Menominee Indians knew enough to do their own farming. I am a builder by trade just as well as I am a farmer, and as there was lots of repair work to do, and these buildings I built myself—planned and superintended them—and it kept me busy in the shop.

Senator LA FOLLETTE. Mr. Valentine has restored you to your farming position, as I understand it.

Mr. EUL. Yes, sir; I went out and saw them just as I did before.

Senator LA FOLLETTE. Can you tell how many Indians are farming on this reservation?

Mr. EUL. Yes, sir; I have got that in my book.

Senator LA FOLLETTE. Can you tell from memory?

Mr. EUL. Not from memory. Almost everyone is doing a little, even if he has only a garden raising beans and potatoes and the like of that garden stuff. A great many of them raise oats and the like of that. As you will find in the back there, some of them threshed as high as 400 and 500 and 600 bushels of oats, and then this spring after they had sold their oats they were occupied in building the road. They built a new road for 3 miles out of here.

The CHAIRMAN. They were paid for that work?

Mr. EUL. Paid $1.50 a day; and then these telephone lines—26 miles of telephone lines—I put up the poles for that. In the winter I got them out and peeled them and in the spring I put them in before I went among the farmers issuing the grain; and I think that it is the best thing to do, to give the Menominee people the seed.

The CHAIRMAN. Has Commissioner Valentine resumed the plan of giving him seed?

Mr. EUL. Well, I talked to him last year, and still he lets them have it. I think it made a great impression upon the farmers.

Mr. OSHKOSH. If I am not mistaken the request to discontinue the issuing of seed was made by the Menominee tribe. I was a member of that delegation which visited Washington and presented the desires of the tribe before the commissioner in 1902. They declined to receive the seed and farming implements but preferred to receive a per capita payment. Some did not get any seed or any kind of implements, while all would get the per capita payment if it was made. That is the reason why the seed issuing was discontinued.

The CHAIRMAN. What is the situation now, do they want seed, as a rule. What do you think about it?

Mr. LABELL. I think it would be a good thing.

The CHAIRMAN. I will ask you first what you think the tribe would want, whether the tribe wants this seed or does not want it?

Mr. LABELL. If they had an annuity in time so as to buy their own seed when it was time to buy it, then of course it would be better to have the annuity. If they do not get that time to buy seed I should think it would be best to give them the seed in the proper time, so that they may sow it and have it growing. As I said before if they had an annuity and could get the money in time to buy the seed that would be entirely satisfactory, too.

Senator PAGE. There are some Indians who would take the money and squander it and not buy the seed.

Mr. LABELL. I think they are cultivated enough to know. They would spend the money just the same as their own earnings. The men who are farming make good use of the money they make. I believe the agent here could refer you to some of those who when they got their annuity put it in the bank. I don't know that there are many here, but I could refer you to one who has got his annuity in the bank in Shawano. He put it in there, and whatever he wants to use he uses. Whatever he wants he takes out and leaves the balance there for any hardships.

Senator PAGE. That is an exceptional case.

Mr. LABELLE. Yes, sir.

Mr. OSHKOSH. Mr. Larson is from Shawano, and probably he has observed something of that and would give us his opinion.

Mr. LARSON. I think that when the annuities were at first paid to the Indians there was no doubt a pretty large percentage of it squandered in the way of buying liquor and so forth at the city of Shawano. The Indians were given to understand that that sort of thing must cease, and the saloon keepers at Shawano were told that if it was not stopped that there would be no more annuity to the Indians. Since then I have had occasion to observe what they have done with it, and I have been impressed with the fact that they have spent it in the way of buying groceries and hardware and stoves and different utensils and furniture for their homes. I really believe during the last year or two the Indians have made good use of the annuity money and have learned to handle the money properly. I don't think it is a mistake to allow the Indians to handle their own money; I think it is good training, and while I understand there was a good deal of objection to these payments made at Ashland on account of they way the money was used, still at Ashland there is a saloon on every hand in which the Indian can spend his money. I think, too,

our Indians are a better class of Indians and make better use of their money than the Indians under the jurisdiction of the La Pointe Indian Agency.

Senator LA FOLLETTE. I think it would be well to take a suggestion which has been made to me and let the Indians indicate by holding up their hands, or in some other way, whether they would like to have the seed furnished to them to use on their farms. They might be told of it in their own language, so as to understand exactly what we desire to know.

(Mr. Lamont interpreted to the Indians.)

Mr. LABELL. I would like to answer you. I would like to understand exactly what you mean. The question I want to ask is whether you mean that the annuity shall be given and the seed, too, or is it a question of having only the seed and not the annuity?

Senator LA FOLLETTE. I wanted to know without reference to the annuity whether you wished the seed to be distributed or not. I presume there is no doubt they would all rather have an annuity, but suppose the department at Washington should not restore the annuity—I don't know whether they will or not—how many farmers present would like to have seed furnished to them if they do not restore the annuity?

(Mr. Labell interpreted to the Indians.)

Mr. LABELL. He says that would be unjust for a few of them to have the benefit of this seed; there would be a little difficulty amongst the tribe.

Senator LA FOLLETTE. Because some of them are farmers and some of them are not?

Mr. LABELL. Yes, sir. Now, the idea of the whole tribe is that they sooner have the annuity, and I believe I myself, if I have anything to say regarding the annuity, would rather have it. I think that is the way they all feel about that.

Senator LA FOLLETTE. I supposed that was so. I was speaking of the matter only with a view to furnishing the seed in case the annuity was not restored.

Senator PAGE. The statement has been made by your farmer that after the distribution of seed was discontinued you did less farming.

Mr. LABELL. Yes, sir.

Senator PAGE. Do you think that is correct?

Mr. LABELL. Well, as far as I understand. You know further back we used to log, and this work has been done, and after that has been discontinued why we seemed to be kind of getting on less.

Senator PAGE. That was in 1893 that he commenced to keep the record, and he says that as long as the seed was given to the Indians that there was an increase in the farming, and the records show that in 1879 there was 6,800 bushels of vegetables, and in 1899 there were 11,000 bushels, and in 1903 12,170.

Mr. LARSON. Let me enlighten the committee on that matter. The feeling between the present farmer and myself grew out of our employment on the reservation and out of my conduct in submitting what I deemed it my duty to submit—a fair report of the farming conditions on this reservation to the Commissioner of Indian Affairs. For quite a few years it had been the practice of the farmer each year, without regard to the actual conditions on this reservation in the past year and without going on the field at all, to increase the amount

of farm produce raised a certain per cent. Mr. D. H. George, the Indian agent here four or five years and under whom I was employed for several years, told me for the first few years he had been Indian agent he had inspected the record of the farmer and he had increased the amount of produce without investigating these facts for himself. In 1903 or 1902 I was asked by the Indian agent to prepare the annual report, and I went to the farmer in his office and asked him to point out to me where the different farm produce was raised on the reservation. He could not point it out, and I think you will find that the report of 1902 or of 1903 actually reduced the amount of farm produce reported to have been raised on this reservation in former years. The Indian agent commented on that report as compared with former years. It looked as though the Indians were going backward instead of forward, and Mr. George, in the report to the department, stated the facts as they were, stated that it had been the practice every year, without regard to the facts, to increase it a certain percentage, and that he had followed the practice of his predecessors the first few years without regard to the facts, without making an investigation as to the conditions, and that after he had made such an investigation he found the amount of farm produce did not warrant the report that was made. Mr. George is now residing in Shawano, one of the leading men of Shawano, a most honorable man, and is there now and can verify everything I say. The fact of the matter is there has been very little farming done on this reservation for years; it has amounted to practically nothing.

The CHAIRMAN. Aren't these figures correct? He says at one time they only threshed 3,343 bushels and that they ran it up to 28,000 bushels. (Addressing Mr. Eul.) How do you get that?

Mr. EUL. I got it by going to every single individual and finding out from every one just exactly what he had threshed out himself. I have got all of those books at my house, and I can have them here in less than five minutes.

Mr. LARSON. Mr. George was then the Indian agent and can verify anything that I have said.

Mr. GAUTHIER. It seems to me that we have got enough Indian farmers here to take up their own case without having the district attorney from Shawano come here and plead for them, as far as the farming question is concerned.

The CHAIRMAN. What do you know about it?

Mr. GAUTHIER. I don't pretend to know anything about it.

The CHAIRMAN. Don't you know anything, in a general way, whether there has been an improvement or whether they have gone backwards?

Mr. GAUTHIER. Some have improved and some have gone backwards.

Senator LA FOLLETTE. And on the whole, what do you say; has it increased or decreased?

Mr. GAUTHIER. I think it has increased.

Senator PAGE. Alex Warrington is reported here as having three horses, two cows, four hogs, twelve sheep, and a number of other products. Now, is that an inaccurate statement, as you know it?

Mr. GAUTHIER. I could not say as to that.

Senator LA FOLLETTE. Is he here?

Mr. GAUTHIER. There is another man that has got a farm here.

A VOICE. He is a very thrifty Indian.

The CHAIRMAN. Taking your own observations, did the farming seem to drop back after they quit furnishing seeds, so far as you have observed? I don't expect that you can tell exactly.

Mr. GAUTHIER. To answer that question, I can not say, because I have not been around among the farmers enough to know.

The CHAIRMAN. What do you say as to that, Mr. Labell?

Mr. LABELL. I think this would be increased by having the seed. Of course they are increasing now.

The CHAIRMAN. The farmer says there was a noticeable decrease, or dropping back, when they stopped furnishing seed for a while.

Mr. OSHKOSH. I notice in my neighborhood there isn't any change. I have noticed it in my neighborhood, and I do not see that there has been any change at all since they discontinued issuing the seeds.

Mr. LARSON. Mr. Tetalot is here. He is conversant with the facts.

The CHAIRMAN. I am asking these Indians.

Mr. OSHKOSH. I don't think the farming has decreased at all.

The CHAIRMAN. Did you notice any decrease with the stopping of the furnishing of the seed? That is the question that we are directly addressing ourselves to now.

Mr. OSHKOSH. I don't know of any one single case.

Senator LA FOLLETTE. I think that Mr. Labell stated that that was so.

Mr. LABELL. Yes.

Senator LA FOLLETTE. What is this gentleman's name whom you say is a farmer?

Mr. LABELL. Mr. Mose Tucker.

STATEMENT OF MOSE TUCKER.

MOSE TUCKER, a Menominee Indian, having first been duly sworn by the chairman, testified as follows:

The CHAIRMAN. How long have you been a farmer on the reservation?

Mr. TUCKER. I have been farming twenty or twenty-five years.

The CHAIRMAN. How much have you under cultivation?

Mr. TUCKER. I think about 60 acres.

The CHAIRMAN. Now, what do you know as to the correctness of the reports of crops? How have they been made up here; have you furnished detailed information as to the amount of crops you have had to the agent?

Mr. TUCKER. While the farmer was at that position he used to come around and get the amount I thrashed. I had a man in there and he kept tally of all I thrashed and then he would transfer this to the farmer. That is where he got the records from.

The CHAIRMAN. How about your other crops? Did you give any returns of what your other crops were, how much hay you raised and how many horses and cows you had?

Mr. TUCKER. I remember that he used to come around and get those things in his book. That is, hay and stock and one thing and another.

The CHAIRMAN. About how long ago?

Mr. TUCKER. I think it is about somewhere near twelve years ago.

The CHAIRMAN. How far is your farm from here?

Mr. TUCKER. I think it is about 16 miles.

The CHAIRMAN. Are there many other farmers in your neighborhood?

Mr. TUCKER. There is quite a few of them around there.

The CHAIRMAN. You may tell us what your observation is as to whether there has been an increase or decrease in the farming.

Mr. TUCKER. That is, I could explain it according to my judgment?

The CHAIRMAN. That is what we want.

Mr. TUCKER. For instance, when we had seed to issue to those farmers of course quite a few of them would take interest in the farming, that is, the industrious Indians, and a few of them won't take any interest in it at all. After that was discontinued it has kind of discouraged them and they have gone backwards like. Those parties that have gone to work and have been successful on the farm, that have been industrious and tried to farm and have done some logging and earned some few dollars that way, say $100 and $200, and they would take that money and buy the seed, and those only are the parties that have done the farming. Those others when the seed was discontinued, have commenced to fall back.

The CHAIRMAN. Then you think the general effect of discontinuing the seed was a falling back in the farming on the reservation?

Mr. TUCKER. Yes, sir; for those certain parties.

Senator PAGE. Didn't you give some report to your farmer for this year?

Mr. TUCKER. I didn't see the farmer. I have got a farm up at the south branch, but I am staying with my father-in-law down here.

Senator PAGE. The report shows you have two horses; is that correct?

Mr. TUCKER. Yes.

Senator PAGE. And one cow?

Mr. TUCKER. Yes, sir; and one heifer.

Senator PAGE. That you have three swine?

Mr. TUCKER. Yes, sir.

Senator PAGE. And no sheep?

Mr. TUCKER. Yes, sir.

Senator PAGE. That you had 12 acres of wheat?

Mr. TUCKER. That is a mistake.

The CHAIRMAN. How many acres had you of wheat?

Mr. TUCKER. I didn't have any wheat. Buckwheat and oats.

Senator PAGE. How many bushels did you get?

Mr. TUCKER. How many did I thresh?

Senator PAGE. Yes.

Mr. TUCKER. I should think about 36 bushels that is threshed.

Senator PAGE. Didn't you have any wheat at all?

Mr. TUCKER. No, sir.

Senator PAGE. Oats 340 bushels. Is that correct?

Mr. TUCKER. I think so. Now, I could ask this man that was running my farm if he was here. I can ask him, and, of course, it will be correct. If I say anything about that part I might not give the correct number.

Senator PAGE. Here is a report, and we are trying to ascertain whether or not it is correct.

Mr. TUCKER. According to my mind I think it is correct.

Mr. LABELL. You could ask your farmer. He may have told him.

Mr. TUCKER. I have got it all down on the book. I remember the buckwheat we had on both places—134 bushels.

Mr. LABELL. The man, Joe Piquard, is here.

Senator PAGE. Did the farmer come to you or your subfarmer and get from you the figures for this record?

Mr. PIQUARD. I was not at home when he came there.

Senator PAGE. Then he did come there?

Mr. PIQUARD. I guess he did get it from my wife.

The CHAIRMAN. Do I understand that he came there and saw your wife.

Senator LA FOLLETTE. That is what he says.

The CHAIRMAN. Is that what your wife said?

Mr. PIQUARD. No; I didn't ask her.

STATEMENT OF MOSE WARRINGTON.

MOSE WARRINGTON, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. You have a farm on this reservation?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. How far from here?

Mr. WARRINGTON. Fourteen miles.

The CHAIRMAN. How much have you got under cultivation; how much have you got plowed; do you understand me?

Mr. WARRINGTON. Yes, sir. About 30 acres, I guess.

The CHAIRMAN. How many horses have you got?

Mr. WARRINGTON. I have got four horses.

The CHAIRMAN. Have you got any cows?

Mr. WARRINGTON. Yes.

The CHAIRMAN. How many?

Mr. WARRINGTON. Seven.

The CHAIRMAN. Have you any pigs?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. How many?

Mr. WARRINGTON. I think I must have about 20, all sizes.

The CHAIRMAN. Do you own the farm?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. Was he at your place this fall, the farmer?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. Did he ask you about how many of these things you had?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. And how much crop you had—did he ask you how many bushels of wheat you had?

Mr. WARRINGTON. No; he wanted to find out how much grain I wanted for seed.

The CHAIRMAN. Had you thrashed when he was there?

Mr. WARRINGTON. No; it was this spring when he was there.

The CHAIRMAN. He wasn't there this fall?

Mr. WARRINGTON. No, sir.

The CHAIRMAN. Wasn't there anybody there this fall from the agency here?

Mr. WARRINGTON. No.

The CHAIRMAN. Did you get these amounts from this man this fall?

Mr. EUL. No.

The CHAIRMAN. When did you get this information in this statement?

Mr. EUL. His brother is our teamster.

The CHAIRMAN. Have you thrashed your wheat this year?

Mr. WARRINGTON. Yes, sir.

The CHAIRMAN. How much wheat did you have, do you know?

Mr. WARRINGTON. I don't remember, but I had about 400 bushels all together.

The CHAIRMAN. Of wheat?

Mr. WARRINGTON. No; of grain.

The CHAIRMAN. How do you get this, do you go to see these people?

Mr. EUL. I go to see these people three or four times during the year. The first of the year I go around and issue the seed to them and see that they prepare the land, and then I go afterwards again and see how they get it in, and so on, and then I go again and urge them to go out in the fall and plow, and so forth.

The CHAIRMAN. When is it that you find out how much crop they have made?

Mr. EUL. After the threshing is done.

The CHAIRMAN. Have you seen these people?

Mr. EUL. I went to all of the people in there with the exception of those that I see when they come here. The rest of them I go to see.

The CHAIRMAN. Is there anything else the committee wishes to bring up before us?

Senator LA FOLLETTE. I think perhaps it would be well to instruct that this statement be put into the record.

The CHAIRMAN. Yes.

Senator LA FOLLETTE. Is this statement a record of the crops produced upon this reservation as reported by the Indian Commissioner up to 1904?

Mr. WILSON. Yes.

Senator LA FOLLETTE. If the Indian farmer has it for this year and last year he might furnish that as well.

Mr. WILSON. The commissioner discontinued printing the statistics in the annual reports.

Senator LA FOLLETTE. Have you that there?

Mr. WILSON. He has them in his book here.

Senator LA FOLLETTE. Bring this statement down to date as far as you have it and then transmit it to the committee, and we will print it in connection with the statement that it is a correct showing of the farm products from this reservation as taken from your records.

Mr. OSH-KE-NA-NIEW. The business committee authorize me to bring up the matter of claims for swamp lands and have it considered in some way so that they can have that matter decided, their

claim to the swamp lands. It seems that when this land was set apart for them——

The CHAIRMAN. You have a swamp-land claim here and also a school-land matter in this reservation?

Mr. OSH-KE-NA-NIEW. Yes, sir.

The CHAIRMAN. That has been already gone over and is before the committee, and there will have to be something done about it. We can not tell yet what will be the final outcome of that. The same question comes up in connection with all other reservations.

Senator LA FOLLETTE. It has been presented quite fully. If, however, you have any written statements to make with respect to it the committee would receive it, but if you haven't the ground has been pretty fully covered by Mr. Spence, of Milwaukee, who called the attention of the authorities to the history of the swamp lands, and we may take some further testimony at Neopit, and if you want to be heard further at that time you can be heard.

Mr. OSH-KE-NA-NIEW. When will that take place?

The CHAIRMAN. To-morrow, at Neopit.

Mr. DILLETT. I have here a claim of George Kitson against the Menominee tribe of Indians for amounts furnished by him to a committee of the tribe to make a trip to Washington in 1878. There is no dispute about the fact that he did furnish the money; that the tribe met in council and selected a committee, which went to Oconto, expecting to get money there, in which they were disappointed, and then they went to Mr. Kitson to get the money, and he mortgaged his home to pay the expenses to Washington of this committee which had been appointed by the council.

The CHAIRMAN. Has the tribe ever recognized this claim.

Mr. DILLETT. They have, but not to the full extent.

The CHAIRMAN. How much do they recognize?

Mr. DILLETT. Six hundred dollars.

The CHAIRMAN. What is the form of the recognition and proof of it?

Mr. DILLETT. They have voted on it in council. Here is a letter that Mr. Kitson handed me that perhaps I had better read. It is signed by Thomas P. Smith, acting commissioner. It was written to Hon. Alexander Stewart.

The CHAIRMAN. Does that contain a recital of the action of the Indians?

Mr. DILLETT. It does.

The CHAIRMAN. Then you may read it into the record.

Mr. DILLETT (reading):

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 5, 1897.

Hon. ALEX. STEWART,
House of Representatives.

SIR: I have the honor to acknowledge receipt, by your reference of February 4, 1897, in words as follows: "Respectfully referred to honorable Commissioner of Indian Affairs by request of Senator Allison, on Senate Appropriations Committee, for report to him at earliest possible time," of H. R. 10002, amendment intended to be proposed by Mr. Mitchell, of Wisconsin, to the bill (H. R. 10002) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June thirtieth, eighteen hundred

and ninety-eight, and for other purposes, viz, after line 7, page 42, insert the following:

"That the Secretary of the Interior be, and is hereby, directed to pay to G. H. Kitson, or his legal representatives, the sum of one thousand dollars, due said Kitson for money advanced to the Menominee tribe of Indians of Wisconsin, out of any money due the said tribe from the United States not otherwise appropriated."

Accompanying said amendment is the original letter from Chas. S. Kelsey, United States Indian agent, dated Green Bay Agency, Keshena, Wis., January 16, 1892, reading as follows:

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

SIR: Herewith is forwarded an account of one George H. Kitson for money advanced to pay expenses of a delegation of Menominees on a business visit to Washington in February and March, 1873. The said Kitson is a quarter Menominee, as understood, and mortgaged his farm at the time to raise money for the use of said delegation, losing his farm as a consequence. He has made repeated attempts to secure his pay, and to-day the Indian court gave him a hearing, with the result that I am desired to request authority from your office to pay said Kitson the sum of $600 from the Menominee fund in satisfaction of said claim, or that the honorable commissioner pay the same directly from his office. All admit the use of said Kitson's money, a few items only being questioned.

The "account" referred to in Agent Kelsey's letter, and also submitted to me with said amendment, reads as follows:

WASHINGTON, D. C.

We, the undersigned, head chiefs of the Menominee Indian tribe, delegates to Washington, we authorize our agent to pay G. H. Kitson the sum of one thousand dollars ($1,000.00) for value received, at the rate of 10 per cent interest per annum until paid.

March 15, 1873.

NESPIT, *Head Chief* (his x mark).
MANEOHS-KA-NA (his x mark).
DAVID SYASATA (his x mark).
NAH-PA-TAH (his x mark).

On the back of said account is indorsed the following:

"Sept. 11, 1891. Presented to the Indians in council assembled and received on account hereof, $26.45."

In reply thereto I would respectfully report that the claim of Mr. Kitson appears to be just, so far as I am able to determine from the papers submitted; that the Indians have paid him $26.45 on account, as shown by the indorsement above quoted; and that there are funds to the credit of the Menominee Indians applicable to the payment of the claim, provided Congress so directs.

The amendment, letter from Agent Kelsey, and "account" transmitted by you are respectfully returned herewith.

Very respectfully,

THOS. P. SMITH,
Acting Commissioner.

Official copy.
T. E. SLATER,
Chief Finance Division.

I think where it says Nespit it should be Neopit.

The CHAIRMAN. Are there any of those men present?

Mr. OSHKOSH. Neopit is present.

Mr. DILLETT. I would say this: That Mr. Kitson is willing to accept $600, which the Indians admit as owing, and I think that the Indians are present and would like to see him paid. They have never denied this. There was some items questioned. For instance, when he got to Chicago he bought each member of the delegation a new suit of clothes, and the Indians didn't want to pay for that. Leaving this out and coming right down to the $600, Mr. Kitson is willing to accept that. I think if this matter is submitted to the Indians here

they will want to pay it; it was advanced to them thirty-three years ago by his man, a one-armed soldier. I think they will be willing to pay, and I think you gentlemen will take interest enough to see that the bill passes Congress.

The CHAIRMAN. The question is of submitting it to these Indians here. Are you people sent here by the other Indians in any way, or how do you happen to be here to-day—just on your own account?

Mr. LABELL. Sent by the tribe here as a part of the tribe.

The CHAIRMAN. Would you feel warranted in voting upon this matter one way or the other for the tribe?

Senator LA FOLLETTE. Acting for the whole tribe, for yourselves as well as those who are not here.

Mr. LABELL. I haven't any knowledge of this charge or anything to do with any debts, and I do not want to say anything about them unless I am personally acquainted with the idea. The main subject of our position here is our grievances, and that is all I could do in favor of the tribe, not anything else. If I was asked to so I would pay attention.

The CHAIRMAN. The trouble about this is that these men have not been sent here for this purpose. I don't know how far they would feel warranted in voting on it.

Mr. DILLETT. I would suggest that there is as full a representation of the tribe here to-day as there ever has been.

The CHAIRMAN. That might be, but unless they came here for this purpose they might not want to act upon it.

Mr. DILLETT. I would like to get an expression from the Indians on the subject.

The CHAIRMAN. We will take an expression in this way now, for whatever it may be worth. Mr. Oshkosh, one of you men will explain this to the Indians and get an expression from them and we will have a vote on it one way or the other.

(Mr. Louis Keshena interpreted to the Indians.)

Mr. DILLETT. I would like to hear from Neopit.

STATEMENT OF NEOPIT.

NEOPIT, a Menominee Indian, having been first duly sworn by the chairman, testified through an interpreter as follows:

The CHAIRMAN. Do you know anything about the claim of Mr. Kitson for money that was furnished to send a delegation to Washington one time?

Mr. NEOPIT. Yes, sir.

The CHAIRMAN. Did you ever sign a paper to have that money paid him from the Indian fund, the Menominee fund?

Mr. NEOPIT. Yes, sir; at this office, for $600.

The CHAIRMAN. Do you think he ought to be paid $600?

Mr. NEOPIT. That is the amount the tribe wanted to pay at that time. They started from Oconto and asked George Kittson for the money. He wanted to find out how much money he has appropriated for the delegation. If he had known the exact amount from the time they started at various places, wherever they changed cars, the amount that they had to pay for transportation after they arrived in Washington, there would not have been any difficulty in reimbursing him for the amount that he has expended. Nobody knows just the

exact amount, only Mr. Kitson alone. After they got in Washington he tried to get $3,000 from the commissioner.

The CHAIRMAN. Who did?

Mr. NEOPIT. Mr. Kitson did, and that is why he could not get any reimbursement. There was two of them, one a Menominee Indian, Ke-ne-to-co, and Mr. Kitson. That is to say, those two made the effort to get the $3,000. The commissioner told them that if they would bring it up before the board or general council and present it before the tribe and if it was approved by the tribe, then it would be all right for the commissioner to pay it. I have seen it has never been settled.

The CHAIRMAN. Has it ever been brought up before the council?

CHIEF NEOPIT. Yes, sir.

The CHAIRMAN. What did the council do; did the council agree to pay the $600?

Chief NEOPIT. At one time they did. They have never come to one conclusion at all times when this has been brought up before the council.

The CHAIRMAN. What did they vote at this time?

Chief NEOPIT. This is all I know.

The CHAIRMAN (to Reginald Oshkosh, the interpreter). I wish you would put it before these people.

(Reginald Oshkosh, the interpreter, did as requested.)

The CHAIRMAN (to the interpreter). Ask all of the Indians present who want to pay that $600 to raise their hands.

(The interpreter, having done as requested, reported that there was only one.)

The CHAIRMAN (to the interpreter). Now ask all those who do not want to pay it to raise their hands.

(The interpreter having interpreted the above)—

The CHAIRMAN. It seems to have been lost.

REGINALD OSHKOSH. I do not know that they understand.

The CHAIRMAN. Make it plain to them. It means a good deal to this man. [To another Indian.] Do you talk Menominee?

G. H. KITSON. Yes, sir.

(G. H. Kitson was thereupon sworn by the chairman as interpreter.)

The CHAIRMAN. Are you a member of this band?

G. H. KITSON. I ought to be a member of this tribe, because I am half Menominee.

The CHAIRMAN. Have you always lived among them?

G. H. KITSON. I have been living here permanently for twenty years.

The CHAIRMAN. You are not enrolled among them, are you?

G. H. KITSON. No, sir.

The CHAIRMAN. Some years ago you advanced some money to pay the expenses of a delegation to Washington, did you?

G. H. KITSON. Yes, sir.

The CHAIRMAN. How much did you advance?

G. H. KITSON. I presume I advanced just a little over $1,000. Whenever they wanted money I gave it to them.

The CHAIRMAN. Do you want to make a statement now?

G. H. KITSON. Yes, sir.

The CHAIRMAN. You may proceed and make it.

G. H. KITSON. I will say a little something before I introduce my claim. They came to me——

The CHAIRMAN. Mr. Kitson, we will have to put this in a bill, or not, very largely on what these people say, and you had better address your remarks to them.

(G. H. Kitson here spoke in the Indian tongue to the Indians assembled.)

The CHAIRMAN. Now, do you think they fully understand it?

Mr. REGINALD OSHKOSH. They ought to by this time.

Chief NEOPIT (through Interpreter Oshkosh). That is true; George Kitson furnished that money to the Menominees. It was him that induced the Menominees to send this delegation to Washington. One summer he was here twice to persuade the Menominees to send this delegation to Washington, and he was after the fund that was deposited in the United States Treasury to the credit of the tribe from the proceeds of the sale of land, $160,000. We received interest of $8,000 per year. That was what he was after. He was representing the Indians that were living in Menominee and Marinette off the reservation; they did not have any property on the reservation; he only wanted that money that was deposited in the Treasury to the credit of the tribe, instead of the benefits from the reservation. I am not making any personal attack on him. After he failed to persuade the Indians to send the delegation to Washington he left it with Mr. John Warrington. It was John Warrington's suggestions and plans, and it was John Warrington who went over to see Mr. Kitson. If John Warrington is present he can verify this statement. After we arrived in Washington he did not have to furnish any more money; he did not have to maintain the delegation or provide for them. Before they came away they received $40 from the commissioner each, and Mr. Kitson also received $40 of that money, and he also got his ticket from Washington to Menominee. I recollect twice when the annuity payment was being made to the tribe that they made a collection for him, and it was paid to him, but I do not recollect how much it was. I was merely representative; I represented the tribe; that is why I was down there. Now it is with the tribe; the expression is with the tribe.

Senator LA FOLLETTE. Do you think this $600 should be paid to this man from the tribal fund?

Chief NEOPIT. If it is the willingness of the tribe, I am willing.

Senator LA FOLLETTE. Do you think he expended $600 for the benefit of the tribe?

Chief NEOPIT. I really do not know how much Mr. Kitson had spent, but they estimated to be about $600.

Mr. C. L. DILLETT. He intimated that Mr. Kitson got up this delegation and was going to Washington himself on other business. Now, the fact is, as I understand it, that this delegation selected in council here went over to Oconto, but could go no farther on account of the lack of funds. They sent one of their members, John Warrington, up to Marinette to see Mr. Kitson, and he brought him back to Oconto, and they arranged with Mr. Kitson to furnish the money; that this furnishing of the money for going to Washington was at the instigation of Neopit and the balance of that delegation. Now, I would like to have him questioned on that, as to whether or not that is a fact.

The CHAIRMAN (to the interpreter). Ask him whether Mr. Kitson got up this delegation, or whether the delegation started first without Mr. Kitson and found that they could not get the money, and then got the money of him.

Chief NEOPIT. The Menominees sent them there. George Kitson was not along with them.

The CHAIRMAN. He was not a member of the delegation?

Chief NEOPIT. No, sir.

The CHAIRMAN (to the interpreter). Put the question to the tribe and see if they understand it, whether they want him paid the $600 for that without any further argument.

(The interpreter, having interpreted the above and put the question, reported that there were two votes in the affirmative.)

The CHAIRMAN. Those who do not want it paid will hold up their hands.

REGINALD OSHKOSH. Can I ask the question why they do not want to pay this money?

The CHAIRMAN. Yes; if you want to.

(Oshkosh thereupon addressed the Indians assembled.)

JOHN PEROTE. This is a relative of ours, Kitson. At the time we started for Washington the tribe did not know anything about it—what they went there for. When we knew that this delegation was going to Washington Weiskesit was elected. He was sent back from Oconto. That is why there is a doubt whether they should pay this or not—the whole delegation. The majority of the tribe was not here at the council when this delegation was being appointed.

The CHAIRMAN. There are more voting against it than for it.

REGINALD OSHKOSH. Yes, sir.

STATEMENT OF AUGUST A. BREUNINGER.

AUGUST BREUNINGER, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. BREUNINGER. I am a bachelor, and at present I am running a shop up at Neopit.

The CHAIRMAN. What kind of a shop?

Mr. BREUNINGER. A shoe shop.

The CHAIRMAN. Are you of Indian blood?

Mr. BREUNINGER. Yes, sir.

The CHAIRMAN. Of what tribe?

Mr. BREUNINGER. I am German and Menominee.

The CHAIRMAN. What degree of Menominee are you?

Mr. BREUNINGER. I am about a quarter breed.

The CHAIRMAN. Where were you born?

Mr. BREUNINGER. In Arkansas.

The CHAIRMAN. How long ago?

Mr. BREUNINGER. Thirty-six years ago in December.

The CHAIRMAN. Was your mother a Menominee?

Mr. BREUNINGER. My grandmother was a Menominee.

The CHAIRMAN. What was her name?

Mr. BREUNINGER. Her maiden name was Johannah Blanchard; her Norwegian name was Mawekekea.

The CHAIRMAN. Did she live among the Menominees?

Mr. BREUNINGER. Well, she did until she was in the mission at Green Bay. She was in the mission there when she married this German.

The CHAIRMAN. She married a German, did she?

Mr. BREUNINGER. Yes, sir; Charles Breuninger. I have same matter of enrollment to present here. I have my applications, but I never put them in; the department said there was some difficulty as to the decision, and I had communications with the department about it, and Agent Allen threw them all out.

The CHAIRMAN. How many applications had you?

Mr. BREUNINGER. I had my father's and all of his children.

The CHAIRMAN. How many were they?

Mr. BREUNINGER. The father and 6 children.

The CHAIRMAN. What was your father's name?

Mr. BREUNINGER. William L. Breuninger.

The CHAIRMAN. When was this presented to the council?

Mr. BREUNINGER. My name has never been presented to the council. I have been working in getting the status of the case.

The CHAIRMAN. Do you talk Menominee?

Mr. BREUNINGER. No, sir; I have never been with the Menominees. My father left Green Bay at the time of the war, and he married in Arkansas and never got back here until about eight or nine years ago.

The CHAIRMAN. I understand that you want a chance to present it to these people, is that it?

Mr. BREUNINGER. Yes, sir; mostly to this committee.

The CHAIRMAN. Well, this committee can not do anything except to take the statement with reference to it.

Mr. BREUNINGER. Well, in their work. I have been working for the tribe.

The CHAIRMAN. I understood that you felt that when Mr. Allen was here it was not fairly presented to the Indians?

Mr. BREUNINGER. I did not present it all; I was referred to him by the commissioner. I have letters which will show. He was instructed by those letters to take some action in this, but he used his own recommendation and did this without a power of attorney from the tribe. Of course the decision that they have, or that they had, the Secretary made simply after I got the status from the commissioner. It was simply an act that was caused to be made by the Indians.

The CHAIRMAN. Did these Indians know your father?

Mr. BREUNINGER. Abe Burnette used to plow together with my father. My father has been away ever since the civil war.

The CHAIRMAN. I understood that you wanted an opportunity to present the matters to the Indians here so that we could get their views upon it. The committee is willing to let you do that.

Mr. BREUNINGER. Here is a white man who appears on the roll [handing a paper to the chairman]. Charles Breuninger was not of any Menominee blood at all. He drew for two children by that woman. Her name is not on the roll. He drew for the children. He had not right, because the treaty says no one but persons of mixed blood shall draw that money. There was a white man. This money was drawn without proper authorization, and I can prove it in black and white by two members of this tribe. I took this matter up, and

here is all my correspondence in regard to that. I have got my application ready to be enrolled under that roll.

The CHAIRMAN. The first thing is to get the approval of the tribe. There is one difficulty about your taking it up to-day. A great many people did not come here this morning, and they may feel that they did not have authority to act on it one way or the other. I suggest that you had better have it brought up before the council when they come together for that purpose. However, if you desire, you may have an interpreter state your case to the Indians and take their vote upon it.

Mr. BREUNINGER. There is no council without any slip of paper. The Indians here believe that when a little slip of paper goes around it is law.

The CHAIRMAN. Now you may decide whether you want to put it before these people or put it before your council.

Senator LA FOLLETTE. You had perhaps better wait and put it before your regular council.

The CHAIRMAN. That would be my advice, because this man here does not feel that he has a right to vote on that at all.

Mr. LABELL. I was not put here for that purpose.

The CHAIRMAN. You might be rejected when they were not called for that purpose, when, if they had somebody who could talk Menominee, they would possibly enroll you.

Mr. LABELL. It is the same as a franchise over which the Indians have no power. They have no power to make a citizen of the United States, and we had the right to have our case heard before our own court, and the agent here deliberately refused it.

The CHAIRMAN. You have one of two remedies. You can go into court or put this matter before this tribe. If these Menominee Indians, by a majority, voted to enroll you, I assume the department would enroll you, but I do not think they ever would enroll you unless these Indians said so. Now you can put it before them, or have a council.

Mr. BREUNINGER. I will probably have a council for that.

The CHAIRMAN. Very well. Now, Mr. Oshkannanieu, you have a statement that you wanted to make.

Mr. MITCHELL OSHKANNANIEU. Yes, sir.

The CHAIRMAN. What we want to know, and it is all we want to know—we do not care anything about any trouble—is how this affected the Menominee Indians, and what any outsider did in regard to the matter.

Mr. OSHKANNANIEU. When this committee was abolished; is that what you mean?

The CHAIRMAN. Yes; what effect did that have? How did that hurt the Menominee Indians, and what government officials had anything to do with it, or these lumbermen either?

Mr. OSHKANNANIEU. Well, this committee was appointed under the constitution for the purpose of looking after their affairs, as it is stated in the constitution. Now, when these parties who made an attack upon this business committee and induced the members of the tribe to abolish that committee by circulating false reports against the said committee, they were in such shape that they had no organization, no organized government, and before they could transact

tribal business the whole tribe had to assemble to transact that business. Now, it is very hard. The tribe has had the experience that whenever they have to assemble for every little small business, the whole tribe must assemble, and in doing so it is costing the tribe a good deal. Now, supposing to-day we had this council, and we had some business to transact—if it is a big important matter or a small matter, it does not make any difference whether small or great, it is the custom when there is no organized government in the tribe to have it referred to the tribe. Now, because they have got to assemble every little while for small business, every one must leave his work and come here and give his views or his vote upon the subject that is to be discussed. We used to assemble here a good many times, and sometimes when we would come here the majority of the tribe would not be here, and those who would come would go back home, and they would put it off to another day, when they would come again. Probably the second time a majority would not be here, and so it went on. After the second time maybe some of the parties would get disgusted and stay at home, and the next time other parties would come. Then the parties that would come, supposing they did not find a majority here, would go home too. Now there are three times when they would come here and could get no action because the majority were not here. The tribe felt that they must have some form of organized government—an organized government for that purpose. When that committee was abolished, we were thrown back to the old way of holding our council.

The CHAIRMAN. Is there anything to prevent the Menominees from organizing a business committee again, if they desire to?

Mr. OSHKANNANIEU. No, sir; it is these false charges that have been preferred against this committee. If the tribe should know that those were false charges that have been circulated against the committee, then there would be no trouble to appoint another committee. A majority of us think that we ought to be represented—an especially authorized body of people elected by the people at special times to do their business for them. That is the idea.

The CHAIRMAN. Does not the whole tribe understand the inconvenience and bother of trying to do this business without a committee?

Mr. OSHKANNANIEU. Yes, sir; they had that experience at the time they adopted this.

The CHAIRMAN. Why did they not organize another business committee?

Mr. OSHKANNANIEU. That is the proposition. That is what we are trying to do now.

The CHAIRMAN. They can do that without any action on the part of this committee, can they not?

Mr. OSHKANNANIEU. It is this: This committee that was abolished they preferred certain charges against. Now, if they had not preferred those charges this committee would be in existence yet.

The CHAIRMAN. But if it is important to have a business committee—and there is force in what you say about their being unable to get together—what is to hinder these people organizing a business committee now, if they desire to?

Mr. OSHKANNANIEU. There is nothing to prevent them.

The CHAIRMAN. It requires nothing from this committee and nothing from Congress and nothing from the Commissioner of Indian Affairs. It is a matter that you can do for yourselves, can you not?

Mr. OSHKANNANIEU. Yes, sir.

The CHAIRMAN. Then, I do not see why we have anything to do with it unless there has been some improper action on the part of some government official. That, of course, we would want to know about, if there has been anything of that kind.

Mr. OSHKANNANIEU. That is what we have in mind. That we believe was done.

The CHAIRMAN. Now, you may take that matter up. The other matter with regard to the business committee, you can settle among yourselves. If you have any charge against any government official as being connected with this matter, we would be glad to have you present it.

Mr. OSHKANNANIEU. We have witnesses, they must be in this room, who are going to testify with regard to how the abolishment of the business committee was brought about.

The CHAIRMAN. What particular person do you refer to?

Mr. OSHKANNANIEU. Superintendent Shepard Freeman was one of them.

The CHAIRMAN. How long since he left here?

Mr. OSHKANNANIEU. I can not remember.

Mr. TOURTILLOTT. It was a year ago, I think.

The CHAIRMAN. Do you think he is in the government service now?

Mr. OSHKANNANIEU. He is not in the government service. Who is there here who knows about this matter?

ADDITIONAL STATEMENT OF THOMAS LA BELLE.

THOMAS LA BELLE, having been recalled, testified as follows:

The CHAIRMAN. What do you know about the abolishment of this committee, so far as the interference of government officials is concerned, or so far as it bears on logging contracts in any way, as being a matter that Congress ought to look into?

TOM LA BELLE. In the first place, we instructed the department to settle or decide about the half-breed question, and the orders were issued to the agent to bring this to a point in some way for a settlement as to some of these applications, and there was some difficulty—some hard word that Freeman had said at that time about that business—and that was the reason of having so much trouble on the reservation. Everything that would come up, such as talking to our people and showing them the value of this timber that could be manufactured on the reservation, was so much more benefit to the tribe, as we could sell the logs by stumpage. They kept talking around, and finally they thought best to manufacture their own timber on account of the big blow down here in the forest, and they had some way of consulting together as to how this timber should be saved, and the tribe got into together the same as this down here at the warehouse, and the proposition was put to them by Mr. Joe Farr, "We will send a competent man to that ground and estimate it and find the correct amount of timber that was blown down." He said, "As quick as those men get through I will consult with you people how

we will get at it and save that timber," and in the meantime, before they took action, they came for me, what they call—well, it does not make any difference—but we found that they were going to introduce a bill in Congress to sell this timber, and he goes to work and states the blown down and the standing timber that was blown down on the reservation, while there are on parts of this reservation lots of trees that are blown down, and we told our people around here, and we gathered up as a council and stated that Mr. Joe Farr had recommended so many million of timber upon the reservation ought to be taken care of, and there is a bill to provide that the timber shall be sold on that section that I am talking about now. So we sent a message to Senator La Follette asking him if he could stop the passage of that bill if it is not satisfactory to the tribe, and we had an answer from Mr. La Follette that he would try and do so as much as possible until he heard from us people, and of course he held it some time—I do not really know what time—but anyway we sent him a letter that we were going to send a delegate to Washington to see what could be done in order to save this timber for the benefit of the tribe, because it is going to be a dead loss to them, and they decided here to go, and we passed a resolution in the council by this committee, and the records show that when Oshkannanieu saw Senator La Follette they talked over the matter and found out some way in which they could go to work by putting portable mills on this part where this timber was blown down by the consent of the whole tribe. Then, after he saw that we were determined to have our idea, Mr. Bill Farr and Mr. Freeman stated to me that I was noted in this office to state my mind very strong; it was not right for me to do so; when you are wrong you ought to say it and ought to give in and have it as you want it. I said, "My people protest against the selling of any timber off of that, considering that is by stumpage; they want to cut it themselves and handle it themselves and get what value there is in this timber." He said they were going to select four men—I think one was Mr. Tucker and Lewis Keshena, and I do not know who else—that were going to Washington, and they were to make out the resolution how they were going down to Washington. I was not here; I was at the camp at that time when they made the resolution to go to Washington, and the report was around that they were ready to go to Washington to sell this timber, and I came down here and we had another council, and it devolved on Mr. Freeman to make out the resolution how they were going to sell this timber. We went up to the office and had a talk with them. We thought best to make our own resolution and take that to Washington, because it is our duty and our property, and we want it just as we want it and not as he wanted it. He said, "You can not do that; it will be so much in your hands, and you will spend all your money." I said, "I can not help it; it is the feeling of my tribe." They wanted to do their own logging themselves and manufacture for themselves; that was all you could hear from the tribe. Freeman told me himself, "It is better to sell that timber; you will get more out of it; if you do not you will lose the whole business."

Now, when the half-breed question came up there was a good deal of talk about blaming the committee, and the whole tribe has talked among themselves, and they blamed the whole thing on the business committee. Then the foresters got in and took possession of the whole

thing, and even stuck papers around about our reservation. It says in that paper that any Indian who cut any timber on this reservation would be guilty of trespass, provided he has not permission to cut the timber down. Now, it came up to the Indians to talk about it, and it made them angry, and they said that that committee was all at fault. There are many members of this tribe who can prove that it has been dictated into this tribe in that way. So they put the charge upon the committe, and the committee is not in shape to make them prove where this fault is.

Now, Mr. Oshkannanieu is bringing this matter up with regard to those who are hostile to this committee. Antoine Stick is one, and Mr. Kitson and Mr. Tourtillotte, and a few others that I can not just remember. Anyway, Mr. Tourtillotte said this right before them, and he will not deny it; "the committee is all right, if you only had the right man at the head of it, but such a rascal as you have in that committee is making lots of this trouble." He said, "The committee is all right; I have nothing against the committee." I said, "Where is your proof to show what the man has done? That is the only way to knock him out; we can knock him out as easy as jumping off a log—we used to jump from one log to another, and that is where the saying came about, it is as easy to jump off a log—when we could show the fact it does not make any difference if it is my brother that is trying to work against the interests of the tribe, I am there to knock him out as quick as you can say 'Jack Robinson.'"

I think that is as far as I care to speak, but if you want me to say anything more I would like to add a couple of days, and I will go through the whole reservation and bring you the facts and the proofs in this business.

Senator LA FOLLETTE. What did the agent, Mr. Freeman, do directly toward the overthrow of this committee?

TOM LA BELLE. I can not really state just at the moment; I could not tell you just what took place at that time, but as to any other thing, I do not known that I could really have a memorandum. I took no notice how the thing operated, but as far as I can tell you the tribe had a council at that time, and George Perote brought the question up before the tribe, asking the tribe what was the best to do. He said, "Now is the time to settle this matter whether we should have nine members of the committee or else knock them out entirely." Antoine Stick and some other hostiles said, "Drive them all out; knock them out. If you do not, all this money will be spent." This man, Reginald Oshkosh, jumped up and said to the people, "We will withdraw that contract that Mitchell Oshkannanieu got and banish the committee entirely, so they will never see daylight any more." He said that in the council. Then Stick shouted, "Yes; that is right." So they appointed Mr. Freeman as secretary and Tourtillotte, I think, was to be, just as this man, in interpreter.

Mr. TOURTILLOTTE. The tribe selected me as secretary at their meeting.

TOM LA BELLE. Something like that. Now Freeman spoke up to the tribe and said, "What are you going to do? Are you going to elect nine members or knock them all out?" The hostiles spoke up, "Knock them out." and everybody hollered, "Knock them out." So they did so. Now, gentlemen, there is a case where I thought the

agent was interfering in these councils. This Mr. Downs, in the forenoon, was in the council.

Senator LA FOLLETTE. Who is Mr. Downs?

TOM LA BELLE. He came here on account of the application matters with regard to these half-breeds.

The CHAIRMAN. Major Downs, they call him.

TOM LA BELLE. I thought at that time that that council was not called up for the purpose of making any charges to the committee. The intention was to decide upon this question about these half-breeds, and the council left here about the time of the finishing up, and some remark had been made here that Oshkannanieu went to Washington to try and steal money there without asking the tribe or having any right to have the $5,000; any way, they had learned that among the tribe that he was trying to steal some money out of the Treasury fraudulently, and then Downs spoke up and said, "Where is that Indian who has that note that he wants to present to me?" Antoine Stick jumped up and said, "I am the man." He passed that paper over to Mr. Downs and he looked at it, and about dinner time, and he said, "You must bring that up among yourselves this afternoon; you can discuss this further in the afternoon," and we did so. After we went home in the afternoon we came here. I know that I could say that Tom Prickett was the man who sat by the side of me when he said that he had a letter from the Commissioner of Indian Affairs that Freeman had said that that committee had decided upon these half-breeds, and he said, "All this trouble about these half-breeds is all done by the committee; the committee is making all the trouble." He said, "If it was not for that committee there would be no trouble here, because I can handle the rest of the Menominees."

That is all I care to say about that.

(The witness was thereupon excused.)

STATEMENT OF TOM PRICKETT.

TOM PRICKETT, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you a member of the Menominee band of Indians?

TOM PRICKETT. No, sir; I made an application. It is in Washington now.

The CHAIRMAN. You are part Indian, then?

TOM PRICKETT. Yes, sir.

The CHAIRMAN. What degree of blood?

TOM PRICKETT. My mother was on the rolls here.

The CHAIRMAN. Was she a full blood?

TOM PRICKETT. No, sir.

The CHAIRMAN. Now, what statement do you want to make in regard to this committee matter?

TOM PRICKETT. I can only state what Mr. La Belle has just said. I heard him say that.

The CHAIRMAN. You were present here and heard the whole transaction?

TOM PRICKETT. Yes, sir.

The CHAIRMAN. And it is substantially as he has stated it?

TOM PRICKETT. Yes, sir.

Senator LA FOLLETTE. Did you hear Mr. Freeman say that he had a letter from the Indian Commissioner?

TOM PRICKETT. Yes, sir.

Senator LA FOLLETTE. What did he say was in the letter?

TOM PRICKETT. He said something about the half-breeds, that the 15 business committee was interfering——

Senator LA FOLLETTE. Interfering with the half-breeds?

TOM PRICKETT. Yes, sir.

Senator LA FOLLETTE. Did he read the letter?

TOM PRICKETT. No, sir.

Senator LA FOLLETTE. He just stated that he had such a letter, did he?

TOM PRICKETT. Yes, sir.

Senator LA FOLLETTE. And that this committee were keeping the half-breeds off the roll?

TOM PRICKETT. Yes, sir.

Senator LA FOLLETTE. Was Mitchell Oshkannanieu on that committee?

TOM PRICKETT. I do not know anything about it. I think he was.

Senator LA FOLLETTE. What half-breeds were being kept off that he represented?

TOM PRICKETT. He did not mention any names.

Senator LA FOLLETTE. Do you know what half-breeds he referred to?

TOM PRICKETT. I do, some of them.

Senator LA FOLLETTE. Were there a large number of them who had applications pending?

TOM PRICKETT. There were somewhere about 30, I believe, at that time—30 applications.

Senator LA FOLLETTE. Were they all related?

TOM PRICKETT. Some; yes, sir.

Senator LA FOLLETTE. All one family?

TOM PRICKETT. No, sir; not one family, different families.

Senator LA FOLLETTE. Well, related to each other?

TOM PRICKETT. Yes, sir. They have relatives on this reservation.

Senator LA FOLLETTE. Can you name any of them?

TOM PRICKETT. I can not just now; they are so many that I can not name them.

Senator LA FOLLETTE. Do you think Mr. Freeman's statement with respect to the action of this committee had anything to do with the council's dismissing the committee?

TOM PRICKETT. No, sir; I do not.

Senator LA FOLLETTE. You do not think that that had anything to do with it?

TOM PRICKETT. No, sir.

Senator LA FOLLETTE. You do not know anything about it?

TOM PRICKETT. No, sir.

(The witness was thereupon excused.)

MITCHELL OSHKANNANIEU. The next point will be same as La Belle has stated.

The CHAIRMAN. There is no dispute as to that. Mr. La Belle's testimony is corroborated, so there is no use in putting in any more testimony in support of Mr. La Belle.

Now, is there any other point that there is any testimony desired respecting?

Senator LA FOLLETTE. Do you claim, Mr. Oshkannanieu, that anybody else besides the Agent Freeman—any official or employee—interfered with this business committee of the Indian council?

MITCHELL OCHKANNANIEU. Yes, sir. In the forenoon of June 26 the council adjourned. It had been in session considering the applications for enrollment into the tribe. This council was in daily session from June 23, 1908, until noon, June 26, 1908. Just before the council closed Mr. Tourtillotte's application was called up for consideration, and then he got up on the floor and made an attack upon me. The remarks that he made must be on file in the agency office here, and it seems to me that if that was read, word for word, I think anybody could understand that he made an attack upon me, and indirectly he was attacking the Menominee business committee in doing so, because I was a member of that committee; and I think that that attack had something to do with the tribe's abolishing this committee.

The CHAIRMAN. Do you remember what the attack was?

MITCHELL OCHKANNANIEU. I can very soon get it, word for word. It must be on file in the office. I might make a mistake if I tried to give it to you exactly.

The CHAIRMAN. Had not Mr. Tourtillotte a right to take part in the proceedings of the council; I am asking you for your opinion?

MITCHELL OCHKANNANIEU. I could not answer as to that, but I can explain to you in what way he had the right, because when his application was pending it was the custom that when an application was pending he would be allowed to speak here by Special Agent Downs, and he had an application here; it was a rehearing. It was pending here; it was about to be voted on, and then he got up and made a speech, and in that speech, before he got through, he made an attack upon me; and it is my opinion that in his attack he was trying to knock me out and the business committee itself, because when he made an attack upon me he was attacking indirectly the Menominee business committee.

The CHAIRMAN. Who elected or appointed Mr. Tourtillotte secretary that afternoon? Was he not appointed secretary?

Mr. TOURTILLOTTE. I believe I was; yes, sir.

Senator LA FOLLETTE. Was that appointment made by the council?

Mr. OSHKANNANIEU. I was not present in the afternoon.

Senator LA FOLLETTE. What do you understand about that?

Mr. OSHKANNANIEU. I was told by the committee. I was a member of that committee.

Senator LA FOLLETTE. Could he have been made secretary of the council without the action of the council? Do they not control that matter—that is, the council, in the selection of their secretary?

Mr. OSHKANNANIEU. Yes, sir.

The CHAIRMAN. What was the fact, Mr. Tourtillotte?

Mr. TOURTILLOTTE. I did not attend any of those meetings until I was called upon by Colonel Downs when my case was brought up.

The CHAIRMAN. You acted as secretary, did you?

Mr. TOURTILLOTTE. That was in the afternoon. In the afternoon I was sent for at the office and told that I was elected as secretary.

The CHAIRMAN. You were not in the council when you were elected?

Mr. TOURTILLOTTE. No, sir.

Senator LA FOLLETTE. Does the council always elect their own secretary?

Mr. TOURTILLOTTE. It has been the custom always.

Senator LA FOLLETTE. Do they elect anybody that they do not consider a member of the band as secretary?

Mr. OSHKANNANIEU. I can not recollect. It seems to me that they did once; I am not sure.

Senator LA FOLLETTE. Was it not in a way a recognition of Mr. Tourtillotte's application, so far as the band was concerned, to choose him as secretary?

Mr. OSHKANNANIEU. Well, it would be if there were nothing against the Menominee business committee, but these false reports against the Menominee business committee have been circulated amongst the tribe and they thought the business committee was crooked and corrupt, and all of that, and by reason of those false reports that have been circulated, the tribe was against the Menominee business committee at that time for that reason.

Senator LA FOLLETTE. I suppose the feeling of this committee is—at least it seems so to me—that it is not a matter that we have anything to do with except to investigate whether any official or employee, or agent of the Indian Office, improperly interfered with the business of the council.

Mr. OSHKANNANIEU. Those two that I mentioned did.

Senator LA FOLLETTE. That is Mr. Freeman?

Mr. OSHKANNANIEU. Yes, sir.

Senator LA FOLLETTE. And who else?

Mr. OSHKANNANIEU. Mr. Tourtillotte.

Senator LA FOLLETTE. If Mr. Tourtillotte was a member, or recognized by the council as a member of the band, would it be any unwarranted interference on his part to take part in the proceedings of the band.

Mr. OSHKANNANIEU. If he was a member of the tribe, it would not, but he was not an enrolled member at the time his application was pending.

The CHAIRMAN. Were you at at the council meeting, Mr. La Belle?

Mr. LA BELLE. At that time, no sir.

The CHAIRMAN. Do you know whether or not Mr. Tourtillotte was elected secretary that afternoon?

Mr. LA BELLE. Yes, sir; he was elected secretary.

The CHAIRMAN. Who elected him?

Mr. LA BELLE. I think John Perote nominated him.

The CHAIRMAN. The Indians elected him, did they?

Mr. LA BELLE. Yes, sir.

The CHAIRMAN. There is no question about that, is there?

Mr. LA BELLE. There is no question about that.

Senator LA FOLLETTE. Was that not a recognition of his standing with the tribe? Did you ever have anybody as secretary of your council who was not a member of the council?

Mr. LA BELLE. I never knew it before.

Mr. TOURTILLOTTE. I have acted before, I think, as secretary of different councils.

Senator LA FOLLETTE. Were you a member of the tribe at that time?

Mr. TOURTILLOTTE. Not all the time. I acted as secretary, I think, a number of times.

Senator LA FOLLETTE. You would not consider your action in selecting you secretary as giving you a right to participate in the proceedings of the council?

Mr. TOURTILLOTTE. Prior to their electing me secretary, they had voted upon my reenrollment.

Senator LA FOLLETTE. Prior to that time?

Mr. TOURTILLOTTE. Yes, sir.

Senator LA FOLLETTE. Had they voted in favor of your enrollment?

Mr. TOURTILLOTTE. Yes, sir.

Senator LA FOLLETTE. Mr. Oshkannanieu, I will ask you, as a matter of your practice here, if that had not enrolled him and given him standing as a member of the tribe?

MITCHELL OSHKANNANIEU. When an applicant is voted upon, it is not finished; it must go before the Secretary of the Interior and he decides. Sometimes, in cases where the tribe votes against an applicant, the Secretary of the Interior accepts him. So it is not finished.

Senator LA FOLLETTE. When they vote in favor of an applicant, does he ever reject him?

Mr. OSHKANNANIEU. I can not remember. There have been so many applications that I can not remember.

Mr. TOURTILLOTTE. I wish to say for the enlightenment of the committee that during all these proceedings of this council, wherein they were taking action on these applications, I did not come into this building but kept away from it entirely, and the day that they were about to finish—as Mr. Downs supposed they would finish—he came to me in the morning and said, "Jim, do you want to say anything over at the council when your case comes up?" I said, "I am not particular." He said, "Won't you come over?" I said, "If you come for me, I will come," and about half past 10 o'clock somebody came and told me that they were about to act on my application, and to come over. Mr. Downs came to me and told me if I had anything to say on my case, I could proceed and say it. Upon that I proceeded to state my case and set forth the facts, and immediately afterwards—I think it was about 1 o'clock in the afternoon; we did not adjourn for dinner—about 1 o'clock in the afternoon, possibly a few minutes after 1, they took a vote on my application. The vote was in my favor. The council then adjourned until some time later in the afternoon. After I had gotten my dinner I returned to my duties at the office, and while I was there word was sent to me that I had been elected secretary of the council that afternoon, and I was requested to come over, and I went over and acted as secretary.

The CHAIRMAN. When was it that you made this speech of which complaint was made?

Mr. TOURTILLOTTE. Then Mr. Downs asked me to make any remarks, if I had any to make.

The CHAIRMAN. That was in connection with the matter of your right to enrollment?

Mr. TOURTILLOTTE. Yes, sir. I did not arraign the business committee. I had nothing against the business committee, as Mr. La Belle says, but I did make statements derogatory of Mr. Oshkannanieu's character.

The CHAIRMAN. What you said was taken down, was it?

Mr. TOURTILLOTTE. I believe it was, or part of it. I do not believe they got all of that speech.

Mr. OSHKANNANIEU. At the time the vote was taken on Tourtillotte's application for enrollment, Major Downs was not there. He favored his application; Downs favored his enrollment. I have witnesses here in this room who will testify to the fact—and the vote is on record and will show this—that those who voted for him were 55 and those who voted against him were 52, and Downs was chairman there and did not permit the vote. There are nine witnesses, five members of the tribe, who are in this room, who voted against Tourtillotte. If those five had been allowed to vote as they wanted to against Tourtillotte the vote would have been five more than the record shows—it would have been 57 against Tourtillotte, while those who voted for him were 55. So his application would have been voted down if things had been done right.

Senator LA FOLLETTE. Were you present, Mr. Oshkannanieu?

Mr. OSHKANNANIEU. I was present in this room that day. What did Major Downs have to do with interfering with those five Indians voting who had a right to vote?

Mr. TOURTILLOTTE. I have witnesses to the fact that I was holding the book there, and I did not happen to look in that direction. Downs sat right there.

Senator LA FOLLETTE. Are the five men present who were excluded from the right to vote?

Mr. OSHKANNANIEU. I will ask the men who know. They are right here.

Mr. TOURTILLOTTE. I will say in that connection that there were three tellers appointed to do the voting. Downs did not see that.

STATEMENT OF SAMUEL BEAUPREY.

SAMUEL BEAUPREY, having been first duly sworn, testified as follows:

The CHAIRMAN. You live at Keshena, do you not?

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. How long have you lived here?

SAMUEL BEAUPREY. About twenty-eight years.

The CHAIRMAN. Are you a member of the Menominee Band of Indians?

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. What degree of blood are you?

SAMUEL BEAUPREY. I am French.

The CHAIRMAN. I know; but how much Indian are you?

SAMUEL BEAUPREY. About quarter.

The CHAIRMAN. Do you remember a council proceeding here where they voted on Mr. Tourtillotte's application?

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. Did you vote on it?

SAMUEL BEAUPREY. They would not let us vote.

The CHAIRMAN. Why?

SAMUEL BEAUPREY. Because we were standing there at the door; the council house was full and they had been voting right from the window; they raised their hands, but they would not let us vote

there. They had been voting there, raising their hands. Mr. Downs said, "Those who want to vote will come in." Some who voted raised their hands. So I came in, and just as we were about to raise our hands again they would not let us vote.

The CHAIRMAN. What did Downs do?

SAMUEL BEAUPREY. He said, "Those who just came in can not vote."

The CHAIRMAN. Why; did he give any explanation?

SAMUEL BEAUPREY. I do not know why.

The CHAIRMAN. Had they commenced counting the votes, do you know?

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. Before you came in?

SAMUEL BEAUPREY. I had just stepped in when they raised up their hands.

The CHAIRMAN. Do you know what a teller is?

SAMUEL BEAUPREY. No, sir; I do not.

The CHAIRMAN. He is the man who counts the votes at a meeting.

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. Do you know who the tellers were?

SAMUEL BEAUPREY. Pete Askin, I think, was one.

The CHAIRMAN. How many were there with you who came in that way?

SAMUEL BEAUPREY. I was the only one; I was the head one standing at the door, and I started to come in and the others followed; that is, four.

The CHAIRMAN. Did they get clear in the hall?

SAMUEL BEAUPREY. No, sir; after Mr. Downs said he would not let us vote, they would not come in.

The CHAIRMAN. Had they commenced counting the votes when you came in?

SAMUEL BEAUPREY. Yes, sir; I just came in and had started to raise my hand.

The CHAIRMAN. Did the others have their hands raised up when you came in?

SAMUEL BEAUPREY. Yes, sir.

The CHAIRMAN. They had not dropped them down, had they?

SAMUEL BEAUPREY. No, sir.

Mr. TOURTILLOTTE. May I ask a question?

The CHAIRMAN. Yes.

Mr. TOURTILLOTTE. Is it not a fact that when you came in the door to vote they had already declared the result of the ballot?

SAMUEL BEAUPREY. They were raising up their hands, and I started to come in and vote.

Mr. TOURTILLOTTE. Just answer my question yes or no. Had they not already declared the result of the ballot when you came in to vote?

SAMUEL BEAUPREY. I do not understand what you mean.

Mr. TOURTILLOTTE. Had they not already counted the votes—how many had voted—when you came in the door?

The last question was interpreted to Samuel Beauprey in the Indian tongue.

Mr. TOURTILLOTTE. He has not answered yes or no.

The CHAIRMAN (to Mr. Tourtillotte). Just ask him this: Whether they had stated how many had voted—whether Downs or anybody else had said how many had voted before he offered to vote.

The above having been interpreted in the Indian tongue——

SAMUEL BEAUPREY. There was a dispute. They voted for Jim twice, and they made some kind of a mistake so they were voting again. They had not got through yet when I was to vote at that time.

The CHAIRMAN (to Mr. LA BELLE). What do you know about it?

Mr. LA BELLE. I do not know anything about it. I sat right by the window there and the crowd was so big here that I could not see really what was going on, but those who were in front saw. There were a lot of them standing up.

The CHAIRMAN. Was Mr. La Mott here?

Mr. TOM LA MOTT. Yes, sir; I was here.

The CHAIRMAN. Do you know anything about that?

Mr. TOM LA MOTT. No, sir; I did not until after I heard them speak about it.

The CHAIRMAN. That was afterwards?

Mr. TOM LA MOTT. Yes, sir; afterwards.

Mr. TOURTILLOTTE. I would like to ask Mr. Oshkosh if he knows anything about it.

The CHAIRMAN. Mr. Oshkosh, were you here?

Mr. REGINALD OSHKOSH. Yes, sir.

The CHAIRMAN. What do you know about it?

Mr. REGINALD OSHKOSH. As I recollect it, just before the vote was taken Colonel Downs said to the Indians, "All those who want to vote may come inside the council. Those who vote through the window will not be recognized; those who vote from outdoors will not be recognized," and the vote was put up to the Indians, as to those who were in favor of Mr. Tourtillotte, and the votes had been taken, and then the second vote was put up to the Indians—those who were against him—and when this was put to the tribe this gentleman walked in, and others, and Mr. Downs said he could not accept only those who were voting in favor. Those who were in the council could vote against also, and that was the way they were barred from voting.

The CHAIRMAN. A few minutes ago you wanted to make a statement. What was it?

Mr. REGINALD OSHKOSH. It was about the committee. Two-thirds of the Indians are Catholic and about one-third are what we call pagans, and when this committee was existing the pagans had an idea they were being deprived of having a vote on tribal matters for the reason that they had no representative on that committee; that is, no pagan on that committee; and in that council they thought the committee elected themselves. It was in June every two years that we had to elect a new committee, and when this new committee was elected, there was a small number of Indians who were present to elect this new committee, and the Indians were dissatisfied. The talk was that the committee appointed those, and the pagans were dissatisfied with it. So when the question came up suggestions were made by those pagans to reduce the committee from seventeen to seven or to nine; and some suggested that it should be nine, and some suggested that it

should be seven, and the pagans suggested that there should be no committee at all, and finally in that council (Colonel Downs presided in the forenoon), and in the afternoon the Menominee Indians themselves had a council, excusing Colonel Downs, and the pagans suggested that Mr. Freeman preside in the council, and appointed Mr. Tourtillotte as secretary. Then this matter came up whether the Menominee Indians wanted to have the committee or discontinue it. The pagans suggested that we have no committee, because it consisted of men that they could not trust any more; if they could, they did not have any objection to having the committee, but it was the people who were on the committee that they could not trust, and for that reason they suggested that they discontinue the committee, and it was put to a vote and the motion was carried unanimously.

Mr. OSHKANNANIEU. I would like to answer that.

The CHAIRMAN. I do not think you have suggested anything here that Congress should investigate. It is simply a quarrel between yourselves. The tribe could create a committee to-morrow if they wanted to. It is a matter that this committee has nothing to do with, and so far as you have referred to Mr. Freeman, in the first place he is out of the service now anyway, and the Government could not do anything to him even if he had overstepped the bounds, and unless the other members of the committee feel that we ought to go further in the subject, we will suspend it. It is a matter that the tribe has to deal with exclusively.

Senator LA FOLLETTE. This committee can vindicate itself very easily by being reelected by the tribe.

Mr. TOURTILLOTTE. I would like to put on a man to testify as to the veracity of this man who just testified.

The CHAIRMAN. I do not think that we care to go into that.

Mr. C. L. DILLETT. If the committee please, there is another man here who has a claim against the tribe, and who would like to have the attention of the committee for about five minutes. I refer to the case of Moses Ladd.

The CHAIRMAN. Has the tribe ever acted on the claim?

Mr. C. L. DILLETT. They gave him a note?

The CHAIRMAN. Who gave him a note?

Mr. C. L. DILLETT. It is signed by Neopit, the chief of the tribe. He was sent as a delegate to Washington, and they paid his expenses down there and back and he has never been reimbursed.

The CHAIRMAN. About how long ago is that?

Mr. C. L. DILLETT. I think it was over twenty years ago.

The CHAIRMAN. There is no need of bringing it up. These people would not accept anything of the kind.

Mr. C. L. DILLETT. It will do no harm to present it.

The CHAIRMAN. He may state his claim, and if the tribe say they want it paid, Congress will be very apt to put an amendment in the bill authorizing its payment.

Mr. C. L. DILLETT. I thought it would be well for you gentlemen to familiarize yourselves with the facts and the justice of the claim.

Senator LA FOLLETTE. Do you expect to have a bill introduced on the subject?

Mr. C. L. DILLETT. That is my idea. The obligation is represented by a promissory note, signed by the head man of the tribe.

STATEMENT OF MOSES LADD.

MOSES LADD, having been first duly sworn, testified as follows:

The CHAIRMAN. You have a claim against these Indians, have you?

MOSES LADD. Yes, sir.

The CHAIRMAN. For how much is your claim?

MOSES LADD. I think it is about pretty near $500.

The CHAIRMAN. What is it for?

MOSES LADD. For services as a delegate.

The CHAIRMAN. For going to Washington, D. C.?

MOSES LADD. Yes, sir.

The CHAIRMAN. When did you go there?

MOSES LADD. In 1876.

The CHAIRMAN. Who sent you there?

MOSES LADD. The Cairo family of Keshena. The name is in the paper.

The CHAIRMAN. What did you go there for?

MOSES LADD. To have them made citizens; to divide the property among the tribe. He was a chief at the time. Bridgeman was agent. They did not agree at all and I tried to get it divided up, so that the Keshena family could live. I have some bills in there, but I have not got the money in yet.

The CHAIRMAN. Do you know whether the council ever approved this?

MOSES LADD. No, sir; it never was in the council at all; it was at South Branch O'Connor.

The CHAIRMAN. Was it the whole tribe or part of the tribe?

MOSES LADD. A part of the tribe.

Senator LA FOLLETTE. What part of the tribe—just one family?

MOSES LADD. No; there were 80 families.

Senator LA FOLLETTE. They were under this chief, were they not?

MOSES LADD. No, sir; not this chief.

Senator LA FOLLETTE. What chief?

MOSES LADD. Coro Keshena.

Senator LA FOLLETTE. Where did they live?

MOSES LADD. They are all dead.

Senator LA FOLLETTE. Where did they live then?

MOSES LADD. They used to live in South Branch O'Connor.

Senator LA FOLLETTE. They wanted to get away from the tribe, did they?

MOSES LADD. Yes, sir; and divide it out and live there.

Senator LA FOLLETTE. This man was not sent there to represent the tribe, but was sent there to represent individuals, and he must look to those individuals for his pay.

Mr. REGINALD OSHKOSH. Some of these gentlemen would like to inquire into the matter of the contracting parties. This man [indicating] wants to inquire into the contracting parties between the Menominee Indians and the Government when the blown-down timber was being cut. Some money has been retained by the Government from the contractors, and I think that is what he wants to ask about or inquire into.

The CHAIRMAN. Ask him if he is going to Neopit to-morrow.

REGINALD OSHKOSH (after interpreting the above). Yes, sir; he is going over there. He wants to know if he can say a little now.

The CHAIRMAN. He had better wait, as a part of the matter will be considered to-morrow at Neopit. However, let him be sworn.

STATEMENT OF ANTOINE STICK.

ANTOINE STICK, having been first duly sworn, testified as follows:

The CHAIRMAN. What is it that you desire to say?

ANTOINE STICK. I want to know what your object is in coming here—your committee?

The CHAIRMAN. Our object in coming here is to look over this situation and see what these people are doing, and to hear any complaints that the Indians have to make.

ANTOINE STICK. That is what I want to know.

The CHAIRMAN. Right at this juncture, I will state this: We are a part of the Committee on Indian Affairs of the United States Senate. We simply report to our full committee, and then the committee will report to Congress. We can not decide anything here to-day, or anywhere else, on this trip. The Indians send delegates sometimes to Washington, but we came here so that all the Indians can come before us and make their complaints to us, and we will have them put down in writing.

ANTOINE STICK (through Interpreter Oshkosh). I was pleased when I knew that Senator La Follette was going to be here. I was just about to write him a letter. Now I will give up that idea of writing a letter. I am looking after the interests of the tribe; I am looking for the interests of the future generations. We are treated like slaves, or worse than slaves. That is what I was about to write to Senator La Follette.

The CHAIRMAN. Do you complain of the treatment you get here, or in regard to the treatment of the lumbering and logging?

Senator LA FOLLETTE. Here, or at Neopit?

ANTOINE STICK (through Interpreter Oshkosh). Here and there. Where is the headquarters, here or at Neopit?

The CHAIRMAN. If there is anything that you desire to say regarding your treatment by the men who are here, we will hear that to-night. Anything that you desire to say in the nature of a complaint of the men at Neopit we will hear to-morrow, when you will be over there.

ANTOINE STICK (through Interpreter Oshkosh). I will tell a little of it. You are wise men and you will understand. The Menominee Indians at one time owned a large territory. Now, to-day, it is just a small narrow tract of land. The white people are aching for that tract of land. It is according to the treaty. It was me that suggested the policy of the business committee. I told Mr. Freeman that I could not rely upon these young Indians, these young students, to represent the tribe at Washington. It was in the general council when Freeman first came and assumed charge of the agency. It was all done away with at that time, but later on it was renewed, and why I say we could not rely upon these young men, they are always representing the Menominee tribe, but they do not accomplish anything by going to Washington. They are sinking the Menominee Indians—pulling them down. The committee was no help to the tribe, and it was I who suggested the abolishing of the

committee, and I have it here. If you want to see I will let you see it if you doubt my word.

The CHAIRMAN. No; we do not doubt you.

ANTOINE STICK (through Interpreter Oshkosh). The authorities at Neopit are doing everything to deprive the Indians of anything, even stove wood. We do not know how we are going to be treated in the future. They have exhausted our funds. We will never see a cent if that manager is continued any length of time.

The CHAIRMAN (to Interpreter Oshkosh). Just a minute, I wish you would explain to him that we think that when a man says anything against a man, the man ought to be present. That is why we desire you to go to Neopit to-morrow in order to say these things where the man can answer them if there is anything to answer.

REGINALD OSHKOSH (the interpreter). He can speak English, and I wish he would speak for himself.

ANTOINE STICK. Tom La Belle worked seven years to establish the business committee of the Menominee tribe. Now, how many years is it going to take to rectify what wrongs have been done by the business committee? At the time the Councilman Valentine was here they were paid two days to come down and attend to the council. Now, the object in doing this is to get all the Indians of the council—if there is any money the employees or laborers, if there is any one there that had any charges to make against foresters, or anything else. I want to know, in your opinion, do the Menominees own this reservation or not?

The CHAIRMAN. Do you want the opinion now?

ANTOINE STICK. Yes, sir; I want to know. Do the Menominees own all this territory within their boundary?

The CHAIRMAN. As I understand it, they do, of course.

ANTOINE STICK. School section and swamp lands?

The CHAIRMAN. I did not know that you were talking about that.

ANTOINE STICK. What I want to know is, Does any portion of this country belong to the white people?

The CHAIRMAN. Do you mean inside of the reservation?

ANTOINE STICK. Yes, sir.

The CHAIRMAN. When you first asked the question I thought you had reference to the title of the Menominees to their reservation generally, which is conceded to be a good title. In regard to the swamp land and the school district, there is a question between the United States and the State of Wisconsin. The State of Wisconsin claims the swamp lands and claims the school lands. The United States claims it. Of course, if the United States gets it then you people get it; we are claiming it for you. Now, that matter has got to go to the court, and I can not tell you anything else. The question is, Will the State get the swamp lands and the school land, or the United States Government?

ANTOINE STICK. I want to know if you were over in Madison, at the land office?

The CHAIRMAN. Not for a great many years. This is a matter that is to be settled by the United States Supreme Court, as between the State of Wisconsin and the United States.

ANTOINE STICK. Would it be agreeable to you if I should make you a visit at Washington, D. C.?

Senator LA FOLLETTE. We will be very glad to see you. We would like to see all of the members of the tribe down there.

ANTOINE STICK. That is what I told them a couple of weeks ago. We might as well all go to Washington as for the committee to come here, and whatever we know we can tell them right there face to face.

The CHAIRMAN. It would make a great difference whether all of you came.

ANTOINE STICK. How long are you going to be here?

The CHAIRMAN. We go from here to Shawano to-night, and will be in Shawano to-morrow morning and leave there for Neopit. We will be there a day or two.

ANTOINE STICK. I have something to say to you, but you told me to go over there.

The CHAIRMAN. Yes, if it is about the business that they are doing, we will see you there to-morrow.

ANTOINE STICK. Very well. I will be there.

JOHN KESHENA (through Interpreter Tourtillotte). I thank you for what I have heard you say to-day. It pleases me. You appear to be here for the benefit of the Indians, and to-morrow you may hear me say something. That is why I say thank you. That is all I have to say.

Mr. OSHKANNANIEU. I would like to ask a question for the information of the tribe. Mr. Stick stated that the business committee sunk the tribe. I would like to have him explain what he meant by that.

Senator LA FOLLETTE. I want to suggest to you, Mr. Oshkannanieu, that this committee can not put the business committee on trial here, nor can we put the tribe on trial. As between the business committee and the tribe, we can not interfere at all. The most we can do for you is, if you have any complaints to make against government officials as to the management of your property, or your funds, or anything of that kind, we are here to hear those complaints and to consider them with reference to legislation, but you can understand that as you have set up a sort of government of your own, the affairs of that government are matters for the tribe in which no outside person, be he Senator or Member of Congress or citizen, has any right to interfere, and while we can see that you have these unpleasant things occur, and criticisms arise as to the discharge of the duties of your officials in your government, we have that same thing ourselves. Public officials are criticised a great deal, and some are removed and retired from time to time. Those are things that must come to all people and to all governments, but they are matters for you to settle yourselves and in your own community, and while we were glad to listen to anything that you had to say, where it related to any matter over which Congress would have any authority, we feel that we must draw the line somewhere and conclude our work.

ADDITIONAL STATEMENT OF TOM LA BELLE.

TOM LA BELLE, having been recalled, testified as follows:

TOM LA BELLE. This man has tried to say something and has not brought anything to a point yet. The feelings of the tribe have put an indictment against this committee. Now they are trying to bring

this up for you to look into the rights of that idea. To tell the people here, and satisfy them in their mind, is to wrong this committee that was made by the whole tribe and sanction by the tribe and sanctioned by the agent. That committee had that constitution, and there was made of that constitution laws as the constitution provides.

Then these other charges are being made. They have been making them right along, and we have not got down to the merits of that idea. Now we mean to bring these men up here and prove to the tribe that wrong has been done by this committee. They claim that all this sinking of this money is caused by this Indian committee. We want to get right down to the merits of it and show the people that we are not elected to sink any money; we are elected here to help uphold our title rights in this reservation.

Now, this committee can not tell anything about it. You did not come here to decide their difficulties. But they say, as I understand the papers—if I understand well—"Your grievances you must tell to this committee and they will settle them." Now, you gentlemen have got to look into this matter and find if we are in the wrong of it.

The CHAIRMAN. That is just what we want. That is what we are going to Neopit to-morrow for. If the Government, or the men who work for the Government, are wronging you people, we want to know it, but we can not try out the question of whether the council or the Chippewa Indians are satisfied with that committee, or whether they had misjudged that committee. That is a matter that your people must settle. But anything—if its takes us a month—that you have got here to show that this Government is wronging you, or that those men who are working for the Government are wronging you, we will sit here and listen to it.

TOM LA BELLE. It is the merits of the case that I am after.

Senator LA FOLLETTE. Mr. La Belle, let me say this one thing with respect to this committee that perhaps I ought to say. I have nothing to say with respect to the service of this committee here, but I will say—and I think it is due to all that I should say it—that as one of the representatives of this State at Washington looking, among other things, after matters in which you are interested, in my intercourse with Oshkannanieu when he has been at Washington, it has seemed to me that he was there earnestly and faithfully looking after the interests of the Indian. I have never had any conversation with him in which he did not seem to me to be honestly trying to do good to the people back here. I think it but fair to say that. I know nothing about what this business committee has done here on your reservation.

Mr. LA BELLE. The charge is that the Government has operated on the reservation, or through its influence, and the blame has all been placed on the Indian committee by the tribe. That is the point I want to get at.

Now I would like to say that it is not the committee that is wrong; it is the Indian Department. Congress has passed this law without our consent or anybody else's consent, and it is blamed on the innocent poor people who are trying to do what is right by the people. That is what I say is unjust; and I hope you men will look and see, and tell the people right out plain that the committee is not at fault. If that man is doing crooked and throwing away money they are

not to blame. It is the government officials who are to be blamed—those that we ask to be economical and try to save our money and accumulate more money for the welfare of the tribe. I am sorry to say that I blush on that account. My flesh is this man's flesh, and I would like to use that flesh as good as my own blood, and I see that they are ruining these people, and it is my duty to explain to you thoroughly so that they will not blame it on one another. We say that the officials should protect us and see that we are not being ruined, and we ask the same thing again.

I may not give the expression so that you will understand, but there is a charge of the people here against the committee of which the committee is innocent.

The CHAIRMAN. All I can say is that as far as the law is concerned and the management of this business is concerned, I can not see that the committee is to blame at all. Congress has adopted a certain policy here. Now we have put certain men in charge of this work, and we have come here to see how they are doing that work. Your business committee did not put them here. The business committee is not to blame for their being here. They are not to blame for what they are doing. If there is anybody to blame it is the United States Government.

Now, if that is what you want, I have no hesitation in saying it to you.

Mr. LA BELLE. That is the proper language; that is right.

Senator LA FOLLETTE. I would like to ask one question. Has there been any rule or regulation made by the department prohibiting the Menominees from having a business committee, or electing a business committee?

Mr. OSHKANNANIEU. We have not received any notice of it since the tribe suspended the committee.

Senator LA FOLLETTE. Did you have to get permission of the department to elect this committee originally?

Mr. OSHKANNANIEU. No, sir.

Senator LA FOLLETTE. Mr. Tourtillotte, do you know whether the Government or any official of the Government here has interfered in any way with the reappointment of a committee or the reelection of a committee.

Mr. TOURTILLOTTE. No, sir.

Senator LA FOLLETTE. So that in conducting your local government here you want a business committee, and you know of no reason why you may not elect one?

Mr. TOURTILLOTTE. No, sir; if the Indians desire to elect one, I do not see that there is any objection. I do not see that there would be any objection if a majority of the tribe desires it.

Senator LA FOLLETTE. That is one of the first steps of representative government. When you get too many people—so many people that you can not all get together and do everything that you need to have done for yourself—then you elect or choose somebody to act for you when you can not all come together. They become your representatives, and so long as they represent you faithfully you can retain them, and when they cease to represent you faithfully you can change them, or abolish them, or do anything else. It is a matter for yourselves.

Mr. LA BELLE. The idea that we had when we formed a government by this committee, we went to Washington and tried to do the best we could for the interest of the tribe, and we did the best that it was in our power to do, and when they recognized our doings in the Indian Department, and Congress did by the approval of this law, we thought we were recognized, and think we are recognized now, and we can do a pile of things and look after our business, because we did not have to call up this council all the time. We can do it together nicely. That is why we thought we were recognized. That is all I have to say.

The CHAIRMAN. But you have your troubles?

Mr. LA BELLE. Yes, sir.

(The committee thereupon took a recess, to meet at Shawano, Wis., at 8 o'clock p. m.)

AFTER RECESS.

STOCKBRIDGE INDIANS.

The subcommittee reassembled at 8 o'clock.

Present: Senators Clapp (chairman), La Follette, Brown, and Page.

The CHAIRMAN. The subcommittee will now hear Mr. Andrew S. Larson.

STATEMENT OF A. S. LARSON, ESQ., ATTORNEY, ON BEHALF OF THE STOCKBRIDGE INDIANS.

The CHAIRMAN. Mr. Larson, who do you appear for?

Mr. LARSON. I appear for the Stockbridge Indians, and also for a number of other grantees.

The CHAIRMAN. Is there any appearance of the Menominees?

Mr. LARSON. The Menominees are not interested in this matter at all.

The CHAIRMAN. This is between the Stockbridges and the Government?

Mr. LARSON. Yes, sir. The Stockbridges have quite a number of claims against the Government which was supposed to be have been settled by an act introduced in Congress known as the "Bede bill." Congress, however, on account of carrying an appropriation of $35,000, declined to pass the bill. The Indians have agreed to accept that amount in full payment of their claim against the Government, which had been recommended by Mr. Bede as a very modest sum for the payment of the legitimate claims which they had. The business committee is here to-night and the sheriff has gone down to notify all of them to be present. The claims of the Indians amount to this, that they want the patents issued.

They claim that they are the absolute owners of the present reservation, the land having been allotted to them, they having occupied their allotment during the time required by the treaty to entitle them to an absolute patent; that they are the owners in absolute fee simple, and Congress is doing them an injustice in withholding the patents from them.

Time can be saved by adverting briefly to the history of the tribe—I shall be as brief as possible—and of the nature of their claims,

and of their title. Their title has been passed upon by Judge William H. Seaman—one of the ablest United States judges I believe that the State has ever had. The United States Supreme Court—the case carried their on appeal—commended Judge Seaman on his very full and able opinion in that case. Our own court has also passed upon that title on a state of facts similar to those which now arise. The Stockbridge Indians came here from the State of New York. They are part of what are known as the "Six Civilized Tribes" of New York Indians. They contributed largely to the purchase of the lands in Wisconsin, which the United States, with the consent of the President, purchased from the State, and they were being dissatisfied with their reservation because they did not have sufficient hunting grounds.

These Indians have purchased from the Winona and Winnebago Indians something like a million acres of land.

The CHAIRMAN. I do not want to interrupt your argument, but as I understand this matter, there is no question but that these Indians own the land. The only question is whether there has been such a segregation in the allotment proceedings as would entitle them to a patent, and whether that segregation has been made under circumstances which would warrant the Government in placing a restriction on the patent. Are those not the two questions?

Mr. LARSON. There are other questions that are necessarily involved in the case; those are two of the vital questions in the case, but there are others that are so closely connected with the history of the Indians, which can be briefly stated in order that a proper understanding may exist, and this can not be done without briefly adverting to the history of the tribe.

I will go back to the time when the Stockbridge Indians came to Wisconsin. They were sent on to the State of Wisconsin as an advance guard to take possession of this land which the United States Government purchased from the Winona and Winnebago Indians. They roamed over the entire tract, consisting of 2,000,000 acres and soon found themselves in difficulty with the Winona and Winnebago Indians, and the matter was called to the attention of Congress and the President of the United States, and a treaty was entered into with the Winona and Winnebago Indians, and as a result the Indians were finally arbitrarily cut down to 500,000 acres of land. In a proviso to that treaty two townships of land were set aside for the exclusive use of the Stockbridge and the Munsey Indians so that they might be settled on a definite tract by that purchase. They occupied that land until 1839, when a portion of the Indians desired to leave the reservation. When a portion of the tribe wished to leave the reservation they induced the Government to purchase back one of those two townships of land from them, paying them at the rate of $1 an acre, and the proceeds from the sale of this township was divided between the Indians, those departing from the tribe having citizenship conferred upon them, and those remaining in the tribe had the best of the proportion that was left remaining with the tribe.

In 1848 a large number of the Indians, desiring to become citizens, secured the passage of an act of Congress which conferred citizenship upon all the Indians, treating all of them alike and providing the allotment of their lands and for the issuance of patents upon their

several allotments; and the Indians, relying upon the act of 1843 and upon the promise of Congress therein contained that patents would issue to them, sold their selections, or many of them did. There were several factions in the tribe of Indians, and both factions sold their allotment, white men buying them, and having received the proceeds from the sale of their land, and having spent them, they petitioned after to Congress, at least a large part of them petitioned Congress, to repeal the act of 1843, and an act, known as the act of 1846, was enacted by Congress which repealed the act of 1843 in toto. The act of 1846, recognizing a delicate state of affairs had arisen by reason of the act of 1843 having conferred citizenship upon them and the act of 1846, attempting to divest that citizenship, provided that all of the Indians who desired to remain citizens of the United States might enroll their names with the Indian agent, and that those who so enrolled their names should receive the patents provided for in the act of 1843 and should remain citizens of the United States. But it also provided that those Indians who so enrolled their names should forfeit all claims to annuities of the tribe and to participation in the proceeds of any fund that might be paid to the tribe on account of old claims, etc. The Indians insisted that the act of 1843 having conferred citizenship upon them, the act of 1846 was invalid in so far as it attempted to divest that citizenship, and said that Congress could not by the act of 1846 compel them to pay a price, namely, to forfeit their tribal rights in order to retain citizenship, which the act of 1843 had conferred upon them. They consequently refused to enroll themselves with the agent, and many of them, moreover, had sold their land, and they did not care much whether the patents would issue to them or not, as those patents would inure to the grantees in the different warranty deeds. That was the state of affairs that existed in 1846. After the act of 1843 had been enacted litigation arose, and the matter was finally carried to the Supreme Court as to the nature of the Indians' title and their right to convey the land, and our Supreme Court held—and I am calling attention to the facts, because if the legislation that is now recommended by the Indian Office is enacted into law, we will have a condition that will be parallel to the condition that existed after the act of 1846, repealing the act of 1843. The Supreme Court, upon the question of the title being presented to it, held, in the case of Quinney *v.* Denny (18 Wis., p. 485), as follows:

> A member of the tribe of Stockbridge Indians to whom land was allotted under the act of Congress March 3, 1843 (U. S. Stats. L., 645), took by said allotment an equitable title to the land, which he could convey by deed, and the patent subsequently issued would inure to the benefit of his grantee.

After the act of 1846 had been passed repealing the act of 1843, question was again presented to our Supreme Court.

The CHAIRMAN. What page is that?

Mr. LARSON. It is page 486. And the effect of the act of 1846 upon these titles was raised, and the supreme court of Wisconsin held in that case that:

> By the act of Congress of August 3, 1843, allotting certain lands to the Stockbridge Indians, since the report of the commissioners therein provided for, showing the allotment, had been transmitted to the President of the United States, and before the issue of any patent, the title to the several lots became vested in the allottees, respectively, as grantees under the act in fee simple; and the act of August 6, 1846, repealing the act of 1843 could not divest the title

thus acquired; even if it did, such title was restored and confirmed by the subsequent treaties with said Indians (in 1848 and 1856) to all the allottees who had accepted the lands allotted to them and their assigns.

That decision will be found in 19 Wisconsin, page 159.

The CHAIRMAN. Neither of those were treaties.

Mr. LARSON. Neither of those were treaties. They were acts of Congress.

The CHAIRMAN. This act of 1856 was a treaty.

Mr. LARSON. The act of 1856 was a treaty. Judge Seaman defines the right of the Indian under the act of 1856, and we have the act of 1896 providing for the issuance of patents just as the act of 1843 provided, and it is now attempted by additional legislation to in a measure abrogate the rights of the Indians acquired under the act of Congress of 1896.

The CHAIRMAN. Have you that act here?

Mr. LARSON. Yes, sir; I have that act here.

The CHAIRMAN. This treaty expressly reserves——

Mr. LARSON. Have you read the decision of Judge Seaman?

The CHAIRMAN. I have read quotations from the treaty.

Mr. LARSON. There is the act of Congress to which I refer [indicating]. After the act of 1843 had been passed the State of Wisconsin began taxing those lands and claiming that the citizenship had been conferred upon the Indians and that by the act of 1843 the title was vested absolutely in the Indians, and only land of Indians not citizens of the United States being exempt from taxation, claimed that the land was taxable, and many of the lands were sold for nonpayment of taxes. That is another question that arises now that makes the present status parallel with the conditions that existed in 1843, after the passage of that act.

In the report of the Hon. John Wilson, Commissioner of the General Land Office, on July 14, 1855, referring to the condition of the Indians and their affairs at that time, he said:

The Indians in most cases have really no homes, are broken-spirited, and have fallen into habits of idleness, having no land to cultivate and really nothing to do. The township is governed by supervisors, a justice of the peace, and other township officers, while the Indian organization has its sessions and councillors, and the Indians say, whenever it is to their interest, that the courts and other authorities of the State have no jurisdiction over them. Tax titles have accrued on many lands, even those held by the Government for taxes levied under the authority of the territory, and the confused state of affairs existing is probably without a parallel anywhere.

That is the report of the conditions brought about by the enactment of the act of 1843 and the act of 1846 attempting to repeal the act of 1843. The Indians have ever since that time and now insist that they are citizens of the United States and the act of 1846 could not divest them of that right.

There is no question about their being citizens of the United States because another act of Congress—I think the act of 1887—provides that whenever allotments are made to any Indians under any treaty hereafter enacted, or that may heretofore have been enacted, they became citizens of the United States and the Supreme Court in the matter of Heff (197 U. S., I think) has held that under that act the moment the allotments are made, and the Indians under that act became entitled to allotments they became citizens of the United States, and the treaty of 1856, providing for the allotment of these

Indians authorized the tribe itself to make the allotments. The tribe has made allotments, and there can be no question about their citizenship. So there is no question about their being citizens.

Now that was the condition of affairs existing there after the act of 1846, and those were the decisions of the Supreme Court as to the state of their title.

The next step in the history of the affairs of this tribe is the treaty of 1848. The treaty of 1848 was entered into with the so-called "Indian" faction of the tribe to the exclusion of the so-called "citizen" faction of the tribe.

Mr. Chairman, and gentlemen, I will say that the business committee has just handed me a request, liberally signed by members of the tribe, asking me to represent them before this committee, as you will see.

As I was saying, the treaty of 1848 was entered into with the so-called "Indian" faction of the tribe to the exclusion of the so-called "citizen" faction of the tribe. No member of the so-called "citizen" faction was given any voice in the treaty of 1848. The treaty of 1848 attempted to exclude certain members from the tribe, and, without consulting the citizen members at all, provided that the citizen members should receive patents to their land and should have no further voice in the affairs of the tribe. They also prevailed on the United States to pay to them something like $25,000 in satisfaction of the claims which the whole tribe had. This was paid to the "Indian" party to the exclusion of the so-called "citizen" party. That did not better their condition any; it continued worse than it was before, as was stated by Mr. John Wilson in his report to the Land Office. In an attempt to remedy matters, and to furnish a home for all those Indians, the so-called "treaty of 1856" was entered into. This treaty provided for sufficient land being set aside for the Stockbridge Indians to provide 80 acres for every head of a family and 40 acres for every other member of the family, and enough land was to be set aside to furnish homes for the rising generation.

Senator PAGE. That was the treaty of 1856.

Mr. LARSON. Yes, sir. The treaty of 1856 also authorized the members of the tribe or the business committee of the tribe to make the allotments to the several members of the tribe, and provided for certificates of allotment to be issued for the different allotments made by the committee of the tribe to the members, and that certificate should contain a clause prohibiting the alienation for ten years, and after the Indians had occupied the land for ten years then an absolute patent should issue to the land, and the United States guarantied them their title and provided that the title should never revert to the United States, and in the case of the death of any member of the tribe without heirs, or without patent having been issued, the land should revert to the tribe, and not to the Government of the United States.

The CHAIRMAN. I would call your attention to a matter which seems to me, if I understand it correctly, to be decisive of this whole difficulty—at least as to that point.

The allottees may take immediate possession thereof, and the United States will thenceforth and until the issuance of patent hold the same in trust. If such present certificates are to be issued, securing to the holders their possession and an ultimate title to the land that such certificaes shall not be assign-

able and shall contain a clause expressly prohibiting the sale or transfer by the holders of such land. After ten years, upon application by the holder, and the consent of the council, and when it shall appear prudent, and for his or her welfare, the President of the United States may direct that such restriction upon the power of sale may be withdrawn and patent issue in the usual form.

Mr. LARSON. Yes, sir; that is all true, although Judge Seaman holds that while the Government has never issued the certificate of allotment provided for in the treaty that the Indians under the treaty have done everything that they can do, or that the treaty requires them to do to place them in a position to receive the certificates of allotment, and that equity will treat that as done which ought to be done, and that the court will consider the Indians in the same position as though the certificates of allotment had been formally issued and having held the land for ten years will consider them in a position where they are entitled to receive the absolute patent.

The CHAIRMAN. I do not find that here. If it is, it seems to me that it is decisive of the whole matter.

Mr. LARSON. There is no question about that. I will come to these different questions and will endeavor to relate them in their order, and I think we will get through better in that way, if it is agreeable to the committee to allow me to proceed in regular order.

The next step in the history of the tribe is the act of 1871. The act of 1871 provided for the sale of a township and one-half of the two townships of the reservation and provided for the making of a new enrollment to include only the members of the so-called "Indian" party. The new enrollment was made after 140 members of the citizen party were deposed, and a large part of the remaining recognized members of the tribe left the tribe and received their share of the township and one-half—or the proceeds of the sale of the township and a half here on the reservation. Mind you, the enrollment had first been purged of the names of all the so-called "citizen" party and had been reduced to a question of 140 members. Then the division of the tribal property was made on the basis of the reduced enrollment.

Judge Seaman, referring to the act of 1871 as affirming the title of the Indians to their lands, says:

In 1871 an act of Congress (16 Stat., 404) provided for the sale of the lands of this reservation, excepting 18 sections, which were reserved for the allottees, and the tracts involved in these suits are within the portion so reserved. This act expressly recognized the rights of allottees under the treaty, declared the "lands assigned and allotted to be held inalienable" and on "reversion to become the common property of the tribe," and that the title be held by the United States, until the patent issues, "in trust for the individuals and their heirs to whom the same were allotted."

He also refers to the prior act of 1865 and says:

I am of opinion, therefore, that the title derived under the treaty and confirmed by the act of Congress is sufficient to authorize the cutting of timber for sale, unless restricted by other provisions of law applicable thereto, and that these cases are not within the doctrine of United States v. Cook.

He says, referring to the treaty of 1856, that under the terms of this treaty the policy of earlier treaties to reserve to the Indians "to be held as other Indian lands are held"—a mere right of occupancy—was changed to intend an ultimate title in fee simple. Pending the patent, while the legal title is in the United States, the allottee was vested with the equitable title contemplated by the treaty

(Crews *v.* Burcham, 1 Black, 352, 356), unless modified by act of Congress or by concurrent action of the President and Senate, if therein subject to modification. The provision in restraint of alienation meantime "is not inconsistent with a fee simple estate." All this was rendered, of course, before this last act of Congress was passed, so that was the state of their title, even in the absence of this act of Congress providing for the issuance of the patents, which would bring the case within the decision of the supreme court of Wisconsin which I have read and makes their title stronger than it was at the time when the decision of Judge Seaman was rendered.

The act of 1871 provided for the sale of a township and a half of the reservation and the exclusion of about 141 members of the tribe. The Indians carried on the fight from that time—but I am getting a little ahead of the story.

After paying to the Indians who left the tribe their pro rate share of the proceeds from the sale of the land, there was left $75,000, which was placed in the Treasury of the United States to the credit of the tribe, and the interest on this money has been paid to the Indians in the form of annuities since that time. The Indians who were dispossessed under the act of 1871 insisted that they were wrongfully excluded under that act; that by the terms of the treaty of 1856 the land was set aside on basis of the enrollment, and that under that treaty sufficient land was set aside to provide 80 acres to the head of every family and 40 acres for others, the claim being that those Indians were not entitled to enrollment because they were descendants of those who had left the tribe in former years—in 1839 or former years—and had received their share of the property, which, however, was not substantiated.

By the act of 1893 these Indians were readmitted into the tribe and were given allotments by the business committee of the tribe and have since occupied those allotments.

Mr. Cyrus Beede was sent to the reservation, I think, in 1902 or 1903 for the purpose of effecting some settlement with these Indians.

Mr. Parsons, in his report to the Commissioner of Indian Affairs in 1887, says:

> The first thing that struck my attention was the fact that the Stockbridges, both old citizens and Indians, belong to the white rather than the red race, nearly all of them having three-fourths white blood in their veins. They speak the English language fluently and many of them read and write well. They can not be fairly classed as Indians. They are only playing Indians.

Mr. Bishop Freeman, United States Indian agent, said to the United States Senate Committee on Indian Affairs when appearing before them in 1904 (as reported in S. 335, p. 80):

> These people were equipped for citizenship thirty years ago and their lands should have been allotted and their tribal funds divided. They are no better equipped now than they were then, and if these conditions continue for twenty-five years—they are in the position where delay simply means demoralization, more degradation. Those people are going down hill, morally, at least.

In a letter of instructions from W. A. Jones to Special Indian Inspector Cyrus Beede, approved by E. A. Hitchcock under date of October 27, 1900, the Commissioner of Indian Affairs says:

> I am convinced that the sooner all the lands of the reservation are allotted and the trust funds of these Indians distributed to them the better it will be, both for the Indians and the Government. On account of their disposition to

disagree in all matters relating to their affairs, I am satisfied that as long as there is any common property belonging to the tribe there will be contentions and trouble. They are well advanced in civilization, and, in my opinion, competent to take care of themselves and manage their personal affairs.

The Indians themselves testify to their ability and competency to manage their own affairs and, in a petition addressed to the Indian Office, under date of November 22, 1899, they state:

We would most respectfully state that we are willing to accept most anything that will secure us in the right to the management of our own property and to be relieved from the protection and care of the Government of the United States, for we feel that we are competent and able to sustain ourselves in conducting our own affairs. We have been doing so for the last twenty-five years and more.

In the report of the United States Senate Committee on Indian Affairs, I think in 1906—I have it there among my pamphlets—the United States Senate Committee on Indian Affairs finds that the Indians are well advanced in civilization and well able to care for themselves and manage their own affairs. The act of 1871, after providing for the sale of a township and a half of the reservation and for the distribution of the proceeds among the members on the reduced roll, did not leave sufficient land for those who were readmitted under the act of 1893 to provide eighty acres of land to every head of family and forty acres of land to all others, as provided for in the treaty of 1856.

The citizens party, when Mr. Beede appeared on the reservation, insisted that Congress should make that good, that it was through no fault of theirs that they were excluded from the roll by the act of 1871 and that the treaty of 1856 provided for eighty acres to every head of family and forty acres for others and that Congress should therefore, at its own expense, provide for the necessary land to give them allotments. They also insisted that they had been deprived of annuities from 1871 to 1893, those annuities having been paid to the Indian party to the exclusion of the citizen party. They also complained that the $25,000 paid to the Indian party under the treaty of 1848, for claims of the whole tribe, to the exclusion of the citizen party, was wrongfully paid to that faction, and that part of the lands on the reservation had been claimed by the State. There is one man by the name of Gardiner now occupying a little home on a tract of swamp land claimed by the State; that is out of these two townships of land which the treaty guaranteed to them. That they asked in accordance with the original plan and in accordance with the treaty of 1856 Mr. Beede replied that Congress had appropriated $35,000 to secure this additional land for the Indians but Congressman Brown assured us that it was impossible to secure the enactment of any law for the patenting of these lands to the Indians that would carry with it an appropriation of $35,000 in 1906 because Speaker Cannon took the position he was going to economize and would not allow any appropriation to go through.

Members of the tribe, however, had been making improvements upon their lands in the meantime and built homes, and they had been more industrious than their neighbors, the Menominee Indians, in cultivating their lands, they were more intelligent, they were anxious to get title to it and they made up their minds that rather than delay the passage of the act providing for the issuance of patents to their lands they would prefer to get the patents to their lands and

fight out the question of their claim against the United States Government afterwards.

I am told a majority of the members of the tribe had, at the suggestion of Mr. Beede, signed an agreement relinquishing all claims of the tribe against the Government in consideration of the Government appropriating this $35,000 to provide for this additional land.

The act of 1906 was passed, which was embodied in the Indian appropriation bill, and that bill provides (I will just read the material parts of it bearing on this particular question) as follows:

Act of June 21, 1906.

That the members of the Stockbridge and Munsee tribe of Indians, as the same appear upon the official roll of said tribe, made in conformity with the provisions of the act of Congress approved March third, eighteen hundred and ninety-three, entitled "An act for the relief of the Stockbridge and Munsee tribe of Indians in the State of Wisconsin," and their descendants, who are living and in being on the first day of July, nineteen hundred and four, and who have not heretofore received patents for land in their own right, shall, under the direction of the Secretary of the Interior, be given allotments of land and patents therefor in fee simple, in quantities as follows:

To each head of a family, one-eighth of a section: *Provided*, That such allotment to the "head of a family" shall be deemed to be a provision for both husband and wife, or the survivor in the event of the death of either.

To each single person not provided for as above, one-sixteenth of a section.

That where a patent has heretofore been issued to the head of a family (a married man) the same shall be deemed to have been in satisfaction of the claims of both husband and wife, and no further allotment shall be made to either of such persons under this act: *Provided*, That the children of such parents shall be entitled to allotments hereunder in their own right, if enrolled as members of the tribe.

That as there is not sufficient land within the limits of the Stockbridge and Munsee Reservation to make the allotments in the quantities above specified, all available land in said reservation shall first be allotted to the heads of families and single persons residing thereon, until said reservation land shall be exhausted, the additional land that may be required to complete the allotments to be obtained in the manner hereinafter specified: *Provided*, That the Secretary of the Interior may make such rules and regulations as he may deem necessary to carry out the requirements of this act as to making and designating allotments.

That it shall be obligatory upon any member of said tribe who has made a selection of land within the reservation, whether filed with the tribal authorities or otherwise, to accept such selection as an allotment, except that the same shall be allotted in quantity not to exceed that hereinbefore authorized: *Provided*, That where such selection does not equal in quantity the allotment hereinbefore authorized, the allottee may elect to take out of the lands obtained under the provisions of this act the additional land needed to complete his or her quota of land, or in lieu thereof shall be entitled to receive the commuted value of said additional land in cash, at the rate of two dollars per acre, out of the moneys hereinafter appropriated.

That those members of said tribe who have not made selections within the reservation shall be entitled to the option of either taking an allotment under the provisions of this act, or of having the same commuted in cash, at the rate of two dollars per acre, out of the moneys hereinafter appropriated: *Provided*, That the election of any member to take cash in lieu of land shall be made within sixty days after the date of the approval of this act.

That for the purpose of obtaining the additional land necessary to complete the allotments herein provided for the Secretary of the Interior is hereby authorized and directed to negotiate, through an Indian inspector, with the Menominee tribe of Indians of Wisconsin for the cession and relinquishment to the United States of a portion of the surplus land of the Menominee Reservation in said State, or to negotiate with the authorities of said State, or with any corporation, firm, or individual, for the purchase of said additional land: *Provided, however*, That in no event shall any agreement of cession or con-

tract of purchase so negotiated stipulate that a sum greater than two dollars per acre shall be paid for the land so obtained: *And provided further*, That no such agreement or contract shall have any force or validity unless the same shall be approved by the Secretary of the Interior; or said Secretary may, in his discretion, utilize such unappropriated public lands of the United States as may be required to complete the allotments.

That certain members of the Stockbridge and Munsee tribe having made selections of land on tracts patented to the State of Wisconsin under the swamp-land acts, and having made valuable improvements thereon, the Secretary of the Interior is hereby authorized to cause said improvements to be appraised by an inspector or special agent or Indian agent of his department, and to pay to the owners, as their interest may appear, the appraised value of said improvements, in all not to exceed the sum of one thousand dollars, out of the moneys hereinafter appropriated.

That the sum necessary to carry out the provisions hereof the Secretary of the Treasury is directed to pay out of the Stockbridge consolidated fund in the Treasury of the United States, which fund on the thirty-first of October, nineteen hundred and four, amounted to seventy-five thousand nine hundred and eighty-eight dollars and sixty cents, under the direction and upon the warrant of the Secretary of the Interior.

Now we have the treaty of 1856 and the act of 1871 construed by Judge Seaman holding that that vested all of the equitable title in the Indians, that the Indians held the fee simple title to those lands and that the Government held simply the naked record title and that the Indians were entitled to the issuance of patents. We now have the act of Congress providing for the issuance of patents and making it obligatory upon the members of the tribe who occupy selections to accept those selections as their share of the land upon the reservation. Nothing remained to be done but to determine what land they were to receive. Those who had occupied selections were to accept those as their share of the tribal property, nothing remained as to that except the clerical act of issuing the patents in compliance with the act of Congress.

It hardly needs the citation of authorities (I understand there are several lawyers on this committee) in support of the proposition that the right to a patent existed without it being necessary to do anything further and that the effect of the act was to vest the title to the lands in the Indians themselves.

The CHAIRMAN. What has been done under this act of 1906?

Mr. LARSON. Mr. Wall was sent here as allotting officer and in compliance with the term of the act, and made allotments in compliance with the rules of the department. Mr. McLaughlin was sent down here first to consult with the Indians and find whether they were satisfied with this act, etc., and what arrangements could be made to provide for additional land. He satisfied those who would not receive any land on account of there not being enough to go around—he was a very accomplished gentleman, a very capable man, and handled the situation very well, although it was most difficult. He succeeded in fixing the different factions and having an understanding with them that they were to receive $2 an acre, to be paid out of their own funds, as the act provides, in lieu of land which was worth a good deal more than that.

The CHAIRMAN. Did they issue any patents under this act?

Mr. LARSON. None have been issued under that act.

The CHAIRMAN. Do you make any complaint that the provision of this act which requires them to take the land they settled on is unfair?

Mr. LARSON. No; it is fair. The object, in my mind, of requiring that was to require the Indians to accept the land that they had stripped the timber from. Some of the Indians had lived upon their land for quite a few years—fifteen, twenty, or twenty-five years—and there was some timber land left, and I think there was a fear on the part of Congress that those Indians would be willing to throw up their allotments and take others.

The CHAIRMAN. What proportion of the Indians had made selections prior to this act of 1906?

Mr. LARSON. I think the land was nearly all allotted. The secretary of the business committee says four-fifths of them had lived upon it, had their homes on it, and had improved the land.

The CHAIRMAN. This treaty of 1856 expressly reserved the restriction as to alienation, which Judge Seaman recognized. Judge Seaman simply holds that under that treaty they took such a title that they could not be prosecuted for cutting the timber upon the land. Now, the act of 1906 as to those who had not taken allotments provides for patents in fee. If that was a wise provision I do not see why there should not have been a sweeping provision making all allotments subject to the patents in fee.

Mr. LARSON. That is it exactly. What is recommended is that the Indian Office concede that these Indians are entitled to patents and, having made their homes upon the reservation, they are especially restricted, under their patents, against alienation. Many of these Indians and some of the grantees have taken the advice of counsel and have been informed that so far as those Indians are concerned who have occupied their selection for the last ten years and under the treaty became entitled to patents, this Act makes it obligatory upon them to accept the land as their share and that nothing further remains to be done except issue the patent, and therefore they have got a right to convey and have got a right to improve the land.

The CHAIRMAN. In the first place, Judge Seamon does not hold anything here that gives the right of alienation. He simply holds that under this treaty, notwithstanding the fact that the Government reserved this restriction, still such a title goes with the Indians who cut the timber off the land. Now, the Act of 1906 does not create any patents in fee; it simply provides that those who have not heretofore taken allotments shall take allotments and have patents in fee. Now there is nothing to distinguish in the capacity of these people to do business, between those who had formerly taken allotments and those who subsequently took them. That fact appearing and Congress having already declared a portion should have their patents in fee I can not see why there should not be a general bill to give patents in fee to all of them.

Mr. LARSON. The act makes it obligatory upon those who have occupied their selection to receive them.

The CHAIRMAN. That is not an allotment. They have simply got to keep that land.

Mr. LARSON. The allotments had long since been made and recognized.

The CHAIRMAN. Those allotments were with the restriction as to alienation.

Mr. LARSON. The act now provides for the issuance of patents to these allotments.

The CHAIRMAN. No; not heretofore taken.

Mr. LARSON. I think the effect of the act is to provide for the issuance of allotments to all.

The CHAIRMAN. If that is true there is nothing more that Congress can do in the premises.

Mr. LARSON. I think there is not anything here that Congress can do in the premises. I think under the decisions the Indians are vested with title. I think under the act of Congress, the Indians being citizens and under the act of 1871 being in possession, they were in identically the same position as any other citizen, and the title having been vested in the Indians I do not think it is now in the power of Congress to divest them of that title or to pass any law restricting the power of alienation.

The CHAIRMAN. You are absolutely right, but down to 1906 the restrictions had never been removed.

Mr. LARSON. That is true.

The CHAIRMAN. Now, then, the act of 1906 expressly provides for a patent in fee for those heretofore allotted. It is very doubtful whether that would mean a patent in fee for the others, but there being no meritorious reason for separating them there is no reason why Congress should not pass that act.

Mr. LARSON. I think that the true construction of all statutes is to get at the intent of the statute. The courts will so construe a statute as to carry out the purpose and intent of the legislators. What does the act say? It says:

That it shall be obligatory upon any member of said tribe who has made a selection of land within the reservation, whether filed with the tribal authorities or otherwise, to accept such selection as an allotment, except that the same shall be allotted in quantity not to exceed that hereinbefore authorized; *Provided*, That where such selection does not equal in quantity the allotment hereinbefore authorized the allottee may elect to take out of the lands obtained under the provisions of this act the additional land needed to complete his or her quota of land, or in lieu thereof shall be entitled to receive the commuted value of said additional land in cash, at the rate of two dollars per acre, out of the moneys hereinafter appropriated.

That those members of said tribe who have not made selections within the reservation shall be entitled to the option of either taking an allotment under the provisions of this act or of having the same commuted in cash, at the rate of two dollars per acre, out of the moneys hereinafter appropriated: *Provided*, That the election of any member to take cash in lieu of land shall be made within sixty days after the date of the approval of this act.

What is the purpose of the act? The purpose of the act is to provide for the issuance of patents to all—not to part, but to all—and the particular clause to which I refer——

The CHAIRMAN. Where do you get that?

Mr. LARSON. I think clearly that is the purpose of the act. I think that is the purpose of the act, to provide for the issuance of patents to all of the Indians. The act itself is based upon an agreement entered into with the Indians which so provides, and I think the purpose of the act was to carry that out and make no distinction in the Indians so far as that is concerned. The idea was not to patent part of the land to part of the Indians, but to forever wind up the Stockbridge Indians' affairs—to patent all the land there was to them and to provide for the payment of $2 an acre in lieu of land

to others who could not receive land on account of there not being enough to go around.

The CHAIRMAN. That may have been the desire, but I think you want additional legislation, and I do not think the committee would hesitate one moment to give it to you.

Mr. LARSON. I think there is very little to be accomplished by a discussion of that. You say that Congress will not hesitate to give it to us, and I feel that under the act of Congress and the decisions applicable thereto the act itself would have the effect of vesting the title in the Indians; but the question still remains, and I think it is the question which has been the stumbling block to the department, to provide additional lands to give to each member of the tribe his pro rata share under the treaty of 1856. Notwithstanding the act so provides, I think it is unjust to the Stockbridge Indians to require them to take $2 an acre in lieu of the lands.

The CHAIRMAN. That is another question.

Mr. LARSON. And take that out of their own funds. I assume that so far as the legal status of that is concerned it is conceded that the act itself provides for the issuance of patents, and that the Indians are entitled to patents; that the effect of the act itself is to vest the title in the Indians. The point the Indians particularly desired to make before the committee was that no legislation should now be enacted providing for the issuance of patents with a clause in it against the right of alienation; that any such legislation as that could only result in litigation over the titles and practically destroy the value of their lands; that if they sold at all they would have to sell at much less than the real value and that they have been for a great many years, twenty-five or thirty years, competent to handle their own affairs and that the Government ought not to continue this guardianship over them. The Indians have, quite a number of them, sold their lands. Some of them have encumbered them and a great many are still owners, many have farms. That will always be the history of any tribe of Indians; you will cull out those who do not care to improve their property, who do not want to remain as owners. They will leave and become merged into the general population; but there are others who are more thrifty and prudent who value their lands and will stay there and cultivate them. You could not pass any law forcing any Indian to forever remain upon that land and cultivate it or even occupy it. The owners, or the people who have accepted these mortgages—taken these mortgages—on the lands and the grantees, of course feel that no legislation should be enacted embarassing them and their securities or their titles. There is probably no grantee or the holder of any incumbrance who would not be glad to take back the money that he paid for the land, with interest on his money, and place the Indians in the same place they were before they sold.

The CHAIRMAN. How far do these people live from town here?

Mr. LARSON. I think about 13 or 14 miles.

The CHAIRMAN. What is the average value of the land out there?

Mr. LARSON. There are witnesses here——

The CHAIRMAN. You know, in a general way?

Mr. LARSON. I think about from $10 to $12 an acre, going to $10 to $30 an acre, I should say. It depends upon the location of the land and the nature of the sale.

The CHAIRMAN. How many Stockbridges are there now?

Mr. LARSON. Five hundred and something is the enrollment. The lands that have been sold by the Indians have all been sold at a fair price. I have had during the last few days the man who has for the last few years practically fixed the selling price of the lands of a large company here, who has done cruising for them, practically fixing the value of all lands purchased by them in the last few years. I have had him go over these lands for the purpose of ascertaining whether the considerations paid for them has been a fair consideration, in case you gentlemen wanted to go into that phase of the case. I have had another man accompany him, who for a great many years has been employed by the Pennsylvania Lumber Company and has purchased logs for them, and who knows the land all around this reservation—a man in whose judgment the utmost confidence has been placed. One of these men assured me that he stood ready to let the Indians take back the property with reasonable interest on their money, and it would be unjust to these men, it would be unjust to these Indians who, as the records of the department show, for thirty years have been competent to handle their own affairs, to now pass a law providing that patents shall not issue except with a clause against the right of alienation for twenty-five years. It would only result in litigation between these parties and in the property being wasted, just as the Indians have been obliged to waste their property in the last twenty-five or thirty years in contesting their enrollment.

Senator PAGE. Would that rule apply to a great bulk of the Indians?

Mr. LARSON. Yes.

Senator PAGE. What percentage would be inclined to mortgage their lands or part with them for less than their value in case they had the right of alienation?

Mr. LARSON. I don't think there would be more than 25 or 30 per cent. I have a list of all the conveyances that have been made by these people—practically all of them—and I have the valuation placed upon those lands by these men to whom I have just referred.

Senator PAGE. Would you see any objection to leaving a discretionary power in the hands of some agent of the Government here to consent to the alienation of title whenever they thought it best?

Mr. LARSON. I think such an act attempting to vest any such discretion in any officer would at once be attacked and result in litigation. The grantees in these deeds and mortgages would claim that under this act the Indians had a perfect title and that the act which you suggest would be an attempt to divest a vested right in a citizen of the United States, a power which Congress does not possess.

The CHAIRMAN. Has any effort been made to tax these lands?

Mr. LARSON. Yes; the lands are being taxed.

The CHAIRMAN. How long has that been done?

Mr. LARSON. I think it was this year. The lands are now unquestionably subject to taxation. On my advice as district attorney, they will be placed on the tax roll of this county this year.

The CHAIRMAN. What school facilities have they?

Mr. LARSON. They have two schools and they have had pretty competent school-teachers. They are a pretty bright lot of people, and the reports of different agents who have been sent here is that they are all lawyers or shrewd politicians or business men. I think in

Mr. Parsons' reports he refers to some shrewd political work they did during Senator Sawyer's administration.

The CHAIRMAN. What proportion of adults do you think can read and write?

Mr. LARSON. They can all read and write.

The CHAIRMAN. You mean adults?

Mr. LARSON. And the children—and the adults, too. I have never had one yet to sign by a mark. The Indian language is no longer spoken among them; they have forgotten it. They speak nothing but the English language. There are not more than four or five of them that can speak the Indian language to-day.

Senator PAGE. You think they are as competent to manage their affairs as quite a number of white people?

Mr. LARSON. More so—more competent to manage their affairs than the average white laboring man. Meet them in a deal—any kind of a business deal, a horse deal or anything else—and you have got to keep wide awake if you are going to do good business with them.

The CHAIRMAN. How generally are their lands improved?

Mr. LARSON. Their lands are not all improved. Quite a few of their allotments are unimproved, but the thing that is deterring them and holding them back is doubt as to their title. As I have pointed out before, one act has been passed excluding a great many of them from enrollment, another act has readmitted them, and still another has excluded them. There has been constant litigation and trouble over their title for the last eight years. I have represented these Indians and fought to get these patents for them so they could go on making their improvements. Many of them have come to me and asked whether it would be safe to make improvements—what they could do, and that thing is responsible for the lack of progress there has been there, although there has been a great deal of improvement there during the last few years.

The CHAIRMAN. Are there any whites living among them who own land?

Mr. LARSON. Yes; there are some whites. You see, some of the land was patented right in the midst of the other.

The CHAIRMAN. Who supports these schools that have been running there?

Mr. LARSON. It is supported out of the interest from their fund of $75,000—one is.

The CHAIRMAN. How is the other supported?

Mr. LARSON. Perhaps Mr. Butler can tell you.

Mr. JOHN BUTLER. By the Government. We pay the teacher for one, the other one is paid by general appropriation.

Mr. LARSON. General school appropriation.

Senator PAGE. Does intermarriage between the whites and Indians increase in percentage from year to year?

Mr. LARSON. There has been considerable intermarriage of the whites with Indians.

Senator PAGE. Do the better class of whites marry the Indian girls?

Mr. LARSON. You could hardly say that, but a fair class of whites have intermarried there. You could hardly expect whites from the best families to go there and marry the Indians, but they have been a very fair class of white people who have intermarried with them. To show the conditions that exist up there at present, aside

from the hesitancy of the Indians to make improvements on account of their record title at least not being perfect in them, when a member of the tribe by the name of Dockstadter and another were recently arrested and brought before the United States district court on the charge of murder. That court declined to assume jurisdiction, claiming that it had no jurisdiction that the act of 1906 gave them title to the lands and made them citizens of the State and refused to exercise jurisdiction. The state court, in a recent robbery case, declined to assume jurisdiction. That was tried here, I think, two terms ago, and the court declined to assume jurisdiction because the Indians had not yet been fully intrusted with their property, etc., and he could not be convinced that the state court ought to assume jurisdiction.

Senator PAGE. You, of course, have a good many French girls come here from over the other side of the line—Canada. Do the French girls marry the Indians freely?

Mr. LARSON. I don't think there is any French; there is none that I know of in the Stockbridges. Mr. Bennett, a very eloquent old Indian—I was very sorry, indeed, that he should die before these patents should have been issued—he fought for years and years to have the patents issued, and he was one of the ablest and most eloquent Indians I have ever heard—in a long address to Cyrus Beede, when Mr. Beede was here trying to adjust the affairs of the tribe, spoke of the crimes then going unpunished on account of the different courts declining to assume jurisdiction. He mentioned a number of murderers then at large on the reservation. He portrayed very clearly the condition of affairs, mostly brought about by the dilatory methods of Congress and the department in adjusting their affairs, and pictured the intelligence and ability of these Indians, offering evidence showing their ability to care for their own affairs, and begged the commissioner to secure the enactment of legislation which would result in their property being turned over to them and their being made full citizens and placed under the jurisdiction of the State. No one could listen to that address without being moved. We have simply worked our way back now to the condition that existed after the passage of the act of 1846. An act has been passed providing for the issuance of patents; the Indians are waiting for the issuance of the patents. Some of them have sold their land. There are a few who are unprincipled enough, but not many—the Stockbridges generally are an honorable class of people—there are a few who would like now to return to the tribal relations and have new lands allotted to them. The Indians are hesitating to make improvements. They have heard that a bill was introduced in Congress providing for the restriction of allotted land and talk about the State taxing their lands, and I think the Indians were not aware of the service rendered them by Senator La Follette when he defeated the passage of the bill recommended by the department—by the Indian Office—and that they will be duly grateful when they know that was accomplished by his efforts. I think it would have been a great injustice to them if it had passed.

Senator PAGE. If the legislation suggested by Senator Clapp could be had, would that settle all the difficulties and troubles you are trying to settle now?

Mr. LARSON. There is only one thing that would remain for consideration that would leave a feeling of regret on the part of any of them, and that is those who do not receive land would be compelled to accept $2 an acre in lieu of it, and that money will have to be taken out of the tribal fund, when the Government is responsible for there not being sufficient land.

The CHAIRMAN. I did not include that in my suggestion. I think there ought to be a more liberal settlement. My suggestion was that there ought to be a sweeping provision.

Senator PAGE. There has been an agreement.

Mr. LARSON. That was to provide $35,000 for the purchase of additional lands. While Congress passed an act providing for the issuance of patents and the payment of this amount of $2 an acre, it also provided that $35,000 should be taken from their own funds. I suggested to Mr. McLaughlin the issuance of script to the Indians who did not receive lands for lands anywhere on the government lands. The Indians would be glad to receive that instead of $2 an acre.

Senator LA FOLLETTE. Is that the suggestion you have to make in lieu of this recommendation?

Mr. LARSON. Yes; and it would be acceptable to all the Indians. They have urged me to present that to Congress.

Senator PAGE. Are there lands which could be given to them that way?

Mr. LARSON. Oh, yes; many lands. The Indians would prefer to take that to $2 an acre. There is hardly any land they could get that would not be worth more than $2 an acre. The Indians would then be getting this script, and whatever fund there would be would not be affected.

Senator LA FOLLETTE. If it was impossible to secure the passage of an act providing for the issuance of script, what appropriation would be adequate to do justice to these Indians who would not otherwise be provided for—in a round sum, if you can state?

Mr. LARSON. I am not able to state, but that could be ascertained from the report of Mr. McLaughlin, on file in the Indian Office.

Senator PAGE. Can you not approximate it?

Mr. LARSON. No; I can not. The report of Mr. McLaughlin shows the number of the members of the tribe who have received allotments and those who have not received lands.

Senator LA FOLLETTE. Do you remember those numbers?

Mr. LARSON. No, I do not. If Congress would appropriate at least enough to pay those Indians who do not receive any lands $2 an acre instead of taking it out of the tribal fund, that would at least come somewhere near doing justice to some of the Indians.

Senator LA FOLLETTE. Will you prepare a bill such as you think ought to be passed in this case, and a brief to accompany it?

Mr. LARSON. Yes; I shall be glad to.

The CHAIRMAN. There is only one thing about that $2 an acre, even if it was appropriated by the Government—it would not be a fair price.

Mr. LARSON. No. These lands are worth at least $20 to $30 an acre. The Indians have said that they would rather take that than have this matter held in abeyance any longer, in order to get the thing closed up. It is not right, as you suggest. Those who receive lands are getting them on the basis of $10 to $30 an acre and the

others at the rate of $2 an acre. Of course, there is this to be taken into consideration—most of the land that has been allotted has been allotted to those Indians who have remained upon the reservation—made this their home and improved the land, and a large part of those who will receive money in lieu of land are Indians who have left the reservation, abandoning the tribal relations, and are in New York and scattered throughout the State.

The CHAIRMAN. In your statement show, if you can, how many actual bona fide members of the tribe there would be left after the allotment to be provided for.

Senator LA FOLLETTE. That is, classify them—in one class those who have remained here and who have no allotment, and in another class those who have scattered.

Mr. LARSON. I do not think their business committee nor myself could give you a list of those who have left. There would be 140 who have not received any allotments.

The CHAIRMAN. Are they people who have stayed here with the rest of you?

Mr. ED MORGAN. They have been here and occupied certain allotments when they were allowed to stay here.

Senator PAGE. When you make that statement can you give us the number who would be entitled to 80 acres and the number who would be entitled to 40 acres?

Mr. LARSON. There is a report on file in the Indian Office which does give that.

Senator PAGE. So we could make a very close estimate as to the amount called for under this arrangement.

The CHAIRMAN. There is always a lot of these Indians who live away from the reservation and never know they are Indians until there is something to be divided. We had a case the other day of one who lived in Seattle and who wanted to get an allotment; then there are no doubt others here who have not been living on allotments, but who have a perfect right to be here and are really part and parcel of this band; and what we would like from you would be a statement of how many of these latter there are, because they ought to receive more consideration at the hands of Congress than these people who have not imagined themselves Indians for twenty years.

Mr. LARSON. I will have such a statement prepared.

Senator PAGE. Have not those who have not allotments scattered so it would be difficult to get hold of them?

Mr. LARSON. No; that would not be the case. Let me say this: Of course in many cases there are heads of families who have received allotments from the business committee who are now provided with allotments but who have children, some of them a great many, and each of those children would be entitled to 40 acres of land.

Senator PAGE. Or $80 in money.

Mr. LARSON. Of course it would not seem right, now that the Indians are to be thrown upon their own resources—and it will be a good many years before some of these children will arrive at an age when they will be able to cultivate their lands. It would not be such a great injustice to them to provide them with money instead of land which they will not be able to cultivate for many years. Still, the parents of these children—and I think an honest effort has been made

to provide them with allotments instead of the children—the parents of these children have expressed themselves to me as being in favor of obtaining script for the children so the children may avail themselves of that script instead of the $2 an acre. They say while $80 does not mean so much to a child, yet 40 acres might mean something to him.

Senator PAGE. Is there any market value for this script?

Mr. LARSON. Oh, yes.

Senator PAGE. What would script for 40 acres be worth?

Mr. LARSON. I have been told by some of my clients they will pay at least $7.50 for the script.

Mr. HOLCOMBE. Script which will enable them to locate on any land which is not reserved for forest reserves. I think that script should be redeemable in either timber or agricultural lands, if it is issued—that is, timber land not belonging to any forest reserve or other land for agricultural purposes. Do you think that script would be worth $7.50 an acre?

Mr. LARSON. I am so informed. That parties here would buy it and pay that price for it.

Senator PAGE. Where the timber land has been exhausted and the agricultural lands have been exhausted, what then?

Mr. LARSON. Then they might get land under the stone and timber act.

Senator PAGE. What would that be worth?

Mr. HOLCOMBE. That would be worth $2.50 an acre.

Mr. LARSON. And no man can receive more than 160 acres from the Government and he must reside upon that land a given length of time before he can buy it even at $2.50 an acre. This would enable them to buy the land from the Government outright and is certainly worth more than the bare right to live on the land.

Mr. HOLCOMBE. You don't understand you have to live on the timber land under the timber and stone act?

Mr. LARSON. If this script is——

Mr. HOLCOMBE. Under the timber and stone act?

Mr. LARSON. I understand under the timber and stone act you must actually go upon the land and then make your filing, and in sixty or ninety days from that time you make your final proofs under the preemption act.

Mr. HOLCOMBE. You understand that script only takes the place of money, and all the other requirements of the law must be complied with?

Mr. LARSON. There is nothing that would impair the validity of the act. That would be received in payment without the necessity of any settlement upon the land—it will be received in payment for the land.

Mr. HOLCOMBE. Congress will never issue any more of that.

Senator PAGE. You say you think if they could have $2 an acre without taking the money from the tribe that would be acceptable?

Senator LA FOLLETTE. If it is not just it ought not to be accepted.

The CHAIRMAN. No, and it is not just.

Senator LA FOLLETTE. We ought not to drive a hard bargain with these people who have been dragging along here for thirty years or more and suffered very great injury.

Mr. HOLCOMBE. Here are these children getting pay.

The CHAIRMAN. That is the case where there is the head of the family who has got land, and the children can take money, but there are others who have not got any land.

Senator PAGE. They why discriminate?

The CHAIRMAN. How can you discriminate except you might draw a sort of broad line between those who have lived in this neighborhood and those who have absolutely abandoned it as a place of residence.

Senator PAGE. I am talking about drawing the line between the children, perhaps yet unborn, and those who have lived here. The great number who would receive allotments or benefits by this act would be children.

The CHAIRMAN. But there are middle aged people besides.

AN INDIAN. A man named John Davis has got two daughters—probably the man was not married legally, but he has got two daughters—he took a piece of land and worked it, dug stone and everything else, and cleaned it. He died and sold out—sold that land before it was patented.

Mr. LARSON. The business committee say that this man is a Menominee Indian and not a Stockbridge Indian, and has nothing to do with the Stockbridge tribe.

AN INDIAN. I want to look out that the Stockbridges don't jump on Menominee land.

The CHAIRMAN. You need not worry about that.

AN INDIAN. These two girls ought to get their father's property.

The CHAIRMAN. This is a matter with the Stockbridges, and they have only a limited time to present what they want us to consider and it is now late in the evening. You are not a Stockbridge Indian and you can depend upon it they will not take any of your property.

AN INDIAN. You can not transact any business and get through with it unless you get the facts.

The CHAIRMAN. We are transacting business with the Stockbridges.

AN INDIAN. Here is a man wasting time here.

The CHAIRMAN. That is a matter for him to consider and the people who pay him. You sit down and keep quiet and we will get through sooner.

Mr. LARSON. Mr. Butler, who has been prominently connected with the tribe for years, reminds me that a bill recommended by Mr. Cyrus Beede, providing for an appropriation of $35,000, passed the United States Senate twice but failed of passage in the House, and he does not want any action taken that will in any way undo the good already done providing for the issuance of patents. He does not want any new questions raised that will in any way result in litigation over present titles or rights to patents.

Senator PAGE. Would he suggest two acts, one in regard to patents and then subsequently one providing for money?

Mr. LARSON. Rather than have the act providing for the immediate issuance of patents delayed——

The CHAIRMAN. Of course, that would be merely a matter of legislative expediency with us; that is, if we should decide to try to pass a bill giving the people fee-simple title and appropriating $35,000, it would be a question of which way it would go best down there.

Mr. LARSON. The allotments made by John Wall, who was sent here, are now on file with the department and are satisfactory to the

Indians, and all that need be done would be to direct the immediate issuance of the patents. The Indians are at a loss to understand why Congress can not provide for that, and what the necessity is for declining to do that. Mr. Wilson, the Indian agent at Keshena, a man who enjoys the respect and confidence of the Indians, was at Washington, and I understand that recently a petition was sent to Washington asking that he be retained here. He was present at the time the allotment was forwarded to Washington, and he urged Mr. Wall to expedite the work, and we believe if he could have remained there a month or two longer the patents would have been issued; but he was transferred to some new position, and some new clerk stepped into his shoes and it has not been done.

Mr. HOLCOMBE. My personal opinion on this matter, after looking into it, is that if the patents issue they ought to be fee-simple patents; that there is no use in going at it half way; and as I understand it, before I had anything to do with the Indian Service at all, that conclusion was also reached by the Indian Office, and that they withheld issuance of the patents only to get Congress to put restrictions upon it. But, after I looked into the case pretty thoroughly, I felt satisfied that Congress had no such authority and could not, and I so advised the Commissioner of Indian Affairs, and I believe now that these patents will issue without any further legislation.

Senator PAGE. In fee simple?

Mr. HOLCOMBE. Yes.

Mr. LARSON. That is all we want.

The CHAIRMAN. In the meantime, if you are not advised of that, prepare a bill; or if the patents are issued, prepare a bill for the appropriation and submit it to us. I think that is all, isn't it?

Mr. LARSON. Yes.

(Thereupon, at 9.45 o'clock p. m., the committee adjourned.)

MENOMINEE INDIANS.

COMMITTEE ON INDIAN AFFAIRS U. S. SENATE,
Neopit, Wis., September 30, 1909.

The subcommittee met at 2 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, Page, and Brown; also Mr. E. P. Holcombe, special supervisor, Indian Service; William T. Cox, assistant forester, Forestry Service; Joseph P. Farr, general superintendent of all logging operations; also C. L. Dillett, attorney; A. S. Larson, representing the Stockbridge Indians, and Edward A. Braniff, former superintendent.

The CHAIRMAN. The committee is now ready to hear any statement that anyone may desire to make respecting conditions at Neopit.

STATEMENT OF A. L. ROSSMAN.

A. L. ROSSMAN, having been first duly sworn, testified as follows:

The CHAIRMAN. Where is your home?

Mr. ROSSMAN. At present it is at Neopit.

The CHAIRMAN. How long have you been here?

Mr. ROSSMAN. I came here the 16th day of April, 1908.

The CHAIRMAN. Are you familiar with this reservation?

Mr. ROSSMAN. To a certain extent I am; yes, sir.

The CHAIRMAN. This reservation consists of ranges 15 and 16 in town 28, ranges 13, 14, 15, and 16, in towns 29 and 30.

Mr. ROSSMAN. There are ten townships.

The CHAIRMAN. Yes; that is the description of the reservation.

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. Now, Neopit is in town 29, range 14, is it not?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. Do you know what section it is on?

Mr. ROSSMAN. I do not.

The CHAIRMAN. It is section 20, is it not?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. There is one creek that strikes the reservation in the northwest corner and flows down and joins another creek just west of Neopit, is there not?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. What is that called?

Mr. ROSSMAN. That is Little West Branch.

The CHAIRMAN. Then there is another creek that strikes the creek about 60 miles east of the west edge and flows south and joins the Little West just west of Neopit; a little creek strikes the reservation about 6 miles east of the northwest corner and flows south and joins the other creek you have just mentioned just west of Neopit.

Mr. ROSSMAN. They used to call that the west branch of the Wolf River.

The CHAIRMAN. And they call the other the Little West Branch, do they not?

Mr. ROSSMAN. I think so; yes, sir.

The CHAIRMAN. They unite a mile or so west of Neopit, do they?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. And form a creek that flows southeast, and finally passes Keashena.

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. And from there to Shawano.

Mr. ROSSMAN. That is, they flow into the main Wolf above Kashena.

The CHAIRMAN. Then from the north side of the reservation there are two creeks that unite some 6 miles from the north edge and make the Wolf River into which this last branch that you describe flows, about 6 miles north of Kashena. You can look at the map and see.

Mr. ROSSMAN (examining map). It is the Evergreen.

The CHAIRMAN. I suppose it is admitted that these two branches form the Wolf River that unite with the west branch of the Wolf about 6 miles north of Kashena.

Mr. ROSSMAN. It is the Evergreen River. It has two branches; little creeks that have never been named to my knowledge.

The CHAIRMAN. What is the character of the timber in town 30, range 13; that is, is it largely pine or hard wood? That is the northwest town of the reservation.

Mr. ROSSMAN. That is composed largely of hard wood—hard wood and hemlock.

The CHAIRMAN. And of what does the hard wood largely consist?

Mr. ROSSMAN. Do you want the percentage?

The CHAIRMAN. Oh, approximately.

Mr. ROSSMAN. Basswood, elm, maple, and oak.

The CHAIRMAN. Now take town 30, range 13.

Mr. ROSSMAN. That is mixed timber—hemlock, hard wood, and pine.

The CHAIRMAN. What percentage would you say of pine is therein that township?

Mr. ROSSMAN. I would not be prepared to say, for I have not been all over it. They have done no logging in there. I just went through on the "tote."

The CHAIRMAN. What I desire to get at first is a general idea of the distribution of those different kinds of timber over the reservation.

Mr. ROSSMAN. I would not be prepared to give you an estimate as to that. There are different percentages.

The CHAIRMAN. I am not asking for percentages. I want a general idea of where the most pine is and where the most hard wood is.

Mr. ROSSMAN. It is considered pine in there—pine and hemlock.

Senator PAGE. Is there more pine and hemlock than there is hard wood?

Mr. ROSSMAN. I would not say as to that.

Senator PAGE. Do you think it would run half hard wood?

Mr. ROSSMAN. I think it would.

Senator PAGE. And the balance pine and hemlock?

Mr. ROSSMAN. I think so. I am not an authority because I have not been over it.

Senator PAGE. But that is the best estimate you can make?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. Have you been in township 30, range 15?

Mr. ROSSMAN. There is not much on that township that I saw; that is, the south half of it. I have been on the north half. I have been up as far as the Gauthier dam.

The CHAIRMAN. What section is that on?

Mr. ROSSMAN. Section 17.

The CHAIRMAN. Have you been much over 30-16?

Mr. ROSSMAN. Yes, sir; I have been over it; I have seen very nearly all of it, probably with the exception of the north tier.

The CHAIRMAN. What is the character of that?

Mr. ROSSMAN. There is no timber there; it has been cut over.

The CHAIRMAN. Now come back to town 29, range 13. What is the character of timber on that—that is a town west of here.

Mr. ROSSMAN. That is a mixture of different species of pine and hemlock, and all kinds of hard wood.

The CHAIRMAN. What proportion would you think of pine?

Mr. ROSSMAN. Very small.

The CHAIRMAN. Then take town 29, range 14—that is the town the mill is on.

Mr. ROSSMAN. That is about the same. There are different species of timber. It is well timbered.

The CHAIRMAN. I know; but what proportion would you think was pine?

Mr. ROSSMAN. About 10 per cent.

The CHAIRMAN. What would you say of 29, 15—that is the town east of here.

Mr. ROSSMAN. Well, I do not think there is much timber left in that township. There is some hard wood.

Senator PAGE. Has the hard wood ever been cut off from any of those townships to your knowledge?

Mr. ROSSMAN. Only what was milled a few years ago—that dead and down.

Senator PAGE. There is no fresh timber?

Mr. ROSSMAN. No, sir; not to my knowledge.

Senator PAGE. On any of these townships composing the reservation?

Mr. ROSSMAN. I have not seen any. I know it was cut last winter.

The CHAIRMAN. What is the character of timber in 29, 16?

Mr. ROSSMAN. I think that timber is very nearly all pine. They are mostly plains and swamps that I have seen, and there are little, scattering pines.

The CHAIRMAN. Now, as to 28, 15, which is the first township west, next down below. That is the township that Keshena is in.

Mr. ROSSMAN. Well, what I have seen of that township there is not so much timber on it.

The CHAIRMAN. How about 28, 16?

Mr. ROSSMAN. I have never been in 28, 16—only just across it, perhaps. I have seen part of the northwest quarter of the town.

The CHAIRMAN. Where are the heaviest bodies in this reservation?

Mr. ROSSMAN. It is up near evergreen country, on the north end of the reservation, as far as I know.

The CHAIRMAN. What town, and what ranges?

Mr. ROSSMAN. Town 30, ranges 14 and 15.

The CHAIRMAN. Were the heaviest bodies of pine over in those two townships?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. Town 30, ranges 14 and 15?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. That was the blown-down timber. That is the subject or cause of the legislation in this matter.

Mr. ROSSMAN. There is some of it in town 29, range 14 east.

The CHAIRMAN. That is the town we're in.

Mr. ROSSMAN. Yes, sir; and 29, 13 east.

The CHAIRMAN. Just reverse that. It will be town. 29, ranges 13 and 14.

Mr. ROSSMAN. Yes, sir; and some in town, 30, 13 east. Do you call that dead and down too on south branch Oconto and Evergreen too—pine and hemlock?

The CHAIRMAN. No; what we want is where the timber is located that was blown down. When was it blown down?

Senator LA FOLLETTE. In 1905, was it not, Mr. Farr?

Mr. FARR. Yes, sir; July, 1905.

Senator LA FOLLETTE. How far above the mill here can the Little West Wolf be driven? Do you know?

Mr. ROSSMAN. The west branch of the Wolf or the Little West?

Senator LA FOLLETTE. The Little West.

Mr. ROSSMAN. I make it very nearly 9 miles.

Senator LA FOLLETTE. And how far above here can the west branch of the Wolf be driven?

Mr. ROSSMAN. Perhaps 12 miles by the river.

Senator PAGE. Do you count the miles as you find them on the map to get that 12 miles, or do you take the wanderings of the river?

Mr. ROSSMAN. I am taking the wanderings of the river.

The CHAIRMAN. How far is it from Neopit by rail to Shawano?

Mr. BRANIFF. It is 20 miles and four-tenths.

Senator LA FOLLETTE. You are not expected to give the number of feet of the different kinds of timber or the exact measurements; just give your best judgment. We want simply to get a good general idea of the reservation. We understand that it has not been cruised in order to know the number of feet, and it has not been estimated, I suppose. We want to know about where the hard wood is, and whether there was much or little pine mixed with it.

Mr. ROSSMAN. I have paid my fare often enough and I ought to know. I never had occasion to walk it.

The CHAIRMAN. Have you made much of an examination of town. 29, range 15, and town. 30, range 15?

Mr. ROSSMAN. I have never been there to estimate any timber, but I have traveled it all summer—day and night.

The CHAIRMAN. So that you know pretty generally what is the proportion of pine in those two towns to the other timber?

Mr. ROSSMAN. No; I could not tell as to that, not positively, because I have never been through there to do any estimating or anything like that.

Senator LA FOLLETTE. Well, we want your general observation; what your impression is.

Mr. ROSSMAN. Those two towns are mostly pine and hemlock, I believe. I have never seen much hard wood down there.

Senator LA FOLLETTE. It is mostly pine and hemlock, is it?

Mr. ROSSMAN. Yes, sir; the town that Keshena is in. In fact, I do not believe there is any hard wood there that I know of, unless it is some little scrub oak or scrub pine. In fact, I did not see much of any timber there. It has been cut over and a lot of it has been planed.

Mr. BRANIFF. I have an estimate or two of this part of country that will give you accurate figures on it.

Senator LA FOLLETTE. What township?

Mr. BRANIFF. It takes in that south branch country, 20—15 and 20—16; mostly 16. It is the south branch mainly up in the southeast corner You will find there the figures as to the percentages of amounts of pine, hemlock, and hard wood, very accurately given [exhibiting a memorandum].

(The witness was thereupon excused.)

STATEMENT OF EDWARD A. BRANIFF.

EDWARD A. BRANIFF, having been first duly sworn, testified as follows.

The CHAIRMAN. Please state your full name.

Mr. BRANIFF. Edward A. Braniff.

The CHAIRMAN. Are you in charge of the milling operations here?

Mr. BRANIFF. No, sir; I am not in charge now.

The CHAIRMAN. Who is in charge?

Mr. BRANIFF. Mr. Carroll is in charge.

The CHAIRMAN. How long were you in charge here?

Mr. BRANIFF. I have been in charge since I was sent out from Washington, and I arrived here March 10 to take charge.

The CHAIRMAN. Have you ever been over these townships in this reservation?

Mr. BRANIFF. Not all of them; no, sir.

The CHAIRMAN. This map [indicating] shows Wolf River. I wish you would see if that is what you call Wolf River.

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Have you done any lumbering on Wolf River since you came here?

Mr. BRANIFF. No, sir.

The CHAIRMAN. Have you done any lumbering on the west branch of Wolf River below this point?

Mr. BRANIFF. No, sir.

The CHAIRMAN. Has all your lumbering on streams been on the streams that united west of this town?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. When you took charge here there was a large amount of timber blown down, was there not?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. About where was it situated with reference to the township?

Mr. BRANIFF. It was mostly in town. 29, 13; 30, 13; 29, 14, and the south half of 30, 14, in scattered areas, not over the entire town.

The CHAIRMAN. Have you any idea of how much was estimated that was blown down at that time in the storm of 1905?

Mr. BRANIFF. Before the logging took place there were various estimates made as to the amount of timber which had been blown down and my recollection is that the estimates never exceeded 20,000,000 feet.

The CHAIRMAN. What proportion of that was pine, generally speaking?

Mr. BRANIFF. I wish to say that the estimate is 20,000,000; but the amount cut out was 40,500,000 and the figures I will give you show the amount of pine which was actually logged above the estimate.

The CHAIRMAN. Above, or regardless of the estimate?

Mr. BRANIFF. Regardless of the estimate.

The CHAIRMAN. Two million seven hundred and forty-three thousand out of forty or forty million and forty thousand.

Senator LA FOLLETTE. Is the estimate 3,000,000?

Mr. BRANIFF. The estimate is not; that was the amount logged. There is no separate estimate of the pine.

Senator LA FOLLETTE. Three million seven hundred and forty-three thousand out of forty million five hundred thousand as actually logged, turned out to be pine.

The CHAIRMAN. What I meant to ask you was what was the total amount of the blown-down timber that was logged.

Senator PAGE. You say the estimate was 40,000,000 feet.

Mr. BRANIFF. No; the estimate was twenty million, but when they came to log it they logged twenty million and a half; instead of getting out twenty million, the estimated amount, they got out forty and one-half. Out of the forty and one-half the amount of pine was three million seven hundred and forty-three thousand.

The CHAIRMAN. Then these estimates that we have here——

Mr. BRANIFF. Those estimates are different estimates.

The CHAIRMAN. Then there were but forty million that was blown down that was logged?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. And of that over three million was pine?

Mr. BRANIFF. Yes, sir; over three and a half million.

The CHAIRMAN. Now, the reason why I asked you about logging below here on this claim was because on yesterday coming up from Shawano I saw a driving crew with a flag, and we were told that it was one of a crew connected with this work.

Mr. BRANIFF. Those men were probably the crews that were driving the old logs on the other side of the reservation.

The CHAIRMAN. Logs that were cut since you came on?

Mr. BRANIFF. No, sir.

The CHAIRMAN. They had been cut before?

Mr. BRANIFF. Those were old logs that were cut by Mr. William Farr in the winter of 1907 and 1908. It was an entirely different operation from this over here, and put in under a separate law—under the act of 1890.

Senator LA FOLLETTE. The act of 1890 is the act allowing or providing for the cutting of 20,000,000 feet of timber each year?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Or not to exceed 20,000,000?

Mr. BRANIFF. Not to exceed 20,000,000.

The CHAIRMAN. One of the complaints here is that this plant should have been located below the junction of the Wolf River proper and the west branch of the Wolf. Now, one thing that we want to get at is, what proportion of the floatable timber could have been handled by water and brought to a common point at Kashena, or somewhere in that vicinity, if the plant had been located there?

Mr. BRANIFF. There was a larger territory to log, and more of the drivable timber could have been brought down to Kashena than could have been brought here because there is timber below here which goes down to Kashena. On the other hand, we have a railroad here, and they are 8 miles from a railroad at Kashena.

The CHAIRMAN. What relation had it to the logging of timber that could not be driven—the location here as against the location at Kashena?

Mr. BRANIFF. A very large area below here tributary to the stream can be handled by spur tracks on the Wisconsin and Northern and brought to this mill at an expense not to exceed the expense if the mill were located at Kashena.

The CHAIRMAN. Taking the whole situation as one problem, why was the mill located here instead of at Kashena?

Mr. BRANIFF. I believe, taking everything into consideration, that this is the best location that could have been chosen for the mill.

The CHAIRMAN. Now state for the record why.

Mr. BRANIFF. The main advantage which this location has is the fact that it is on a railroad; that it has the advantage of both railroad facilities and river facilities; that we are in a position to log our floatable timber, such as hemlock and pine and cedar, in the winter, and drive the logs to the mill in the summer, so that our summer logging will be entirely river logging, which is exceedingly cheap. We have also a system of railroad which will allow us to log all our hard woods that come up in the winter time and bring them in here at a reasonable rate to log the mill in the winter time, so that in the summer time we feed our mill from the rivers and in the winter time from the railroads. That is a great advantage, as anyone can readily see, from the fact that we are to a large extent independent of the railroad; if the service was not satisfactory on the railroad we could fall back on our rivers.

The CHAIRMAN. That is to get your logs in here?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. All that are above here?

Mr. BRANIFF. All that are above here, yes, sir; and a considerable part of what are below can be railed in.

The CHAIRMAN. I know they can be railed in.

Mr. BRANIFF. If we should locate a mill at Kashena we would be 8 miles from a railroad.

The CHAIRMAN. But you would have then all the floatable timber you could float to your mill.

Mr. BRANIFF. We would have all the floatable timber, but would have no means of getting the hard wood.

The CHAIRMAN. You think, taking the hard wood into account as against the advantage of floating the floatable timber, that this was a better place to locate the mill than at Kashena?

Mr. BRANIF. Yes, sir; Kashena or any other place. I believe it was a far better location than any other place that could have been picked out.

The CHAIRMAN. Who definitely determined the location of the mill?

Mr. BRANIFF. It was definitely determined before I arrived here. I do not know who did locate this mill site. It was located during the logging season, before I arrived here.

The CHAIRMAN. You had nothing to do with locating it?

Mr. BRANIFF. No, sir.

The CHAIRMAN. And without any responsibility of locating it, you feel that it was, all things considered, the best location?

Mr. BRANIFF. Yes, sir. I must explain that. There were three mill sites picked out here as locations for the construction of sawmills. They were supposed to be small portable mills. After the act of March 28, under which this work has been done, I changed that entire plan, and instead of putting in portable mills advocated putting in one central plant at Neopit, which was one of the mill sites. So I am, in a measure, responsible for the location of this large plant at Neopit.

The CHAIRMAN. Where were the other two locations?

Mr. BRANIFF. Mill site No. 2 is located in town 30 north, 13 east, on the corner of sections 31, 32, 29, and 30.

The CHAIRMAN. That would be down in the southwest corner of the town.

Mr. BRANIFF. Twenty-nine, 30, 31, and 32.

The CHAIRMAN. Which township was this location in?

Mr. BRANIFF. Thirty; 13, section 29, 30, 31, and 32.

The CHAIRMAN. That would be the southwest corner, then, of town. 30, range 13?

Mr. BRANIFF. Yes, sir; and mill site 3 was in 29, 13, the northwest corner of section 17.

The CHAIRMAN. Was that on a creek?

Mr. BRANIFF. Yes, sir; that is on Red River.

Senator LA FOLLETTE. Where is this mill site at Neopit? Where is Neopit?

Mr. BRANIFF. Neopit is in section 20, 29, 14. Neopit is almost southeast.

The CHAIRMAN. All of these locations would be north and west of Neopit?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. And none of them would have been any more favorable to any proposition of floating timber down the Wolf River proper?

Mr. BRANIFF. No, sir.

The CHAIRMAN. And those three locations were made before you came here?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. The only responsibility you took was of centralizing the three here?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Has the railroad been built since this mill was constructed?

Mr. BRANIFF. The Northern road has been built since I have been here.

Senator PAGE. But the road on which you put your lumbering camp has been built this last year?

Mr. BRANIFF. Yes, sir.

Senator PAGE. You stated that of the 40,000,000 feet there were 3,000,000 practically of pine?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Would there be more hemlock than pine?

Mr. BRANIFF. Yes, sir; very much more.

Senator PAGE. What per cent would you guess, or estimate, would be of hemlock?

Mr. BRANIFF. Forty per cent.

Senator PAGE. Forty per cent of hemlock?

Mr. BRANIFF. Yes, sir.

Senator PAGE. And about 10 per cent, or little less than 10 per cent, of pine?

Mr. BRANIFF. Yes, sir; considerable less than 10.

Senator PAGE. Then one-half of the timber is hard wood and one-half is soft?

Mr. BRANIFF. On this end of the reservation it is; yes, sir.

Senator PAGE. On the west?

Mr. BRANIFF. On the west end, yes, sir; on the end tributary to this mill. On that part of the reservation which can be located for this mill, I would say those percentages were approximately correct.

Senator PAGE. Then if you had built the mill down at Kashena

you could only float half of it down to that mill and the other half would have gone where?

Mr. BRANIFF. I do not know how we could have got at the other half; I do not see any system of transportation by which those logs could be milled at Kashena, because there is no railroad, and they can not be driven.

The CHAIRMAN. When this project started this blown-down timber was of course the first item, but while you were in charge had there been any plans, either formulated or tentative, with reference to logging over on the Wolf?

Mr. BRANIFF. I do not quite understand. With reference to logging the timber, and then selling the logs, do you mean?

The CHAIRMAN. No; carrying the operation over into the eastern part.

Mr. BRANIFF. No, sir; I never heard of any such plans.

The CHAIRMAN. So far as you understood it, the plan of the Government was only to reach timber that could be railed to this plant?

Mr. BRANIFF. No, sir; as I understand the purpose of the act was to log the entire reservation.

The CHAIRMAN. Yes; that would involve the operation over in the eastern part.

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Now, have there been any plans considered with reference to the location of the mill, or how the eastern part should be handled?

Mr. BRANIFF. I have never heard of any plans advocated for the location of one central plant in the eastern end of the reservation. If that end of the reservation is to be logged, I can think of no other plan but to log it with another mill—a small separate mill. For example, I may answer that by saying this cruise on the south branch country was made in order to prepare for any necessity of logging that part of the country. I would advocate for the logging of that section of the country a small portable band mill to cut about 3,000,000 or 4,000,000 a year; and I cruised that part of the country and we found about 61,000,000 feet of timber in that section of the country, of which 47,000,000 would have been accessible to that small mill.

Senator LA FOLLETTE. Where would that have been located?

Mr. BRANIFF. That would have been located about due west of the little town of Breed, which is about 3 miles from the reservation line.

The CHAIRMAN. From the north or east of the reservation?

Mr. BRANIFF. Breed is about 3 miles due east of the eastern end of this reservation.

Senator LA FOLLETTE. It would have been located on that township?

Mr. BRANIFF. It would have been located right about in here [indicating on map].

The CHAIRMAN. That would be 30, 16.

Mr. BRANIFF. Yes, sir; 30, 16. Breed is right here [indicating]; this is the railroad coming here. That mill would take in approximately this country around here [indicating on map].

The CHAIRMAN. That does not do for the record. You mean it would take in approximately that town.

Mr. BRANIFF. It would take in practically all of 30, 16, and a part, perhaps, of 30, 15.

The CHAIRMAN. Thirty, 16, has been pretty well cut over, has it not?

Mr. BRANIFF. There is a great deal of timber, as I have said. My cruise showed about 49,000,000 that could have been transported down there.

The CHAIRMAN. What would have been the plan, so far as you have given it consideration, of the country intermediate between range 16 and the territory accessible to the present mill; that would include town 29, range 15, and perhaps part of 30, 14?

Mr. BRANIFF. A great part of that country can be reached by railroad logging.

The CHAIRMAN. Would that be your idea, to reach that country, or to put in another mill in there somewhere?

Mr. BRANIFF. Practically all of the country in 30, 14, which is west of the Wolf River, can be reached by railroad logging. The country east of the Evergreen, that is, 30–13, will probably ultimately have to be logged by driving that timber down to Kashena. They have a small mill at Kashena now.

Senator PAGE. Would much expenditure be necessary to feed that stream to do the logging and running?

Mr. BRANIFF. I do not know much about it.

Senator PAGE. Is it a larger stream than the one we went up this morning?

Mr. BRANIFF. It is about the same size.

Mr. COX. I think the Senator means the main Wolf.

Senator PAGE. I am talking about the stream that would take logs down to Keshena.

Mr. BRANIFF. Most of that timber is on the Evergreen.

The CHAIRMAN. It would all have to go down the Wolf from where the Evergreen strikes the Wolf?

Mr. BRANIFF. Of course you understand the Wolf is entirely improved; but the Evergreen, the stream along which most of this timber is located, is partly improved and partly unimproved.

Senator PAGE. What expenditure would you think it probable would have to be made in order to make or prepare the Evergreen for floating?

Mr. BRANIFF. I am not prepared to answer that question.

Senator PAGE. You can not make any estimate with regard to that?

Mr. BRANIFF. No, sir.

Senator PAGE. How far would the mill which you suggest building there be from the railroad—how far would you have to haul the timber?

Mr. BRANIFF. To Keshena, 8 miles.

Senator PAGE. No; the mill that you name near the east edge——

Senator LA FOLLETTE. Near Breed.

Mr. BRANIFF. Not to exceed 4 miles.

Senator PAGE. What is the nature of the land between the mill and the railroad? Is it hilly?

Mr. BRANIFF. No, sir; it is a pretty good haul; it is fairly level, but there are good roads just as you reach the line of the reservation. They have good roads. My idea would be to drive that timber in

the summer time—saw it in the summer time, and haul out the timber on the ice logs in the winter and shut down the mill in the winter.

Senator PAGE. And cut about 4,000,000 feet a year?

Mr. BRANIFF. Cut from three to four million a year. That would give you about sixteen or seventeen years cut in that country.

Senator PAGE. Is there not a liberal population of Indians up there?

Mr. BRANIFF. Yes, sir; it is quite a settlement of Indians there.

Senator PAGE. You would have to do that work in case they were relied upon for the lumberers?

Mr. BRANIFF. We have a great many Indians to fall back on. How many would work in the mill I could not say. Those Indians have been accustomed in times past to driving on the Wolf or Oconto rivers—that is the south branch of the Oconto—and we would have very little difficulty in getting driving and logging crews up there. It is a pretty well settled white community, and it is right along the railroad. That is quite a logging country.

Senator PAGE. You say there is a white population on the reservation?

Mr. BRANIFF. Not in the reservation, but just outside.

The CHAIRMAN. What is the capacity of the mill which you have here?

Mr. BRANIFF. Its capacity, with green logs, is about 10,000 feet per hour.

The CHAIRMAN. What did the mill cost?

Mr. BRANIFF. In round figures $160,000, with the plants and improvements in the yard. I can give you that more accurately, if you want it. The cost of the mill is as follows: Tools and machinery, $71,461; material used, $29,043; labor in constructing, $58,290. That will equal the total construction.

Senator PAGE. That makes a total of $158,794.

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. That represents just the cost of the mill.

Mr. BRANIFF. That includes the lumber yard also and the trams and piling ground.

The CHAIRMAN. You put in a dam here, did you?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. What did that cost?

Mr. BRANIFF. This dam which is known as the Norway Dam?

The CHAIRMAN. I mean the one down here. Did you build this one?

Mr. BRANIFF. That is the Norway Dam; yes, sir. It cost $6,365.64, which does not include the timber which was put into it, but includes the other materials and the labor.

The CHAIRMAN. Have you at hand readily the cost of the timber?

Mr. BRANIFF. No, sir; because the timber was cut above in the river and driven down and put into the dam.

The CHAIRMAN. Then you do not charge anything for the timber?

Mr. BRANIFF. We do not charge the timber. Only the labor of getting the timber out and hauling it is charged, but the raw material is not charged for.

The CHAIRMAN. Does this include the labor?

Mr. BRANIFF. That includes everything except the standing timber.

The CHAIRMAN. Could you readily tell us the total cost of the improvements—by the way, you made all these improvements, did you not?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Can you give us their total cost?

Senator LA FOLLETTE. Do you mean the mill?

The CHAIRMAN. All the improvements. Everything that has been done here.

Senator LA FOLLETTE. And the improvement of the stream?

The CHAIRMAN. Yes.

Mr. BRANIFF. Yes, sir; I will give you a statement of that in full to date [exhibiting statement].

The CHAIRMAN. Have you got this so that you can tell what part of this is operations?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Give us the total cost of all improvements that have been made under you.

Mr. BRANIFF. I would have to read this entire statement.

The CHAIRMAN. Have you not got it summarized?

Mr. BRANIFF. The total expense, which includes improvements and also operations?

The CHAIRMAN. Have you not got it so that you can give us a summarized statement of the improvements aside from the operations?

Mr. BRANIFF. No, sir; I would have to go through the entire statement and get that out. I can get it by going through the statement, but I have not got it in condensed form.

Senator PAGE. Your man could separate that, could he not, and give us the cost of the improvements?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Just give us the summary of the cost of all improvements and then a summary of the total expenses independent of improvements, and then the receipts.

Mr. BRANIFF. Yes.

The CHAIRMAN. Was this blown-down timber—I ask for information—cut when you came on here?

Mr. BRANIFF. Yes, sir; it was practically all cut. The logging operations were just being wound up when I got here, and there were perhaps two or three weeks' cutting, but practically all the cutting had been finished.

The CHAIRMAN. Have you cut much since you came here?

Mr. BRANIFF. About eleven hundred thousand feet of green timber in the logging operations, but we have cut perhaps twelve hundred thousand more in our construction work, cleaning out our rivers and building our roads.

The CHAIRMAN. In cleaning out your rivers and building your roads has it been possible for you, or is it possible now, for you to make a statement giving the exact cost per thousand of the logging and lumbering operations?

Mr. BRANIFF. No, sir; I could not do that, because the expense was not in cutting the timber. It was in making improvements—blowing out the stumps for the roads and cleaning out the forest.

The CHAIRMAN. That would be improvements, the same as building a mill. Now, can you give us the statement of what it would cost to handle this lumber and manufacture what you do cut down?

Mr. BRANIFF. I can tell you what it costs to log the green timber that we cut in our logging operations.

The CHAIRMAN. How much is that per thousand?

Mr. BRANIFF. This is what we call a "Camp 7" operation. The amount cut was 1,021,420 feet and the cost was as follows: Cost of cutting the logs, skidding them, and hauling them to the landing and decking the logs at the landing, $6.43 a thousand; cost of loading the logs from the landing onto railroad cars, $0.36 a thousand; cost of freight on the log to Neopit was $0.0077 a thousand. The total cost of bringing the logs from the stump to the mill was $7.56 a thousand. I can tell you what it cost to manufacture and what we got for the lumber. The cost of unloading the cars—taking them off the cars and putting them into the pond and moving them from the pond to the log slip at the mill—was $0.18 a thousand. The cost of running the logs through the mill and making them into lumber was $3.92 a thousand.

Senator PAGE. That is rough lumber?

Mr. BRANIFF. Yes, sir; the cost of sorting them and the sorting work, bring them out to the piles, piling them and taking down the piles and loading the stock on cars for shipment was $0.60 a thousand. So that the logs from the stump to the car in the form of lumber cost us $12.26 a thousand. That lumber yielded the following prices: For the pine, which we sold to the Johnson Lumber Company, the average of all the stock sold to Johnson—which was an average of all that pine—was $23.33.

Senator PAGE. Have you the number of feet with regard to that?

Mr. BRANIFF. Five hundred and ninety-eight thousand four hundred and forty feet was the amount logged.

Senator PAGE. I am talking about the pine.

Mr. BRANIFF. Yes, sir.

Senator PAGE. Now, when you get through giving the net average of lumber that you had—you figured that out, did you?

Mr. BRANIFF. The pine was 598,440 feet.

The CHAIRMAN. What did you say that averaged?

Mr. BRANIFF. The average price was $23.33.

Senator LA FOLLETTE. On board the cars?

Mr. BRANIFF. On board the cars. The average value of the hemlock was $10. The cost was $12.26 to log. We cut only 31,570 feet. I will say in explanation that the hemlock was only in such trees as we picked up incidentally. It was not a hemlock corporation, but only a few trees that we picked up. If we had been doing hemlock, we would have picked it up in the river and reduced the cost about one-half. The maple and birch brought us an average of $14 a thousand. The cost was $12.26 to log it, and we cut 127,800 feet.

Senator LA FOLLETTE. You do not mean $12.26 to log. You mean to put on the cars?

Mr. BRANIFF. The lumbering operations, $12.26, and we cut of that 127,800 feet. The basswood cost us $12.26 to log and manufacture. We cut of that 157,610 feet, and sold it at an average price of about $22.

The CHAIRMAN. Your accounts are kept so that you ascertained that all of this made an average cost of $12.26?

Mr. BRANIFF. Those average prices are made——

Senator LA FOLLETTE. I am speaking of the average cost. You have continued repeating in the record the average cost. That was the average for all?

Mr. BRANIFF. Yes, sir. It is not necessary to repeat that. Rock and soft elm, amount cut, 34,090; average value of the rock elm, $22; the soft elm, $18; red oak, amount cut, 67,160 feet; average price, $26; ash, amount cut, 1,520 feet; average price, $20. Then there were a couple of small timbers——

Senator PAGE. Can you give us the exact amount which your timber averaged and netted you?

Mr. BRANIFF. No, sir; I could not average it up. I could compute those averages and give you an average price.

Senator PAGE. Have you a lumber credit account on your books which shows the number of feet sold and the amount received therefor?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Could your clerk not figure it up and give the total number of feet and the amount it sold for?

Mr. BRANIFF. I could not, because it covers the amount of culled timber mixed in it. Those figures are of value in this way, that it is an indication of what can be done—what it will cost to log green timber and what it will cost to manufacture it and what can be got for it.

Senator PAGE. But in this computation you put the lumber all together; you do not say that it would cost as much to put in a thousand feet of hemlock as a thousand feet of elm?

Mr. BRANIFF. Our logging costs are all lumped together because we log all kinds of timber in that one operation.

The CHAIRMAN. That cost includes everything except interest and depreciation?

Mr. BRANIFF. Yes, sir; it does not include that.

The CHAIRMAN. But everything else?

Mr. BRANIFF. Everything else.

Senator PAGE. It includes nothing for the use of your mill?

Mr. BRANIFF. Except the expense of cutting it up; the oil that was used and repairs that went into it.

Senator PAGE. Repairs are charged to profit and loss as you go along, are they not?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Have you in your mind substantially the exact figures which your lumber has netted you? Do you not know about that?

Mr. BRANIFF. I can get at it in this way: I have an unfinished statement of the entire amount of stock on the pile in the yard on the 1st of August and I put a price on each grade and kind of lumber that we had in the yard. That includes all this culled stuff and everything else, and we divided the value of all that lumber by the number of thousand feet that we had in the yard and arrived at an average figure.

Senator PAGE. But it would not take ten minutes for your man to tell you the average sale of that lumber from the figures you have given?

Mr. BRANIFF. We have that right here. It is just the simple matter of some addition and dividing to get at it.

Senator PAGE. Please let your man figure it out and give it to us.

The CHAIRMAN. As to this timber that was down, have you a statement showing what it cost to put that through the mill and onto the car, and what you got for it?

Mr. BRANIFF. Yes, sir; the logs on the Big Branch cost approximately as follows: Cost of driving, $1.23; cost of manufacturing, $4.10——

Senator PAGE. What logs are you referring to now?

Mr. BRANIFF. I am referring to logs that were on the Big Branch—the branch on which that dam was that we saw to-day.

Senator PAGE. This is the cost of the logs which were cut and on the skids from the time you started operations until you got them into the lumber pile.

Mr. BRANIFF. Yes, sir.

Senator PAGE. $5.33.

Mr. BRANIFF. Yes, sir. In addition to that there is the charge of $7 for logging which we did not include. That must be added.

The CHAIRMAN. Which you paid?

Mr. BRANIFF. No, sir; we did not pay that. That was logged before I got here. Now, on the Little Branch the cost of driving was $0.90 and manufacturing $4.10. Mill site No. 3 logs: Cost of loading logs on cars, $1.81; freight to Neopit, $1; and manufacturing, $4.10. Mill site No. 2 logs: Cost of loading on cars, $0.99; freight to Neopit, $1; manufacturing, $4.10.

The CHAIRMAN. Is that approximately what the cost of handling the green timber was?

Mr. BRANIFF. No, sir; that is much more than the cost of handling the green.

The CHAIRMAN. Why was it more?

Mr. BRANIFF. It was more because the logs were, in the first place, landed in such a way that they were very expensive to handle. For example, it cost us $1.81 to load the logs which were landed at mill site No. 3, but the logs which we landed ourselves in that little operation that we conducted last winter cost only $0.36 to load; and another reason was that the logs which we landed were old, rotten logs, which even when we got them on the cars scaled much less than they would have scaled if they had been green logs. So that we practically handled a lot of trash.

Senator PAGE. You mean in the dump out here?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Now, the figures show that in this lumbering operation of green logs they netted you $17.19 on the cars?

Mr. BRANIFF. Yes, sir.

Senator PAGE. They cost $12.46?

Mr. BRANIFF. Yes, sir.

Senator PAGE. That leaves a stumpage of $4.83.

Mr. BRANIFF. No; more than that; $5.83—something like that; $4.83 is correct; yes, sir.

Senator PAGE. Stumpage.

Mr. BRANIFF. Yes, sir.

Senator PAGE. Would you not regard that as poor showing in an ordinary logging transaction, with nothing charged for the use of the mill?

Mr. BRANIFF. Yes, sir.

Senator PAGE. How do you account, then, for the poverty of the profits here?

Mr. BRANIFF. It is a poor proposition. In the first place, we only got out 1,021,000 feet of logs, when we built enough roads to get out four or five times that much, and this basis is not to be regarded as a fair basis for that operation because we are logging on the same roads this winter. We will get out 10,000,000 feet more in that same country.

Senator PAGE. And the entire expense of the roads has been charged to this transaction on this 1,000,000 and a little more feet?

Mr. BRANIFF. Yes, sir. I consider it fair to charge the operation last winter with the expenses of these roads.

The CHAIRMAN. Does that mean the roads leading out of here, or just your logging roads?

Mr. BRANIFF. The logging roads that go down to the railroad.

Senator PAGE. Your plant here cost $160,000?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Or, perhaps, with the other work, you might figure it very well at $200,000 for your plant and improvements.

Mr. BRANIFF. The mill plant cost about $160,000.

Senator PAGE. The improvements that enter into the manufacturing business here would figure up to nearly $200,000, would they not?

Mr. BRANIFF. Yes, sir.

Senator PAGE. What would you, as an experienced lumber man, say it would be proper to charge to an expense account; that is, for the wear and tear of the mill and depreciation of machinery?

Mr. BRANIFF. I think most mill men figure about 8 per cent.

Senator PAGE. Would 8 per cent cover it, in your judgment?

Mr. BRANIFF. Some figure 10 per cent; in the South they figure 10 per cent. And you have to take another thing into consideration; when a mill man charges 10 per cent for depreciation he does so on the basis of a limited cut. If you have a ten-year cut you figure a much higher depreciation than if you have a fifty-year cut. I believe with this mill plant that the depreciation of 6 per cent is an outside figure.

Senator PAGE. When you speak of that, do you mean depreciation, or depreciation and interest?

Mr. BRANIFF. I mean depreciation.

Senator PAGE. Then, you would figure 12 per cent for depreciation and interest on your investment, would you not?

Mr. BRANIFF. I believe the tribe gets 5 per cent on this money.

Senator PAGE. That is 11 per cent?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Then if you were to charge $22,000 for the use of the plant you would have to do a very large business. Did you ever have a run behind on any showing that you have made on this plant?

Mr. BRANIFF. Yes; we logged about 22,000,000 when we get into the green timber, and that makes a dollar a thousand on green logs.

Senator PAGE. On a basis of 22,000,000?

Mr. BRANIFF. Yes, sir. We figured 20,000,000 of green and perhaps 2,000,000 of dead and down that we pick up in our loading, perhaps.

Senator PAGE. Had that been charged into that, your stumpage would have made $3.83?

Mr. BRANIFF. Yes, sir. I wish to say, however, that this logging proposition here is not a fair test on which to judge what can be done in this country. In the first place, we had timber there from which we could get out four or five million feet instead of only 1,000,000; we only got 1,000,000 feet of timber out of there because we wanted to cut only a small amount of green timber. We did not want to go into this very heavily, but we built enough roads to get out four or five times that timber, and those roads will all be available this year. They are putting in large camps this year. We will make that country yield about 10,000,000 feet of hard lumber in two years. Then the logging was an unusually difficult circumstance. A pond which we built out in that country was taken out of those great kettle holes that had been abandoned by those loggers; it had been too expensive for them to handle. It was a valuable pond, but exceedingly difficult to handle, and then again it was the first logging which we did here, so that we felt that a large allowance ought to be made in considering that job.

The CHAIRMAN. Should you cut this land, as I understand, you will have a much larger stand of timber than in the ordinary logging operation?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. And this never can pay as much per year as where you skin it right off?

Mr. BRANIFF. That is absolutely true.

The CHAIRMAN. How small do you calculate to cut it down to?

Mr. BRANIFF. We have no timber limit. We have men in the forest service who go out and mark the timber; then mark the timber which they believe ought to be cut out for various reasons, and they cut only that timber. So that in going over this ground we will take not to exceed two-thirds of the stand.

The CHAIRMAN. This can never, in any one year, show the profits that it would if you went right in and skinned it off.

Mr. BRANIFF. No, sir; there is another thing to take into consideration, and that is that about two months of that logging was under the eight-hour law. We work our men about eleven hours now.

Senator PAGE. At the same price?

Mr. BRANIFF. At the same price, exactly.

The CHAIRMAN. What do you pay here for labor other than what you would call skilled workmen?

Mr. BRANIFF. The lowest wages are about $1.75 a day. A good workman will make $2 a day.

The CHAIRMAN. What percentage of your labor here is Indian labor?

Mr. BRANIFF. Here is a statement that will show it exactly up to July.

The CHAIRMAN. This statement will be inserted in the record.
(The statement is as follows:)

Expenditures for white and Indian labor.

Month.	Number of white employees.	Number of Indian employees.	Total paid white employees.	Total paid Indian employees.
1908.				
April	120	68	$4,188.42	$1,387.13
May	112	77	3,001.96	1,887.54
June	197	101	5,653.90	2,376.30
July	378	109	10,038.58	2,456.00
August	694	227	16,789.58	3,889.55
September	1,064	298	21,681.12	3,799.90
October	590	231	19,721.99	3,263.86
November	705	143	17,996.82	2,906.78
December	423	157	12,875.46	2,952.36
1909.				
January	349	270	10,585.42	4,918.41
February	288	293	9,829.50	6,077.08
March	433	339	11,563.61	6,910.96
April	439	307	11,087.91	5,628.87
May	529	317	13,977.94	6,287.85
June	540	306	17,248.62	7,479.51
July	509	300	17,408.58	8,101.04
Total	7,380	3,533	203,818.79	88,901.79

Senator PAGE. How does the price at which this lumber has been sold compare with the prices two years ago?

Mr. BRANIFF. It is very much less.

Senator PAGE. How much for hemlock?

Mr. BRANIFF. I think hemlock is off about $6.

Senator PAGE. And pine?

Mr. BRANIFF. Pine has held its own pretty well.

Senator PAGE. How about your hard woods?

Mr. BRANIFF. They are very much off.

Senator PAGE. Your hard wood is very much off?

Mr. BRANIFF. Yes, sir.

Senator PAGE. You have about 50 per cent of hard wood, have you?

Mr. BRANIFF. Yes, sir.

Senator PAGE. And about 40 per cent of hemlock?

Mr. BRANIFF. Yes, sir.

Senator PAGE. And 10 per cent pine?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. What per cent do you make it?

Senator PAGE. About 30 per cent below the price two years ago on hemlock. On hard wood, how do you think it would stand?

Mr. BRANIFF. I do not know about hard wood. I should say about $3.

Senator PAGE. That would be from 15 to 20 per cent?

Mr. BRANIFF. No, sir; it varies a great deal, of course. Some stock is off a great deal. Basswood, for example. Our No. 3 basswood is about $4 off.

Senator LA FOLLETTE. What per cent is that?

Mr. BRANIFF. On that grade it would be about——

Senator PAGE. About 40 per cent or more?

Mr. BRANIFF. Stock which was worth in this country about $13 is worth now about $10.50.

Senator PAGE. You spoke about some being sold for $6.

Mr. BRANIFF. That is No. 3 birch maple which we are selling for $6.

Senator LA FOLLETTE. What would that make for stumpage?

Mr. BRANIFF. About $4.

Senator PAGE. It has fallen from $13 to $10.50?

Mr. BRANIFF. That is the difference between the price two years ago on No. 3 basswood and the price to-day.

Senator PAGE. You say that your hemlock runs about 40 per cent of the entire cut?

Mr. BRANIFF. It has so far; I think that is a fair average.

Senator PAGE. On this transaction—and that is off about $5 per thousand feet.

Mr. BRANIFF. Yes, sir.

Senator PAGE. And you say your other timber perhaps is off $3 per thousand feet?

Mr. BRANIFF. I do not know very much about that; I only know in the case of No. 3 basswood it is off about $3.

Senator PAGE. Would you think that the average of your lumber, as compared with two years ago, would be about $4 per thousand less, according to your best estimate?

Mr. BRANIFF. I should think it would be fully that.

Senator PAGE. So that had the conditions—the market conditions—continued normal, it would have brought the price of this stumpage to $8 per thousand, approximately.

Mr. BRANIFF. The stumpage is not changed.

Senator PAGE. I am talking about what this stumpage netted. It yielded $4 per thousand.

Mr. BRANIFF. Yes, sir.

Senator PAGE. Now, had the market price been as it was two years ago, it would have yielded about $4 more.

Mr. BRANIFF. Yes, sir.

Senator PAGE. Or $8 a thousand on the stock.

Mr. BRANIFF. Yes, sir. That is a fair estimate.

Senator LA FOLLETTE. And that, too, in an operation which is in anywise a fair test of lumbering, when you were carrying it forward on a reasonable and favorable condition.

Mr. BRANIFF. I think that is exactly a fair statement—that is entirely fair.

Senator LA FOLLETTE. Could you make an estimate of the difference between this operation and a normal operation, where you were not putting something back in the land, such as building roads, and things of that sort?

Mr. BRANIFF. Well, my belief is that in order to handle timber the way we handle it here it will cost, this operation, not less than $1.50 a thousand in excess of a normal logging operation.

Senator LA FOLLETTE. I understand that that is because you did not skin the timber all off.

Senator PAGE. And because of the roads.

Mr. BRANIFF. Because we put expenses back into the land in the form of getting rid of that trash. It would not cost any less than 50 cents a thousand to burn this trash in the ordinary logging, a thing which the ordinary logger does not do at all.

Senator PAGE. You clean up your trash so as to avoid fires on the reservation?

Mr. BRANIFF. Yes, sir.

Senator PAGE. And that makes a charge that you estimate at 50 cents a thousand?

Mr. BRANIFF. It is going to make at least that much expense in our logging this winter.

Senator PAGE. You did that by direction of the Forestry Service, did you?

Mr. BRANIFF. We did that because we believe it was the best plan; because we want to log this timber under the system which is contemplated in the law, and it would be necessary to get rid of that trash.

Senator PAGE. But did you not have some positive direction from the department in regard to that?

Mr. BRANIFF. No, sir; that has been done on our own initiative.

Senator PAGE. How much do you think you have put into roads per thousand feet?

Mr. BRANIFF. I do not know.

Senator PAGE. You have not the number of dollars that you put into the highway?

Mr. BRANIFF. No, sir.

Senator PAGE. I did not know but that you knew as to this particular transaction this winter.

Mr. BRANIFF. No, sir; because we have more roads than we needed.

Senator PAGE. I was thinking that if you knew what you put into the roads, and divided that by the number of thousand feet you have got in, it would show perhaps $2 more per thousand when a normally expensive road would not be over $1 per thousand.

Mr. BRANIFF. Well, I can get that for you.

Senator LA FOLLETTE. Can you work that out approximately?

Mr. BRANIFF. I am not quite sure that I can; no, sir.

Senator PAGE. Will you please see if you can have your man do that, because it is quite an interesting matter to see what the stumpage of the Indians is worth here, by and large, everything together.

Mr. HOLCOMBE. I would like to ask if all of the Indians who have been employed by you are enrolled members of the Menominee band?

Mr. BRANIFF. No, sir.

Mr. HOLCOMBE. What percentage are not?

Mr. BRANIFF. I do not know. That might be ascertained by going over the medical fees. We charge Indians who are not on the roll the same medical fee as a white man, which is 50 cents a month for a single man.

Mr. HOLCOMBE. What I want to ascertain is, Does your statement with regard to Indian labor include Indians who are not members of this band?

Mr. BRANIFF. Yes, sir; that includes also the Stockbridges, a few of them.

Senator PAGE. I understand that you could get at exactly the number of Menominee Indians that have been working for you by going to your physician here to ascertain?

Mr. BRANIFF. Yes, sir; we can do that. You asked me what the expenses of improvements, divided from operating expenses, were. Here is a statement which shows approximately [exhibiting a paper].

Senator PAGE. Then your total improvements, approximately, were $374,404; operating expenses up to the 1st of September, I take it——

Mr. BRANIFF. Yes, sir.

Senator PAGE. $161,553.46?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Then there is an item marked "Expense"—$35,986.20?

Mr. BRANIFF. Yes, sir.

Senator PAGE. You say your improvements cost $374,404.47?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Of which $160,000 approximately is for your mill?

Mr. BRANIFF. Yes, sir.

Senator PAGE. That leaves $214,000 for these buildings and your improvements of the ground, and what else?

Mr. BRANIFF. And improvements of the rivers and building the roads and dams, and town improvements and houses.

Senator PAGE. How much do you estimate the cost of your roads, or did you separate that from the others?

Mr. BRANIFF. Yes; I can tell you that very closely. The roads cost us about $2,360 a mile for 11½ miles.

Senator PAGE. About $25,000?

Mr. BRANIFF. $25,000 or $26,000; yes, sir. It includes office salaries; the item "Expense" includes office salaries and insurance and incidentals of that nature, and railway transportation.

Mr. HOLCOMBE. Does that statement of expenditures include bills payable for materials that have already been received and put into use but not paid for?

Mr. BRANIFF. No; it only includes the materials that are used. It does not include the bills payable.

Mr. HOLCOMBE. What are the bills payable?

Mr. BRANIFF. I do not know. Mr. Everest can give you that.

Mr. PHILIP S. EVEREST (the disbursing officer). Do you mean outstanding to date?

Mr. HOLCOMBE. Yes.

Mr. EVEREST. I should say that it would run from $15,000 to $20,000 for all items.

Senator PAGE. What are these bills payable given for?

Mr. EVEREST. Office equipment, camp equipment, mill repairs, and so forth.

The CHAIRMAN. Do you have to give notes here for things?

Mr. EVEREST. No, sir.

The CHAIRMAN. They are simply open accounts that are not due yet?

Mr. EVEREST. Yes, sir.

Senator PAGE. When you say bills payable, you do not mean notes payable, you mean current bills?

Mr. BRANIFF. Yes, sir.

Senator PAGE. What time do you take on your current bills?

Mr. BRANIFF. Mr. Everest handles all accounts; I have absolutely nothing to do with the accounts. We have a disbursing agent, an Indian Office official, who keeps all our accounts.

Senator PAGE. Do you not know from contact with the business whether you pay cash for your goods?

Mr. BRANIFF. Mr. Everest knows all of that; I have no responsibility for that matter and have never assumed that part of the business.

Mr. HOLCOMBE. Who does the hiring?

Mr. BRANIFF. I do.

Mr. HOLCOMBE. You incur the indebtedness?

Mr. BRANIFF. I incur some and he incurs some.

The CHAIRMAN. We will have Mr. Everest testify at this point.

(Mr. Braniff was thereupon temporarily excused.)

STATEMENT OF PHILIP S. EVEREST.

PHILIP S. EVEREST, having been first duly sworn, testified as follows:

The CHAIRMAN. State your full name.

Mr. EVEREST. Philip S. Everest.

The CHAIRMAN. You are connected with this plant, are you?

Mr. EVEREST. I am the disbursing officer for the Interior Department.

The CHAIRMAN. How long have you been here?

Mr. EVEREST. Since the 1st of June, 1908.

Senator PAGE. Are all the bills or supplies purchased for this reservation paid so as to get all the discount that can be had for cash?

Mr. EVEREST. If we have money on hand available at the time, yes, sir.

Senator PAGE. If you do not, you pay when you can.

Mr. EVEREST. If we do not, we pay at the end of thirty or forty days, and do not get the advantage of the discount.

Senator PAGE. That is the most foolish thing I ever knew. I wanted to understand that.

Senator LA FOLLETTE. Who is responsible for that?

Mr. EVEREST. I suppose the Government is. When I close my accounts at the end of the quarter I have twenty days following that close in which to render my cash account. The office does not remit me any funds for the subsequent quarter until they receive my cash-account balance. I have twenty days to get it in. I have always gotten it in in that time.

Senator PAGE. Will not the parties with whom you make your purchases and supplies consent to allow you all the discounts given for cash if you agree with them that their bills shall be paid as soon as the vouchers could be sent to Washington and the approval come back?

Mr. EVEREST. In a good many cases; yes, sir.

Senator LA FOLLETTE. Do they do so?

Mr. EVEREST. In some cases I have taken advantage of that discount. The majority of the bills do not carry any discount with them; it is net cash. Some do; 2 per cent in ten days. They most all run net sixty days. We generally calculate to pay all indebtedness within thirty days, at the outside, after the receipt of the article.

Senator PAGE. Then you pay 2 per cent for twenty days' interest.

Mr. EVEREST. Yes, sir.

Senator PAGE. That is 3 per cent per month?

Mr. EVEREST. Yes, sir.

Senator PAGE. That is 36 per cent per annum that this Government is paying for those accounts?

Mr. EVEREST. Yes, sir.

Mr. HOLCOMBE. Mr. Everest, I believe, can give us the information with regard to the Indians. Do you know what percentage of the Indians who are not members of the Menominee tribe are on the pay roll?

Mr. EVEREST. Twenty-eight per cent figured up in the office pay roll.

Senator LA FOLLETTE. Who are not members of the Menominee tribe?

Mr. EVEREST. Yes, sir; nonenrolled Indians; not members.

Senator LA FOLLETTE. That is out of the total number of Indians employed?

Mr. EVEREST. Yes, sir.

(Mr. Everest was thereupon temporarily excused.)

STATEMENT OF EDWARD A. BRANIFF—Resumed.

Senator LA FOLLETTE. I would like to ask Mr. Braniff a question in that connection. Mr. Braniff, will you state whether you give employment to all Menominee Indians who apply for employment and who will work?

Mr. BRANIFF. Yes, sir; all of them.

Senator LA FOLLETTE. How does it happen that Indians other than Menominee Indians have been hired and are employed on the reservation here in doing this work?

Mr. BRANIFF. They are employed on the same basis as the white men. When we need laborers, we must go where we can to get them. I would also like to state that one of the main reasons, in my judgment, why we have not more Menominee Indians and why we have such a large percentage of Stockbridges and other Indians is that the Menominee Indians are pensioners, who are paid an annuity of $60 every six months, which discourages them in the habits of industry, and which causes them to quit their jobs and go off and dissipate their substance. The payment of the annuities is the main cause for the low percentage of Menominee Indians that work on this reservation. The Stockbridge Indians get very little, if any, annuities and are compelled to work for a living.

(At this point a recess was taken for ten minutes.)

AFTER RECESS.

EDWARD A. BRANIFF was recalled for further examination.

The CHAIRMAN. Just before we took a recess you stated that the Menominees were drawing $60 every six months. Did you mean that?

Mr. BRANIFF. No, sir; $30 every six months.

The CHAIRMAN. You said $60.

Mr. BRANIFF. I made a mistake.

Senator PAGE. Mr. Braniff, you say that you employ the Menominee Indians whenever they come and wish to work if you have the work.

Mr. BRANIFF. We always do if we have work; we always employ him if he is willing and able to work.

Senator PAGE. Do you sometimes have trouble with them at pay days about their going away and losing time?

Mr. BRANIFF. We have more or less trouble all the time; less now than formerly.

Senator PAGE. Well, at pay days do you find a large percentage that lay off for a week or two?

Mr. BRANIFF. My foreman would know more about that than I do. I can only give you my general impression. My general impressions are that the Indian is working longer—more days per month—than he did last April a year ago when the work began; that he is a steadier Indian; that he is worth more to this work as a workman, and that he is not so liable to get drunk. I know that he is not so liable to get drunk. I know from my records here at Neopit that the Menominee Indian is a better workman than he was before I came here. He is an unsteady workman; he is not reliable—I am speaking of the bulk of them. There are exceptions, but it is very difficult to keep him at work indoors. He is a good man in the woods in certain occupations. He is an excellent river driver. I believe he is as good a river driver as the white man.

Senator PAGE. You would as soon have an Indian river driver?

Mr. BRANIFF. Yes, sir; as soon as a white man.

Senator PAGE. Is he not better, as a matter of fact?

Mr. BRANIFF. I believe, as a class, that he is. I wish to say that while we have all this trouble with the Indians on pay day, and always will have, that the difference is quite noticeable in the way in which the Indian handles his money now in contrast to what it was eighteen or twenty months ago. I have instances—specific instances—I believe one of them is Louis Dodge. When I got here Louis Dodge was employed here at Neopit; he had a little log camp and boarding house. He used to get drunk; he was an awful drinker and he kept boarders and drank up everything he made, and used to raise a good deal of trouble. I had some trouble with him one day on the train and took some whisky away from him; I took a bottle out of his bundle and smashed it. He was along with some other Indians. Louis drank for a long time, and six months later I went around and told him he would have to leave town. He went out in the woods and worked for Mr. Rossman at Lake Dam. One of my foremen heard afterwards that he has been saving his money and has not got drunk. He has good clothes and has a good house to live in. His wife was in about the same condition as he was, and she has been working about town and has been very industrious. She has been working for us in the house.

Senator PAGE. Do you discover any difference between the way the Indian spends his money which he earns himself and the way in which he spends his allotment money which is received from the Government in the form of annuities?

Mr. BRANIFF. Yes, sir; we know positively that when the Indians get annuity money he regards it the same as anybody who gets something for nothing. He goes off and blows it in; he almost never saves it. I have an instance of that kind in our South Branch place. Mr. Rossman had charge of the South Branch drive and we had a family in the crew made up mainly of Indians. Most of them were Menominees. The Indians were paid off for their month's work and most of them stayed at work only two or three days later, and

a few weeks after that they got their annuity payments and the camp was deserted; they all went off and got drunk and hung up the drive, and we took about ten days to get a crew together. We find that whenever an annuity comes all the Indians leave their work and flock over to Keshena to get their money, take their families over and desert their jobs, and when they get their money a very large percentage of them do not return again for several weeks. They spend two or three weeks in Shawano, and in all those towns in which there are saloons. The Indians get drunk, and hundreds of them have frozen to death, including women, along the road on the way to Keshena, and they have drunken fights.

Senator LA FOLLETTE. How do you know that, Mr. Braniff?

Mr. BRANIFF. I know that the Indians get drunk by reason of having seen them personally in this town, and as to their having died on the road, that is a matter of record in the agency.

Senator PAGE. But when they are spending the money which they have earned they are about as good as the white man, are they not?

Senator LA FOLLETTE. When they are paid off?

Senator PAGE. Yes; the money that they have earned I refer to.

Mr. BRANIFF. Yes; I should think that they were not much worse than a white man.

Mr. COX. Has any protest been made with regard to the annuity payment to these Indians?

Mr. BRANIFF. I have repeatedly made protests against the payment of annuities on account of its bearing on this work. I have taken the stand that annuities ought not to be paid to able-bodied Indians who are able to support their families because they have here an enterprise in which they have invested a large amount of tribal funds, and in which we are badly in need of workmen, and in which every inducement is offered to the Indians to work, and I believe that the payment of annuities is the most discouraging feature that we have to encounter in securing advantages for the Indians. I believe that if the annuities were stopped to able-bodied Indians that those Indians would be compelled to go to work here, and it would be an extra inducement for them.

The CHAIRMAN. You say that you have made protests. Have you had much correspondence with reference to the manner in which the business is conducted here?

Mr. BANIFF. Yes, sir; I have written the Forester asking him to call the attention of the Indian Office to the bad feature of paying annuities. I have several letters to that effect.

The CHAIRMAN. Have you very generally reviewed the situation here by correspondence?

Mr. BRANIFF. Yes, sir; as far as the Indians are concerned.

The CHAIRMAN. Well, as far as other features are concerned?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Have you copies of your correspondence?

Mr. BRANIFF. Yes, sir; as to the particular features.

The CHAIRMAN. Are there any in which you have called attention to the improvement that might be made in the system here, or suggestions as to the weakness of the method?

Mr. BRANIFF. I have repeatedly asked Washington for more prompt action and for better service, and for more authority, and with less

"red tape;" for broader and more liberal views, and I have repeatedly asked Washington to regard this work not as the conduct of an agency, but as the conduct of a large business enterprise, and I have repeatedly asked Washington to give me the same responsibility and the same authority that a general manager of a lumber company in a similar position would have, and to look to me for results, and not to hamper me and harass me by technicalities, and give me prompt action with respect to my requests.

The CHAIRMAN. Have you that summarized so that it could be made a part of this record without too much delay?

Mr. BRANIFF. In that connection I would like to read a letter which I have here. It is a letter to the Commissioner of Indian Affairs. On September 29, 1909, I wrote as follows:

NEOPIT, WIS., *September 29, 1909.*

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.
(Through J. A. Carroll, Neopit.)

SIR: I addressed to you on August 28 a most urgent letter, copy of which is attached, reciting in detail many matters, some of them vitally important to this work, which had been submitted to the Indian Office within the past two months for action, but on which no action had been taken. The necessity for acting on these matters was set forth fully, and I appealed to you to give this work the personal assistance it deserved. You have not granted my letter, now a month old, the favor of a reply, and important matters referred to have not been attended to. The situation has become even more acute within the past thirty days and requires immediate attention, which, if not given, will result in consequences the office alone must assume. For example, failure to obtain authority to purchase more horses will make it necessary to board up three of the five camps under construction for the winter's logging and to shut down the mill for a time.

The continued indifference of the Indian Office, its failure from the first to render any effective help, has been the most discouraging feature of this work. The Menominee work has progressed to its present stage not by reason of the office, but in spite of it. Since the inception of this work the office has not within my recollection advanced a single practicable idea toward its conduct or assisted on its own initiative in effecting any improvement or advance. Each step in the orderly progress of this work from planning to achievement has been accomplished in the face of the indifference of the office and after forcing from it after weeks a reluctant consent. When I agreed last July, after the termination of the cooperative agreement, to continue in charge of the Menominee work it was under your expressed promise of personal interest and personal help. This promise has not been kept.

Your attention is called to the Indian Office record of past administration on the Menominee, which proves that the policy now being pursued is the same one followed for so many years before and with lamentable consequences. I will recite briefly the record of this operation as the most illuminating example of the results of such methods:

The timber now being sawed in the Menominee mill was blown down in a storm in July, 1905. Timber prices were high that year and other loggers (such as Mr. Houck, of Antigo) logged their blown-down timber that winter and saved it, making a profit. The office had ample authority under the act of 1890 to log this timber immediately, but did not do so. The hard wood lay over in the woods for three years and spoiled before it was finally logged in 1907–8, under the act of 1906. The old basswood, birch, and maple sawed in the mill has yielded practically all culls, worth less than the cost of handling. The cost of logging under contracts let by the Indian Office was $6.75 and $7; the cost of transporting and manufacturing this stock will average in excess of $5 more, making a total of not less than $12 expense; whereas cull basswood has been sold at from $9.25 to $11, and cull birch and maple at $6. The Indian Office allowed an immense amount of valuable timber to go to waste which could have been saved. When the timber was logged the office permitted a class of logs to be cut which should have been left in the woods.

The conduct of logging operations on the blown-down district in 1907–8 is the best illustration of the evil effects of the methods which the office still pursues in administering the present work.

The office first permitted the Menominee business committee, which let the logging contracts, grant contracts to itself as individuals. The bad character of most of the members of the committee, their record for dishonesty, greed, and self-seeking, did not prevent the office from allowing this committee, in spite of protests, to grant itself profitable contracts. It was party of the first part and party of the second part in many contracts. For example, Moses Tucker, chairman of the business committee, in whose name all the contracts were made, was allowed 7 out of 38 for himself and relations. These contracts were executed in violation of terms which made it necessary for me to penalize them as follows:

Contract 5, William Tucker, penalized $682.51.
Contract 12, Moses Tucker, penalized $509.81.
Contract 14, Louis and Peter Tucker & La May, penalized $593.20.
Contract 18, Van Glem & Tucker, penalized $569.90.
Contract 34, Tucker, Mattson & Bowman, penalized $200.
Contract 38, Mose Tucker & Brooks, penalized $371.27.

Other contracts let by the business committee to its members were Nos. 9, 11, and 19. All were badly executed and were afterwards penalized by me.

The office was fully advised from the start of the evil course taken under these operations. Within four weeks of the time logging began its logging superintendent, Joseph R. Farr, after inspecting the work rendered a full report, the facts of which were afterwards substantiated. Farr called attention to repeated violations under which the office was empowered to cancel the contracts. In his report of November 5, 1907 (Exhibit C), and that of March 3, 1908 (see Exhibit D), he called attention to the cutting of green timber and leaving of dead and down, the gross waste in the logging, the excessive scale and poor scaling methods, the favoritism shown in granting contracts, the high price paid for logging, presence of whisky and drunkenness in camps, failure to provide for transportation of the logs, etc. "Taking the operations as a whole," said your logging superintendent, "they are the worst I have examined since my investigation in Minnesota." No attention was paid these reports.

My appearance on this work dates from March 10, 1908. I was sent here by the Forest Service under its cooperative agreement with the Indian Service. The deplorable conditions which the Indian Office had allowed to exist were put up to me to deal with. The office had, in spite of repeated and urgent warnings of its logging superintendent, permitted 38 contractors to violate their contracts, and then turned the entire matter over to me to handle. Fraud had been practiced in several of the contracts. On contracts 16 and 17, in which W. P. Cook was the contractor, a shortage of 7,425 logs, or nearly 600,000 feet, was discovered. The contractor had been credited with this number of logs which could not be found. The scaling was everywhere careless and everywhere greatly in excess of a proper scale. For example, my check scale discovered the following overscales:

	Per cent.
Contract 1	22
Contract 2	12
Contract 4	17
Contract 5	13
Contract 6	8–31
Contract 7	9
Contract 12	16
Contract 13	11
Contract 14	11
Contract 18	11
Contract 19	18
Contract 21	19
Contract 22	20
Contract 23	18
Contract 24	13

Great waste had been committed, and the contractors who were paid a high price for logging down timber, logged much green and left much down. The logs were landed in so poor a fashion that to get them out involved a maximum of expense. For example, when I loaded out the logs landed by contractors

at mill site 3 the cost was $1.81; at mill site 2 it was 99 cents; whereas green logs which I myself landed in proper fashion at camp 7 I loaded at 36 cents.

Another comparison: The cost of breaking the Big Jim rollway on the Main Branch, where the logs had been dumped over a high bank into the river, was alone 77 cents (I kept separate record of this expense) without the drive. The cost of driving the Main Branch was $1.23, and the Little Branch 90 cents. These streams can now be driven, with logs properly landed by me, at not to exceed 25 cents. Therefore costs of handling this stock have been high because the office permitted mismanagement in its logging.

It was necessary for me to discharge for incompetence the logging superintendent whom the office had here, John W. Goodfellow, and to bring charges against the superintendent of the agency, Shepard Freeman, who inspected the progress of the work. I was compelled to take the responsibility of refusing to recommend payment in full to the contractors, although it was realized that such a step would bring about wide and bitter hostility on the part of local interests and would damage the important construction work in which I was engaged. I was fully warned of this. In a conference with the contractors in Attorney Wallrich's office in Shawano, W. P. Cook, the contractor who had been penalized the largest amount (the penalty has since been reduced to $9,584), told me that I could not expect to bring my work to a successful issue without the good will of the local community. To which I replied that if the community's good will was to be secured at the cost of approving the contracts I would try to get along without it. The total amount held back on these contracts is approximately $26,000. This is money of which I prevented the tribe from being robbed, and I have never received from the office or from the tribe any testimony of appreciation for my effort. The office has left me alone and unaided to fight its own battles in a hostile community, and has always been ready to lend an ear to the complaints of the very Indians whom I have benefited and of the whites whose raid on the tribal funds I have checked.

In the face of the accomplishments on this reservation during the past eighteen months the office has constantly presented a critical attitude. I have never had from it a friendly word or a helpful suggestion. The office has from first to last pursued the policy of obstructionism. Under the cooperative agreement I reported direct to the forester, and matters which needed attention were taken up in person by the Forest Service, and action was thus obtained within a reasonable time. Now that I have been obliged to take up all matters in need of attention by letter direct with the office, without the advantages of an intermediary, the situation has become apparently hopeless. My most urgent letters remain unacknowledged and nothing effective is done. The appeal for action made in my letter of the 28th, and other letters, has not been granted. At the time when I had brought this work to a point of complete success, with the mill working perfectly and lumber being sold at good prices, you sent here Mr. J. A. Carroll to supplant me and placed me in the humiliating position of a subordinate. No cause was given, and I am at a loss to understand your action. In the meanwhile the situation so far as the work is concerned remains unchanged. The spirit of uncertainty and unrest, the Indian councils, petitions, charges and countercharges have disorganized my crews and rendered the orderly conduct of this work impossible.

To make a success of this work the office must radically change its methods. A man must be placed in charge of the work with ample authority to conduct it and with sufficient funds to go ahead and get the necessary things done. He should not, for example, be compelled to suspend logging because of the refusal of the office to allow him to buy horses. He should be empowered to proceed with his work under the terms of the law, to sell the lumber to best advantage, and he should be expected to produce what the general manager of a lumber company must produce, namely, results.

If the office chooses to put me in this position to continue the work, under ample authority which will enable me to get results, I shall be glad to continue in charge of this work. If, however, the office deems this course inadvisable, I desire to tender my resignation.

Respectfully,

EDWARD A. BRANIFF,
Indian Forester.

The CHAIRMAN. What do you mean by penalizing these contracts?

Mr. BRANIFF. The contracts which were not carried out in accord-

ance with their terms were charged with the damage which had been done, as based upon the estimates of Mr. J. R. Farr.

The CHAIRMAN. Then you deducted that amount?

Mr. BRANIFF. We deducted that amount from the settlement. I have another letter here which I would like to read to the committee.

Mr. HOLCOMBE. I would like to ask Mr. Braniff some questions, if I may be allowed to.

Senator LA FOLLETTE. If the other letter is to be presented, I suggest that it be submitted now.

Mr. HOLCOMBE. It will come out later, Mr. Chairman. You say that in certain operations you have been compelled, because you have not received authority, to purchase teams. You so state in your letter.

Mr. BRANIFF. No; I say it will be necessary.

Mr. HOLCOMBE. Is it not a fact that you have already bought those teams?

Mr. BRANIFF. No, sir; we bought some of them.

Mr. HOLCOMBE. Did you not on August 4 ask authority for about $12,000 to purchase the teams?

Mr. BRANIFF. That may be the date; yes, sir.

Mr. HOLCOMBE. Did you not on August 6 purchase those teams?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. And on August 12 did you not write to the commissioner and ask him to grant you that authority that you had asked for on August 4?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. That you would need those teams for winter operations?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Had you not at that time already purchased those teams?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. And was it not until the 28th that you first advised the commissioner that you had already bought the teams?

Mr. BRANIFF. Yes, sir. I desire to make an explanation. We had a general authority for a certain amount of money, which was sufficient to cover the purchase of teams. The authority called for an expenditure to be made for logging operations, including the purchase of logging equipment—horses or logging equipment. I purchased, approximately, 31 or 32 horses for the reason that we had come to the point, on account of the increased cut on the mill, the mill constantly increasing the amount of its cut, where we did not have sufficient horses to haul the lumber from the works to the piling yards. So I purchased those horses on the general authority, which was perfectly legitimate. On figuring up our expenses we found, however, that on account of increased labor, which we had not anticipated, it would be necessary to get more money. So separate authority was asked for the purchase of those teams in order that I might divert that money to the other purchase.

I wish to say, in addition, that those horses are all here, and in spite of repeated requests have not been paid for, nor has the money been granted, and we have now got to the point where it is necessary to purchase about 24 more logging teams—about 48 horses. The time has come when we must make our preparations for the logging this winter. The best time to make preparations for logging is in the

fall, to build our logging roads before the freezing weather comes. We are putting up our camps and have not the teams and no money to buy them, and my statement that it will be necessary to close up three of our five camps unless we get horses is, in my judgment, correct, and the statement is justified.

Mr. HOLCOMBE. You say that when you bought those 32 horses——

Mr. BRANIFF. It was something like that.

Mr. HOLCOMBE. That you paid for them out of the logging fund, and that it was a perfectly legitimate expense?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. When you made your request for the purchase of the 32 horses, you intended to divert that money to other expenses, did you not?

Mr. BRANIFF. I intended to purchase the horses out of our general logging fund.

Mr. HOLCOMBE. You had already purchased them, though, had you not?

Mr. BRANIFF. That was my intention when we purchased those horses, but on account of the increased cost of labor, and on account of the large number of men employed, we found that our expenditure had exceeded our anticipation.

Mr. HOLCOMBE. But those horses had already been purchased by you and paid for out of the general logging fund?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Therefore your requisition for 32 horses was for money and not for horses?

Mr. BRANIFF. It was for horses that we paid for.

Mr. HOLCOMBE. The funds were not available?

Mr. BRANIFF. It was not paid by a given date——

Mr. HOLCOMBE. Does not your letter of August 28 state that you did it under your general authority?

Mr. BRANIFF. They had not been paid for to-day. They are here and have worked for six weeks, and are still unpaid for on account of my failure to obtain authority.

Mr. HOLCOMBE. Did you at any time prior to August 28 let the Commissioner of Indian Affairs know that you had purchased those horses?

Mr. BRANIFF. I will have to look up the correspondence.

The CHAIRMAN. Have you not paid for them? I certainly understood you once or twice to say that you did pay for those horses.

Mr. BRANIFF. No; we have not paid for the horses at all.

Senator LA FOLLETTE. He stated that he had purchased them.

Mr. BRANIFF. My understanding was this: We had a certain amount of money appropriated for logging expenses on this reservation, and in purchasing those horses I anticipated that we would have enough funds to pay for them. We had no authority to pay for them. We had authority for about $25,000, but our expenses increased so rapidly on account of the magnitude of this work that we found ourselves unable to pay for all the horses and pay our other bills. We diverted that money which we had to pay for other bills and asked for separate authority to pay for the horses. That separate authority has not been granted, and therefore the horses are still unpaid for. Now we find ourselves in need of additional horses,

24 more teams in addition to the ones we still have, and which are still unpaid for.

Senator LA FOLLETTE. Did you in any of your corresopndence, after you had made the purchase of the 32 horses, inform the Indian Office that you had purchased 32 horses?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Which were not paid for?

Mr. BRANIFF. Yes, sir; that was made perfectly plain to the office.

Mr. HOLCOMBE. When was your request for the 48 horses made? I mean the authority for that purchase?

Mr. BRANIFF. Some time ago. I will have to get the correspondence in order to ascertain that.

The CHAIRMAN. What I want to ascertain is, when you took in money for the sale of lumber, then did you have to get authority to expend that money?

Mr. BRANIFF. Mr. Everest handles all the funds. My sole duty is to assist him in selling the lumber.

The CHAIRMAN. Do you know whether it is necessary, if you have funds on hand to buy something, to get authority to make the expenditure?

Mr. BRANIFF. Yes, sir; we have to have authority to make the purchase.

Senator PAGE. Has Mr. Everest authority to pass any of that money which he receives from lumber over to you?

Mr. BRANIFF. No, sir; as I understand it, he deposits it with the assistant treasurer at Chicago.

Senator PAGE. It must all be by deposits?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. You mentioned the fact that you have made requests of the office, that you have made suggestions, and that those suggestions were not answered by the department?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Have you some particularly flagrant case, which you have in mind, in which you can give the committee a copy of your letter?

Mr. BRANIFF. It is contained in this letter of August 28, in which I make a number of suggestions.

The CHAIRMAN. Just read that letter.

Mr. BRANIFF. The letter of August 28 is still unanswered, although several of the matters therein contained are important.

The CHAIRMAN. That is the letter that you wrote?

Mr. BRANIFF. Yes, sir. I wrote the letter of August 28, which was a very urgent letter, and never got a reply to it.

Senator LA FOLLETTE. Please read that.

Mr. BRANIFF. It is as follows. I may say, by the way, that it does not include all of the matters of importance, but only some of the matters which I think should be acted upon.

NEOPIT, WIS., *August 28, 1909.*

COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

SIR: Permit me to call your attention to the large number of matters of importance to this work which have been referred by me to the Indian Office for action within the past few weeks and on which no action has been taken. The

delays and difficulties experienced in securing action in Washington very seriously interfere with the administration of this work. The files of this office show the following matters which have been put up to the Indian Office which are still awaiting a decision:

August 2 I asked for the transfer of P. S. Everest, special disbursing agent, for the continued disloyalty to this work and a concealed attempt to reverse my decision. The facts were fully set forth in my letter and are a matter of record in the files of the Indian Office. My letter remains unacknowledged and no action has been taken.

June 3 I asked that school facilities be provided at Neopit for 75 children, both whites and Indian. A reply was received, dated June 29—twenty-six days later—asking for further information. I answered this query July 3, the day received, from which time until the present, so far as I have been informed by the Indian Office, no action has been taken.

I may say, by the way, that the matter was never replied to, but it was taken up by the agent, so I know nothing about it.

Senator PAGE. You do not know that that has not been attended to, do you?

Mr. BRANIFF. I only know through the agent that he has received some instructions in regard to the school, and the school is to be here, but it has not been taken up with me.

July 16 I called the attention of the office to the destruction of dams and timber and to the slaughter of trout by white fishermen. I stated that many forest fires were caused by careless fishermen and asked that I be allowed to regulate the fishing and hunting privileges and protect the Indian property. I drew up proposed forms of permits, stating restrictions to be placed on permittee, and outlined the whole matter completely. It would seem that no possible objection could be made to such a proposal, and that immediate consent would follow; yet no reply was received for more than five weeks. Then I received a letter dated August 21, asking for further information. I replied on the 25th, the day received, but so far no action has been taken.

August 2 I stated that the mill superintendent, G. F. Rice, employed at a salary of $3,000 per year to construct the sawmill, had completed his work and his services were no longer needed. No reply having been received, I wrote again on August 16 for action, but have received none. It would seem that in such a case, where the highest salaried man on this work had completed his task and the request had been made that his name be dropped from the pay roll, immediate instructions would be issued, but my two letters remain unacknowledged and no action has been taken.

Senator PAGE: Is he still working with you?

Mr. BRANIFF. Mr. Rice left us the 1st of September.

The CHAIRMAN. Can you not discharge men here whenever you want to?

Mr. BRANIFF. Mr. Rice is a civil-service employee. I have never yet been advised by the Indian Office as to whether they advised Mr. Rice that his services had been terminated. I never received any instructions after that, and have never been able to get any action in the matter.

Senator PAGE. While he was here, was his pay roll charged up to the expenses of this plant?

Mr. BRANIFF. Yes, sir; he was on what is known as the civil-service roster, so I had nothing to do with his employment. I hired him, or picked him out, and got him to build the mill, too. He was then placed on the pay roll and was independent of my action in discharging him.

Senator PAGE. What has been the nature of his labor and services to you since he completed the mill?

Mr. BRANIFF. He has been acting as a mill superintendent. He was employed as a designer; he made a design on which to construct the

mill, and he performed his task very creditably. He built us a very fine mill, one of the best in the country, and his services were very satisfactory. He is, however, not an operating man. He is, in my judgment, not the best man to handle a sawmill crew. I was not satisfied with the results obtained. Our lumber was coming out badly and I found it necessary to make a change. That is the situation with regard to that. The letter proceeds:

During my interview with the commissioner in Washington in July I was asked to draft a set of instructions defining the duties of myself and the superintendent of the agency, Mr. Wilson, so as to prevent misunderstandings and promote the efficient administration of affairs on the reservation. I drew up such a draft of instructions immediately on my return to Neopit and submitted them to the Indian Office for its consideration. On August 3, a telegram, signed Francis, acting chief clerk, was received, stating that "you will be in absolute administrative charge of all affairs on Menominee Reservation not left with the superintendent at Keshena. The line between you and him will be defined at once." Notwithstanding this assurance, the line has not been defined, and serious difficulties with the agent have ensued. These difficulties become so acute that on August 18 I outlined some of them and again asked for the instructions defining the responsibilities of Mr. Wilson and myself, but up to the present time no action has been taken.

August 2 I called the attention of the office to the injustice done white employees of this work by reason of the arrangement with reference to a physician. Medical fees have been collected since November, 1908, from white men, and have amounted to from $153 to $310 per month. In return the men have had the services of a physician who costs the Indian Office a salary of $1,200 a year. Profound dissatisfaction is felt by the men with the services rendered by Doctor Spears. The white men are paying enough to secure a first-class surgeon capable of taking care of them in case of accidents, which are numerous in logging and milling operations, and have a low-grade man thrust upon them. I asked in my letter that the fees which the white men pay should be turned over to a first-class surgeon, whom I should be instructed to select, so that the men would obtain the character of services they are paying for. Inasmuch as the surgeon would not be carried on the pay roll, but would be reimbursed out of the wages of the men, he need not and should not be a civil-service employee. I asked that Doctor Spears be relieved. August 12 a letter was received stating certain objections and proposing another plan which I knew, from experience on the ground, to be in actual practice not workable. I replied August 16, urging action along the lines suggested in my letter of August 2, but no action has been taken.

August 4 I wrote you asking for the authority to expend $12,000 in the purchase of horses and logging equipment to log the sawmill this winter. August 7 you wrote me asking for further information. I replied August 12, the day following receipt of letter, giving a complete and detailed statement of the number of horses on hand, the additional number needed to log 16,000,000 feet of timber this winter, the average cost per team, the total cost, the amount needed for sleighs, logging equipment, etc. No reply has been received and no action has been taken.

Mr. HOLCOMBE. Did you include in that the 32 horses that you had purchased?

Mr. BRANIFF. It was made to cover that purchase.

Mr. HOLCOMBE. But you said you made a statement showing the total number on hand. Did that statement show the 32 that had been purchased?

Mr. BRANIFF. No, sir; it showed the additional horses that would be needed.

August 11 I asked that the Forester be requested to send three experts to mark timber for cutting, as required by the act of March 28, 1908. My letter is as yet unacknowledged, and no action has been taken.

Senator PAGE. What date is that?

Mr. BRANIFF. August 11. That man was sent out to mark timber.

Senator PAGE. Has any action been taken?

Mr. BRANIFF. It has since been taken. We have two of the three.

Senator LA FOLLETTE. When was that action taken?

Mr. BRANIFF. Shortly after this letter of August 28 was sent. The Forest Service sent the man out.

Senator PAGE. Did they send the man whom you requested?

Mr. BRANIFF. They told me it would be impossible without an act of Congress.

August 17 I asked for the authority to pay Peter La Motte, an Indian, $225 on account of an accident on our tramway to two of his horses, in which one of them was killed and the other crippled. My letter is unacknowledged, and no action has been taken.

August 19 I asked for $500 to pay traveling expenses of employees, such as foremen, inspectors, etc., obliged to go outside of the reservation in connection with their duties. My letter is as yet unacknowledged, and no action has been taken.

That action has since been taken.

Two other matters which are still pending and concerning which action should be taken immediately are the granting of 3 acres of land for the Catholic Church near Neopit and the revising of the regulations for the sale of the product of the Menominee mill. The revised regulations were submitted to you August 27, and I earnestly hope that action will be taken at once along the lines suggested.

That action has not been taken, and it is very vital that it should be taken immediately.

Senator PAGE. What have you to suggest in that connection?

Mr. BRANIFF. The present regulations, in the first place, are based on a cooperative basis with the Forest Service, which require that recommendation for sale be made to the forester. The cooperative agreement has since been terminated, and therefore the regulations can not be complied with literally. The regulation requires that Mr. Everest, the disbursing clerk here, shall sell the timber. I do not believe that Mr. Everest should be empowered to sell timber, because his duties are of an entirely different character. He has not the opportunity of ascertaining what the stock is worth and of keeping in touch with the market. I believe the man in charge of the works should be empowered to sell the lumber.

Senator PAGE. And you believe that, in part, because you are held responsible for results?

Mr. BRANIFF. Yes, sir; I believe, inasmuch as the prices at which the stock is sold are a large part, or go to make a large part, of the results on which my conduct in this work is judged, that I should have every power to dispose of this stock. I believe that I should have every opportunity to make good and all the authority which the office can give me under the law.

Senator PAGE. Now, if the authorities at Washington should deem it wise to circumscribe your action to the extent of asking that any sale be approved by the subordinate, lest you might perhaps make some sales that were wrong or exercise favoritism or for any cause, would that not be a proper precaution to be taken by the department?

Mr. BRANIFF. I do not believe it would. I believe that the regulation limiting the amount of sale which can be made by me is a wise precaution, but I believe that sales in excess of a certain amount should be approved by the commissioner; but all sales are promptly reported to Washington, and no sale can exceed $5,000 in one amount.

Now, in selling lumber we have got to have prompt action. When a man comes in and buys lumber he can not wait three weeks for the Secretary to approve the sale.

Senator PAGE. I suggest that you have here an important agent of the department, Mr. Everest. Now, should not some man be here who acts in sufficient harmony with you, so that the precaution would not operate to the disadvantage of the business?

Mr. BRANIFF. Yes; that might be arranged. It might be arranged that a bonded officer, such as Mr. Everest, should visé all sales and should approve them.

Senator PAGE. He is always here, is he not?

Mr. BRANIFF. He is always here.

Senator PAGE. Can you suggest any objection to his viséing or approving the sales?

Mr. BRANIFF. No, sir; I do not think that there would be any objection to any approval of a lumber sale by a bonded official. I believe that the judgment which determines whether or not a sale should be made should be the judgment of the man in charge of this work.

Senator PAGE. But if your sales were good, you would be able to impress upon his mind your judgment to such an extent that he probably would approve unless he saw specific and decided objections to doing so.

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Prior to the termination of this cooperative agreement, did you have full authority to sell?

Mr. BRANIFF. No, sir; I have never had authority to sell. It is only the man who makes the sale.

Mr. HOLCOMBE. Under what conditions were the sales made under the cooperative plan?

Mr. BRANIFF. They were the same conditions as they are now. As I stated before, the regulations have never been changed, although the cooperative agreement has been terminated, and although they are illogical and impossible to comply with.

Mr. HOLCOMBE. Wherein are you unable to comply with them?

Mr. BRANIFF. The regulations state that sales shall be reported to the forester, and that the forester shall transmit all recommendations with his O. K. to the commissioner. Literally, that is impossible to comply with.

Senator LA FOLLETTE. Why?

Mr. BRANIFF. Because the cooperative agreement has been terminated.

Mr. HOLCOMBE. That merely eliminates one man.

Mr. BRANIFF. Yes, sir; it also has this about it: The regulations were made at the time when the Forest Service and the Indian Office divided authority in this work. I very strongly urged that the Indian Office empower me to make sales under the cooperative agreement. They declined to do so on the idea that a bonded official should make sales, and that inasmuch as Mr. Everest was their official, and their bonded official, that he should do so. I believe that, logically, I, being an Indian Office employee at the present time, should be empowered to make the sale, but the objection does not now stand.

The CHAIRMAN. You may proceed with the reading of your letter.

Mr. BRANIFF (reading):

To you, who are personally familiar with the magnitude of this work on the reservation, the necessity for confidence in the judgment of the man in charge of this work and for prompt action on all requests made must be apparent. The restrictions of governmental procedure in carrying on a business operation of this extent are the most serious obstacles I have to encounter. It is absolutely necessary that some one sympathetic with our aims be stationed in the Indian Office, who will make it his particular business to aid me in those matters which I find it necessary to put up to Washington for decision. I respectfully request that the matters referred to in this letter be investigated and that decision be rendered immediately.

Very respectfully,

——— ———,
Forester in Charge.

The letter has never been acknowledged.

Senator PAGE. Have they ever sent a man here to look up the matters or investigate the matters that you called attention to?

Mr. BRANIFF. Mr. Carroll was sent here some two weeks ago to take entire charge of this work, and I was instructed to report to him.

Mr. HOLCOMBE. How many sales have been made of lumber?

Mr. BRANIFF. Well, we made a sale last May, but the regulations were such as to require every man who wanted to buy this stock to put up 5 per cent of the amount of his bid. They were so restrictive that they built a fence around their lumber piles. You could not get inside of them. We sold one bill of pine to the Johnson Lumber Company and could sell no more stock. We simply had to lay down and quit.

Mr. HOLCOMBE. Did you actually make the sale, or did Mr. Everest?

Mr. BRANIFF. Mr. Everest.

Mr. HOLCOMBE. Has he made all the sales?

Mr. BRANIFF. He has made all the sales; that is, he has always been consulted. I have recommended some sales, and he has made them.

Mr. HOLCOMBE. Who has conducted the negotiations?

Mr. BRANIFF. I have.

Senator PAGE. Has he ever objected to ratifying your sales?

Mr. BRANIFF. No, sir; I have made the sales, because it was absolutely necessary to do so. I have recommended certain sales and he has always approved them.

Senator PAGE. Did you ever make specific regulations in regard to the sale of lumber here?

Mr. BRANIFF. Yes, sir.

Senator PAGE. And have any of those regulations been approved?

Mr. BRANIFF. The last regulations are a compromise on my suggestion. The vital feature of allowing me to sell the lumber instead of the disbursing clerk was not embodied in the regulation. The second set of regulations contained many of the features, or most of the features, which I advocated, except that.

Senator PAGE. Would you not think, Mr. Braniff, that a bonded man was the proper man through whom these important business transactions should pass, so that in case of any collusion, if it was ever found, between you and the party to whom you sold—that is, collusion upon the part of the party to whom you sold and the parties who bought—would be covered by the bond. You give no bond do you?

Mr. BRANIFF. No, sir.

Senator PAGE. Would it not be perfectly proper, in your judgment, that a bonded man visé or actually make these transactions?

Mr. BRANIFF. Yes, sir; I believe so.

Senator PAGE. Your suggestion is that you have complete charge here?

Mr. BRANIFF. Yes, sir. There would be no objection to my taking out a bond to cover the transactions.

Senator PAGE. Is it not the policy of the Government always, where transactions of that kind arise, to have a bonded man responsible?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Then is there any impropriety in the regulations as they now exist?

Mr. BRANIFF. Yes, sir; I believe so, because I do not sell the lumber. If I am to sell the lumber, it would not be a difficult matter for me to take out a sufficient bond to cover the sales, but I believe the main point of this whole proposition is this, that is as much that I am responsible for results, responsible for prices, and responsible for the stock, that I should be the man who should determine whether this man or that man should get this or that lumber at this or that price.

Senator PAGE. As a matter of fact, you do determine it, do you not?

Mr. BRANIFF. I have no power to do it.

Senator PAGE. But as a matter of fact, your recommendations are always followed, are they not?

Mr. BRANIFF. Yes, sir; they have been so far.

Senator PAGE. Then there has been really no detriment to the service in not following your recommendations?

Mr. BRANIFF. No, sir.

Senator PAGE. Is there any liability or probability that the business would suffer because Mr. Everest or the bond man declined to approve your sale?

Mr. BRANIFF. I do not know. We have not sold enough lumber. I do not know what Mr. Everest's ideas will be in the future. I do not know how long he will continue to agree with me.

Senator PAGE. You are supposed to act in harmony, are you not?

Mr. BRANIFF. Yes, sir.

Senator PAGE. You are supposed to have the same end in view?

Mr. BRANIFF. Yes, sir.

Senator PAGE. You understand that two partners usually get along together, and get along harmoniously?

Mr. BRANIFF. Yes, sir.

Senator PAGE. Is there any reason why you and the bonded agent could not conduct the business in harmony?

Mr. BRANIFF. Not that I know of at the present time.

Senator PAGE. The objection that you make is one of sentiment?

Mr. BRANIFF. No, sir; I am looking to the future. I do not know how long these conditions will exist. I am thinking more of having regulations which will cover all possibilities. I do not expect to stay with this work and I expect to get out of here, but I believe that the man in charge of this work should sell the lumber; that he should have a sufficient bond to cover it. I believe that the man in charge of this work should handle all of the transactions; I do not believe that there should be a bonded clerk here; I believe that the man managing this entire proposition should have a sufficient bond to make him responsible for everything that goes on here, including the sales.

Senator LA FOLLETTE. Would that be the practice if this were the ordinary proposition?

Mr. BRANIFF. It would be decidedly the practice. I can not imagine a situation in which the cashier of a lumber concern would be responsible for selling the stock.

The CHAIRMAN. Somewhere there should be a head to the matter?

Mr. BRANIFF. Yes, sir.

Senator PAGE. But do you not think it is absolutely proper that the Government should take precautions that a partnership would not take?

Mr. BRANIFF. Yes, sir; I absolutely do.

Senator PAGE. And still you think they are overcautious when they insist that the bonded man visé or O. K. what you propose?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Mr. Braniff, would it not be well for the one who is in charge of the lumbering operations to be the bonded officer in charge of all disbursements?

Mr. BRANIFF. Yes, sir; that is the suggestion that I made a moment ago. The man in charge of this entire work should be the bonded officer just as the superintendent of the agency is the bonded officer.

Mr. HOLCOMBE. I thought you meant by your suggestion just now that he should give a bond for the sale of the lumber.

Senator PAGE. What is the entire aggregate, or what will be the entire aggregate in dollars or thousands of dollars of the product of these works here if the contemplated amount of lumber is cut?

Mr. BRANIFF. The bond would have to cover the value of the stock and piles and it would have to cover the disbursement.

Senator PAGE. I am not asking about the disbursements, but the aggregate amount of business.

Mr. BRANIFF. Twenty million feet a year ought to bring an average of, we will say——

Senator PAGE. Say $20 a thousand.

Mr. BRANIFF. Eighteen dollars, I think, is nearer.

Senator PAGE. Three hundred and sixty thousand dollars. Now you have been getting a salary up until recently of $1,800 a year, and it has been increased.

Mr. BRANIFF. For some time I have been getting $2,250; $3,500 now.

Senator PAGE. Should you not think a man competent to take charge of a business running $350,000 ought to be a man worth more than that sum? Should it not be a man worth $10,000 who would have the entire management of the operations?

Mr. BRANIFF. The lumber companies in this same territory pay about $8,000 a year in a lumber proposition of this size.

Senator PAGE. It seems to me that you came here as a man intrusted with a more limited responsibility than should be given to a man who has entire charge of a $350,000 business.

Mr. BRANIFF. Yes, sir. I had been getting $4,000 a year before I came here.

Senator LA FOLLETTE. In what capacity?

Mr. BRANIFF. I was in charge of the entire lumbering operations, the inspection of the lumbering operations, of the Kirby Lumber Company, that cut 250,000,000 feet a year.

Senator LA FOLLETTE. Where was that?

Mr. BRANIFF. In Texas; although my experience has been in other parts of this country. I was in Texas two years, at $4,000 a year, inspecting the lumber matters and making improvements and economies in logging, and in insuring the bondholders and the owners of the timber properties there that their timber was being well handled. I saved them something like $150,000 while I was there, and the job was terminated by the hard times, which made it necessary to close the mills. So I left a $4,000 a year proposition to go back to $1,800.

Senator LA FOLLETTE. What experience have you had in work of this character altogether?

Mr. BRANIFF. I had never run a sawmill before; I had never had any experience with logging methods, but I had inspected and reported upon and investigated these propositions before.

Senator LA FOLLETTE. Before you were engaged by this lumber company in Texas?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Where?

Mr. BRANIFF. Well, I was for some time in Tennessee—in towns in Tennessee—where I made a study of logging methods and sawing methods, and I made a study of scaling methods. I was in that country about a year. I was also in Virginia for some time doing the same kind of work. I was also employed by the Government on a lumber contract in Coosa County, Ala., making studies of the logging methods and sawing methods. While I was in Texas I was employed by the federal court, by the way, to render a report on comparative logging methods. I was out on the coast for the summer, and I spent some time in other parts of the South, such as Louisiana, Mississippi, Florida, and Georgia. I was employed by the E. P. Burton Lumber Company, of Charleston, S. C., to cruise their land and map the land and work out a forest policy for their land. I did not stay at that work long, because I went to Texas.

Senator LA FOLLETTE. When were you first ready to make sales of lumber here?

Mr. BRANIFF. Last May.

Senator LA FOLLETTE. Of this year?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Did you make any request of the Forest Service and the Indian Office, or make any recommendation with respect to regulations under which sales could be made at that time?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. That was in May?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. What time in May?

Mr. BRANIFF. I probably made recommendations prior to that. The first sales were made in May.

Senator LA FOLLETTE. You made the recommendations prior to that time?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Were those recommendations acted upon?

Mr. BRANIFF. Not in accordance with my ideas. They were acted upon. We got a set of regulations by which we attempted to make sales that were not as successful as we expected.

Senator LA FOLLETTE. Did you request any modifications of those regulations?

Mr. BRANIFF. Yes, sir.

I also desire to offer these letters:

NEOPIT, WIS., *April 26, 1909.*

The FORESTER,
Forest Service, Washington, D. C.

DEAR SIR: You state in your letter, S. F., of April 13 a particular interest in the effect on the Indians of this reservation of the work being done for them, and ask for a statement which formed the basis for a newspaper article. Time books showing the Indian names in the pay roll from month to month indicate a marked increase in the amount of Indian labor employed. A year ago this month we started the work with 68 Indian names on the pay roll, and in March, 1909, a year later, we had 339 names on the roll. The wages paid to Indians in April, 1908, amounted to $1,387.18, while in March, 1909, they had increased to $6,910.99. A year ago we had no Indians holding a position above that of a common laborer. To-day we have Indians in the following positions: Woods foreman, head timekeeper, warehouseman, warehouse clerk, hotel clerk, assistant engineer, edgeman, oiler, cook, cablemen (on excellent log labor), pondman, teamster, swamper, and axman. The attitude of the Indians toward the enterprise and men in charge of it has grown at least more tolerant with better acquaintance. That curiously complex, elusive, intangible thing known as the tribal mind is, at the present writing, not disturbed by the resentment which inflamed it a year ago. We have been here more than a year now, and if we are not better liked, at least we are better known and are tolerated. What amount of good the work has accomplished it is too soon to determine. We have found Indians who were capable of considerable advancement, men who are intelligent and ambitious to do better things. Those we know we have helped. Our Indians are, as a rule, acquiring more skill through working in company with skilled whites. It is a real pleasure to be able to advance them from time to time as they show aptness for the work.

The Indians have a preference in the employment, but it has been our policy to try to make the Indian feel that he must earn his promotion. It is just as true with Indians as with white men that what comes without effort is valued less than all. The Indians are constantly beseeching us with demands that we give them this position or that position for which they have not been trained and which they are utterly incapable of filling. Those who make the most unreasonable demands are almost always the least reliable and capable. The Indians, given the position they demand, they quickly tire of it and abandon it, usually without notice. A half century of paternalism, expressed in the form of annuities, rations, and other gifts, have made our Indians persistent seekers after "something for nothing."

It is extremely difficult to make them understand that this work is simply an opportunity afforded them of exchanging honest labor for a living. They are too generally disposed to think of it as a chance to make "easy money." We have a hard time keeping our Indians at work. At times they will flock into Neopit in scores and demand that we put them to work immediately; each man has his particular job picked out and nothing else will do. We must provide places for these Indians, even if we have to discharge our white men to do so. Then two or three weeks later a whim for a long loaf will seize them like a contagion and they will quit without warning and without regard to our necessity. We have had at times practically an entire crew quit in this way. We have had Indians abandon their tools in the woods and go off with never a word to the foreman, then return a week or two later and demand reinstatement and the discharge of the white men who had taken their places. Some method of penalizing such Indians must be found; some means of making them feel the responsibility toward the work in return for our responsibility to them. It is not nearly so desirable that our pay roll should show a very large number of Indians at work as it is that it should show the same Indians at work from month to month. Sustained industry may be encouraged by advancement and better pay, and the habit of quitting work at any and all times must be checked by refusing employment for a time to those who disappoint us.

The Indian labor problem can not be solved in a year or two years or three years. It will take many years to bring about any radical improvement in the Indian nature. The work here offers abundant opportunities to the Indians for advancement, and a surprisingly large number of the more intelligent ones have taken advantage of it. How many more will do so time alone will tell. The most vicious condition we have to contend with is the payment of annuities. With work here for all able-bodied Indians, it would seem that the sole excuse for paying those annuities to any except the superannuated and incapables had been removed. Nevertheless, two annuities have been paid while I have been here, and resulted in our losing for a considerable time practically every Indian employee. With a big sawmill going—to say nothing of our woods work—this condition is a very difficult one to contend with. I earnestly hope that no more annuities will be paid.

I hope the information contained in this letter will be sufficient to form the basis of the article which Mr. Pullman desires to write.

Very respectfully,

——— ———, *Forest Supervisor.*

The other letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE.
Washington, D. C., March 13, 1909.

Mr. E. A. BRANIFF,
Neopit, Wis.

DEAR BRANIFF: Your letter of March 5 in regard to payment of annuities to the Indians has been received. This matter has been taken up informally with the Indian Office and a probable result of a wholesale payment of an annuity brought to our attention rather strongly. The new agent, Mr. Wilson, will be requested to make report on this payment, which has already been applied for by Agent Allen. I know that Mr. Valentine believes, as you do, that able-bodied Indians should not receive an annuity. It will be a very difficult matter for the Indian Office to determine who should be paid and who should not, and I am afraid that if some Indians should receive an annuity and others do not, the ones now being employed in the mill will be very apt to quit work if they do not receive their annuity. I should talk this over very thoroughly with Mr. Wilson, and I have no doubt that he will make the most practicable recommendation.

Very respectfully,

RAPHAEL ZON,
Acting Assistant Forester.

The other letter is as follows:

NEOPIT, WIS., *March 5, 1909.*

The FORESTER,
Forest Service, Washington, D. C.

DEAR SIR: I have learned that application has been made by the Indians to the Indian Office for the payment of another annuity this spring, and am naturally interested in knowing what action the Indian Office will take in this matter.

My interest arises from the fact that the payment of an annuity is usually accompanied by more or less disorder and is sure to result in our losing for a considerable time practically every Indian that we have at work here. This feature was more or less damaging to us last spring and fall when we were doing our construction work; now, however, while we are engaged in the work of manufacturing lumber and have a large number of Indians employed in the sawmill, to have those Indians go off suddenly and stay away for an indefinite period is a very serious matter. I earnestly hope, therefore, that no further annuities will be paid. Every Indian who desires to work steadily is given employment here at fair wages. With the possible exception of old Indians and the women who are unable to work, I do not believe that any annuities should be paid.

Respectfully,

——— ———,
Forest Supervisor.

(At 6 o'clock p. m. the subcommittee took a recess until 7 o'clock p. m.)

AFTER RECESS.

The subcommittee reassembled at 7 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor Indian Service, and W. T. Cox, esq., assistant forester.

STATEMENT OF EDWARD A. BRANIFF—Resumed.

Senator LA FOLLETTE. Just before the adjournment you were asked when you first took up the question of establishing regulations or rules under which sales of the finished product should be made here. If you have looked up your correspondence since the adjournment, I will ask you to run over it rapidly and answer the question from your correspondence.

Mr. BRANIFF. On January 25, 1909, which was just ten days after the mill began to saw lumber, I took up the matter of selling regulations in a tentative way with the forester, who took it up with the commissioner. The first letter is dated January 25, when I took the matter up with the forester. We had some correspondence and the forester answered my letter of the 25th on the 29th. The letter is signed by W. T. Cox, assistant forester, making a few suggestions. I answered his letter again on February 8, about a week later, making some further suggestions, and finally, on February 15, I received a draft of regulations which we had decided upon between us, which I would like to put in evidence. These regulations provide as follows:

First. The products of manufacture shall be sold to the highest or best bidder for cash, after due advertising.

Second. The products sold shall first have been advertised not less than thirty days in one or more trade journals and newspapers of local circulation.

Third. Bids shall be addressed to the forestry officer in charge of the Menominee Indian Reservation, Neopit, Wis.

Fourth. That bids on sales in amount exceeding $5,000 shall be referred with recommendations to the Commissioner of Indian Affairs through the forester by the forest officer in charge. Bills not exceeding $5,000 shall be made by the forestry officer in charge, provided that he shall transmit a statement of each sale, which shall include the amount of each bid, which shall go to the Commissioner of Indian Affairs through the forester.

Fifth. That a certified check for 5 per cent of the amount of each bid, drawn in favor of the special agent at Neopit, Wis., shall be deposited at the time of the bid. These regulations were substantially the ones adopted, except that the Indian Office insisted that the disbursing agent should make the sale instead of the forester in charge. Under those regulations we sold in May approximately one-half million feet of pine to the Johnson Lumber Company, of Milwaukee. My recollection is on all the stock we advertised, and we advertised thirty days, we received only four bids, of which I considered only two were bona fide bids. The others were so low we did not consider them bona fide bids at all. The only stock on which bona fide bids were made was pine, and it was considered that it was almost useless to attempt to sell the product of this mill under those regulations.

Mr. HOLCOMBE. By whom?

Mr. BRANIFF. By myself, and it was agreed to by the forester, because the restrictions were very great. To a man who wanted to buy some lumber it was necessary for him to make out Chicago exchange and file it with the disbursing agent for 5 per cent of the amount of his bid and to put up that money until the Secretary had acted upon the matter.

Senator LA FOLLETTE. That was before the cooperative agreement had been discontinued?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. And the regulations had been formulated by the Forestry Service?

Mr. BRANIFF. Regulations had been formulated tentatively by the assistant forester, Mr. Cox, and myself, and we spoke to the Indian Office in an attempt to secure some modifications from them. They insisted that the disbursing agent should make the sales, and that was accordingly done. Now, on March 14——

Senator LA FOLLETTE. Do I understand that you and the forester prepared regulations, which you submitted to the Indian Office, with a view of procuring some modification of the regulations which you had yourselves prepared?

Mr. BRANIFF. No; we submitted a draft of regulations in the first place calling for sales to be made by the forester in charge. The Indian Office changed those and made the sales to be made by the disbursing agent. That was objected to, and the Indian Office held that it should stand, so we went ahead and attempted to sell the lumber.

Senator LA FOLLETTE. That was the only modification that was made as to who should sell the lumber?

The CHAIRMAN. The difficulty in making the sales, as I understand you, did not arise from the fact that the disbursing officer was to make the sale, but arose from the fact that the 5 per cent prepayment had to accompany the bids?

Mr. BRANIFF. That was exactly it.

The CHAIRMAN. And that was the chief difficulty you encountered under these regulations in making the sales. Who made that requirement?

Mr. BRANIFF. I believe that the Forestry Service and the Indian Office both felt that that clause should be inserted in the regulations. I did not approve of it, but the service did.

The CHAIRMAN. Was that put in here or at Washington?

Mr. BRANIFF. That was put in at Washington.

The CHAIRMAN. That had not been in the draft which you submitted?

Mr. BRANIFF. No, sir. Now, if you will permit me to go on——

The CHAIRMAN. Go ahead.

Mr. BRANIFF. On May 14 I wrote a long letter to the service explaining the difficulty, in which I stated: "In your letter, S. F. of March 18, you informed me that after numerous conferences with the Indian Office with reference to the manner of making sales of lumber——

Senator LA FOLLETTE. What is the date of that letter?

Mr. BRANIFF. May 14, 1909.

Senator LA FOLLETTE. Will you read that portion of the plan? Mr. Holcombe requests you to read that portion which refers to the highest or best bidder again.

Mr. HOLCOMBE. I just wanted to see what your plan was, so as to bring it within the restrictions of the law, as to the sale to the highest or best bidder.

Mr. BRANIFF. The regulations I suggested provided, in substance, for the running of an advertisement announcing that the lumber was for sale. I meant by that if a man came in and desired to buy a certain amount of basswood I would be in a position to state that we held out that stock at such a price, and any inquiries with reference to that basswood would be answered at the same figures. I am then in position to be able to make the prices to lumber concerns——

Mr. HOLCOMBE. In other words, quote the same prices to all?

Mr. BRANIFF. Yes; quote the same prices to all.

Mr. HOLCOMBE. And not have them quote you the prices?

Mr. BRANIFF. And not have them quote me the prices.

Mr. HOLCOMBE. You considered that a competitive bid and a compliance with the law?

Mr. BRANIFF. I think it might be so interpreted; yes. The difficulty of carrying out the law literally is that we reverse the entire process of doing business with lumber concerns. Instead of making prices upon the stock we call upon them to make us the price.

Mr. HOLCOMBE. That is the law, isn't it?

Mr. BRANIFF. That is the law.

The CHAIRMAN. Is there any more of that correspondence you desire to put in?

Mr. BRANIFF. This letter of May 14 might go in.

The CHAIRMAN. Give it to the stenographer to be put into the record.

NEOPIT, WIS., *May 14, 1909.*

The FORESTER,
Forest Service, Washington, D. C.

DEAR SIR: In your S. F. letter of March 18 you informed me that after numerous conferences with the Indian Office with reference to the manner of making sales of lumber it had been decided to try the regulations in their present form and "to do the best possible under the circumstances."

I did not myself realize at that time what it meant to attempt to sell our lumber under these regulations. I am beginning to understand a little better now. In the first place, a large part of our present stock is the cuttings from old logs which have been badly deteriorated, and we are placing it on the market at a time when poor lumber, such as hard-wood mill culls and No. 3 hemlock, is unsalable at a price that will pay for handling it. For even the better grades (of which our percentage now is small) the demand is sluggish and only a limited number of buyers are interested. In the presence of such unfavorable market conditions it is required that we sell our lumber under regulations that in nine cases out of ten successfully smother any interest which we may have aroused in prospective buyers.

It is, I admit, possible to sell our lumber under these regulations. There are jobbers who are willing to go through all these formalities necessary to get hold of the lumber—but they make us pay for it and pay for it very dearly. It is impossible to require a man to observe these formalities and then pay within $2 a thousand of what he would be willing to pay if we were allowed to deal with him in a direct, businesslike way—the way he is accustomed to. Consider what $2 a thousand means on the cut of such a mill as this. On the logs we now have in the woods and the lumber in piles it means nearly $90,000.

We get occasional inquiries from manufacturing concerns, such as chair and furniture manufacturers, who could use our product and would pay a fair price for it if they could get it under reasonable conditions. But the only conditions

I am able to offer them are wholly unreasonable, and of course as soon as these conditions are stated they drop the whole matter. "Red tape" has killed the sale. I inclose as an example of this the correspondence with the Webster Manufacturing Company of Superior, Wis., manufacturers of chairs. They would like to buy from us half a million each of oak, birch, soft elm, rock elm, ash, maple, and basswood. We have all of these items, but not in the particular thicknesses desired since they are not stock sizes. A lumber company in this instance would promptly quote a price on this stock, state approximately when delivery could be made, and if the order was placed would proceed at once to get out the stock, dry it, and ship it when wanted. The Webster Company would wait until delivery was made and the stock inspected, and if according to specifications would pay for it. What we have to do under the regulations imposed upon us is as follows:

We first have to reverse the customary process, and instead of quoting a price must ask the Webster Company to quote us the price they are willing to pay. We must then advertise this stock thirty days and receive sealed bids on it, and the Webster Company must send a certified check on some solvent national bank in favor of the special disbursing agent for 5 per cent of the amount of the bid. Should the Webster Company not be the highest and best bidder, it will have lost some six weeks of time to no purpose. Should the bid be accepted, the company must pay for all of the lumber within ten days of acceptance of bid and must then wait for us to make delivery. This, in the case of hard wood for furniture, which dries slowly, may take a year. Their money is tied up during all this time, and they are getting nothing for it. Should they not pay within ten days of the time they were notified of acceptance of bid, we take their 5 per cent as a penalty. No provision is made for shortages on shipments, adjustments of difficulties about grades, inspection, etc. The whole proposition is so unreasonable and unbusinesslike that it is not surprising that we have so far been unable to persuade a single manufacturer to unwind the red tape and to buy our lumber. There are too many other lumber concerns where he can get what he wants, when he wants it, and under conditions that enable him to tell just what it is going to cost him.

I could quote you a dozen cases similar to that of the Webster Company. Six or seven tanning concerns want to contract for our hemlock bark, of which we will have a very large amount, but the conditions of sale are, considering their own requirements, almost prohibitive. A manufacturer of shade rollers in Chicago, two carriage and sleigh manufacturers in Oshkosh, and a dozen big furniture concerns in Sheboygan and Green Bay would like to buy our stock, but do not see how they can under the regulations.

I can not sell the product of this mill to advantage; that is, I can not get within $2 per thousand at the present time of what the lumber is worth and sell it under the conditions imposed by these regulations. I think that a study of the law governing this work will show that much more liberal regulations can be drafted. The law imposes three conditions, viz: First, the product must be advertised; secondly, it must be sold to the highest bidder; and thirdly, the transaction must be a cash one. Under this law regulations could be drafted which would permit of the insertion of a running advertisement in one or two trade journals announcing simply that the stock of the Menominee mill, estimated to be so and so, would be sold to the highest and best bidder for cash. In answer to inquiries I would then be able to quote a price on any item or combination of items at which I would be willing to make a sale. This would be, substantially, selling to the highest bidder, since the product had been advertised, the buyer's attention called to the stock, and sales made at our price to anyone without discrimination or favoritism. The buyer should decidedly not be required to deposit 5 per cent and then be threatened with a penalty if he did not pay for the lumber within ten days. He should not be required to make any deposit whatever until just before shipment was made. The sale need not be completed until the stock was ready to load and the buyer had notified us to move it. We would then require payment in full, and after receipt of payment the stock would be loaded and shipped.

I beg to submit the inclosed draft of regulations to take the place of those at present in effect, and I request that you kindly endeavor to have them adopted substantially in the form submitted.

Respectfully,

EDWARD A. BRANIFF,
Forest Supervisor.

Mr. BRANIFF. That is the way in which I have looked at it. I believe we complied with the terms of the law when we gave everyone an opportunity to bid on that stock—I mean an opportunity to buy that stock—and to all people who come here and inquire as to this stock, we quote the prices at which we are willing to sell, and do not sell below that price.

The CHAIRMAN. That was your idea; to let them bid for the lumber?

Mr. BRANIFF. Yes, sir.

Mr. HOLCOMBE. Bid against each other

Mr. BRANIFF. Yes.

Senator PAGE. You say that sometimes you compelled the buyer to pay within a certain date, and oftentimes you could not deliver until long after that date?

Mr. BRANIFF. That was in the case of stock that had to be sawed to order.

Senator PAGE. And you made them pay for it before they got it?

Mr. BRANIFF. No, we did not; because they did not buy it.

Mr. HOLCOMBE. Do not the regulations prohibit that kind of sale?

Mr. BRANIFF. The first regulations did. The present do not. The present regulations would allow it.

Mr. HOLCOMBE. Allow you to sell stock before it is advertised?

Mr. BRANIFF. No; not before it has been advertised, but before it is cut. For example, there are some furniture factories requiring 18-inch stock 1¾ inches, which is an odd size, and that has got to be sawed to order.

Senator PAGE. Is there any necessity for selling lumber except——

Mr. BRANIFF. I did not understand you, Senator.

Senator PAGE. Do your regulations provide that the lumber shall be paid for before it is delivered on the car?

Mr. BRANIFF. Yes. If we sell a man a million feet of some kind of timber, say basswood, he does not have to pay a cent for it when he buys it, but we give him a certain time within which to move it out, and he orders out 2 cars to be shipped to such and such a point, and we require him to pay for that stock which is to be loaded. We call upon him for Chicago exchange in that amount.

Senator LA FOLLETTE. Is that all that you wanted to submit of that correspondence?

Mr. BRANIFF. Yes; that is practically all on that item.

Mr. HOLCOMBE. I would like to have Mr. Farr ask Mr. Braniff some questions.

The CHAIRMAN. He may proceed.

Mr. FARR. This afternoon you furnished certain information in regard to green timber cut, sawed, and sold during the last season. I believe in giving that information you had a typewritten statement. If you have that I would like to get it and perhaps I would get along faster.

Mr. BRANIFF. I think one of them is in the record here.

Mr. FARR. Perhaps you will recall the things I want to ask you about. That operation extended over the territory cut by Mr. Regan, one of the dead and down contractors, did it not?

Mr. BRANIFF. It was in that vicinity and extended over part of the country.

Mr. FARR. That would be on sections 15, 29, 13, I think.

Mr. BRANIFF. It was in that vicinity, yes; section 14 also, I think.

Mr. FARR. The railroad and river extend through that territory, do they not?

Mr. BRANIFF. Yes; adjacent to it.

Mr. FARR. Across a portion of it?

Mr. BRANIFF. Well, no; it does not cross it; it is adjacent to it.

Mr. FARR. Roads had been cut pretty well over the ground for the purpose of getting at the down timber during that portion, had they not?

Mr. BRANIFF. Roads had been cut in the section which we logged. There was an old road extending into the section where Regan had some old logs on skids, but only a part of that road, a very small part of it, we were able to use.

Mr. FARR. The general understanding was, and I believe your statement is, that the timber on this reservation runs about 35 to 40 per cent hemlock?

Mr. BRANIFF. That is a guess. I should say about 40 per cent.

Mr. FARR. That is the general understanding, isn't it?

Mr. BRANIFF. Yes.

Mr. FARR. And about 10 per cent pine?

Mr. BRANIFF. That is a guess that most people familiar with it make.

Mr. FARR. Somewhere along there?

Mr. BRANIFF. Yes.

Mr. FARR. After giving the cost of logging and the other expenses—loading, manufacture, and loading the lumber on the cars—you determine the net cost at $12.26?

Mr. BRANIFF. Yes.

Mr. FARR. And that would leave a stumpage price or profit of four dollars and some cents—I haven't got that.

Mr. BRANIFF. I don't remember.

Senator LA FOLLETTE. Eighty-three cents.

Mr. FARR. Over one-half of the green timber included in that operation was pine, was it not—598,000 feet?

Mr. BRANIFF. Yes; a little over.

Mr. FARR. Thirty-one thousand hemlock?

Mr. BRANIFF. Yes.

Mr. FARR. The pine you sold at $23.33, I think?

Mr. BRANIFF. Yes.

Mr. FARR. And using your figures as to the cost, it would leave a stumpage price of $11.05?

Mr. BRANIFF. Yes.

Mr. FARR. You estimate the operation had included a portion of the reservation which would fairly represent the different classes of timber as they existed at, say, 35 or 40 per cent hemlock?

Mr. BRANIFF. That is not true, because if we had been logging the hemlock we would not have logged it in that way. The cost would have been entirely different.

Mr. FARR. The point I was trying to get at is the return from that operation, and trying to draw a conclusion as to what they could figure on in the future. Now, the statement made by yourself and, I think, Mr. Rossman, and it would be generally agreed to, that the

hemlock constitutes about 35 per cent of the entire timber on this reservation.

Mr. BRANIFF. Is that a question? Yes; something like that.

Mr. FARR. Well, if you had had 10 per cent pine, which you feel is on the reservation, and 35 per cent hemlock, in this operation, instead of the usual stumpage value, isn't it the fact that the loss would have been $6 or $7 a thousand?

Mr. BRANIFF. No; because we would not have handled it in that way.

Mr. FARR. The hemlock that you sold you lost $2.26 a thousand on that?

Mr. BRANIFF. Yes; on that method of logging.

Mr. FARR. You figured the cost of that logging at $6.43?

Mr. BRANIFF. Yes.

Mr. FARR. Do you think the balance of the timber, where you have to go back several miles from the railroad or the river in the country, of the same character can be logged at the same price—what I am getting at, do you want the committee to understand that——

Mr. BRANIFF. Six dollars and forty-three cents?

Mr. FARR. Yes.

Mr. BRANIFF. Yes; I think it can. I think our hemlock logging can be done more economically than this hard-wood logging. I have said that this was a hard-wood operation and we brought the hard-wood logs down to the railroad track; landed them at the track and loaded the cars. This was a hard-wood operation, and the amount of hemlock in it was very small, only 31,000 out of more than 1,000,000 feet. That hemlock was only picked up incidentally in the logging. To take the cost of $12.96 and apply it to hemlock operation is unfair. It does not represent the actual conditions.

Mr. FARR. It is just the actual conditions we want to get at and apply to the reservation. That is the point the committee was getting at. Over half of that, however, was pine?

Mr. BRANIFF. Yes.

Mr. FARR. That was, I think, as nice quality pine as you have on the reservation?

Mr. BRANIFF. Yes.

Mr. FARR. That is the cheapest class of timber to be logged?

Mr. BRANIFF. The cost of logging?

Mr. FARR. On the pine.

Mr. BRANIFF. Yes.

Mr. FARR. This would not overcome the statement you made in regard to the hemlock?

Mr. BRANIFF. No. This timber was taken down to the railroad and put on the cars, and it cost $3.64 to load it on the cars, and it cost us 77 cents to bring it in, which is about $1.11 or $1.12, whereas that stuff can be driven down to Neopit here where we have the river for about 20 cents. It was only loaded on the cars because it was necessary to get some hard wood out in that same country and because it was impossible to get the railroad to put in a spur unless we gave them all the timber which came out of that part of the country which we were logging.

Mr. FARR. You say the cost of loading was 36 cents?

Mr. BRANIFF. Yes.

Mr. FARR. And the cost of hauling was about 90 cents?

Mr. BRANIFF. No; about 70 cents.

Mr. FARR. Well, we will allow that, and for the purpose of getting the matter clear as applying to the reservation, I would like to repeat in a way the question I have asked. What would be the result had 35 per cent of this timber been hemlock the same as every one agrees the balance of the reservation would be?

Mr. BRANIFF. I think that the hemlock could have been landed at the river for $5 per thousand, and it could have been driven for 20 cents a thousand.

Mr. FARR. Assuming that is the fact, Mr. Braniff—and you can figure it up on that basis—isn't it the fact that you would still have a loss of several dollars a thousand?

Mr. BRANIFF. Well, figure it out and see.

Mr. FARR. Taking the hard woods, I presume, from my observation and from statements made here, are about the same as the average on the reservation, taking the figure as 10 per cent of the green timber put in as pine and 40 per cent or 35 per cent, whichever you please, as hemlock, and multiplying it by the price you received, I am certain it will show a loss of several dollars a thousand.

Mr. BRANIFF. I don't understand you. Are you figuring on a hemlock operation?

Mr. FARR. Making the allowance of the difference you say there will be in it, still I think it will show a loss.

The CHAIRMAN. What do you get for the hemlock on the average?

Mr. BRANIFF. I have hemlock down at $10.

Mr. FARR. Ten dollars.

The CHAIRMAN. And it costs $12.26.

Mr. BRANIFF. $12.26. There was only 31,000 feet of it.

The CHAIRMAN. On those figures it is very simple, the difference is $2.26.

Mr. BRANIFF. His figures are on a different method of handling that hemlock.

The CHAIRMAN. You figure out what it could be handled for as a hemlock proposition, not what it was handled for as part of that proposition?

Mr. BRANIFF. Well, I see there is a charge here of $3.92 for manufacturing and 60 cents for sorting and loading the cars. It figures out practically the same—$9.72.

The CHAIRMAN. How much?

Mr. BRANIFF. $9.72 expense.

Senator PAGE. Would it cost $3.40 to saw that lumber if it was all hemlock?

Mr. BRANIFF. No, sir.

Senator PAGE. What would it cost?

Mr. BRANIFF. I should say within less than $3. Those costs of manufacturing are costs that have been figured since the mill began to saw its first logs, and we had to stop about half a day to get the machinery in order.

Senator PAGE. What would you say the expense of manufacturing hemlock alone would be?

Mr. FARR. Do you mean sawing?

Senator PAGE. Yes.

The CHAIRMAN. We might swear Mr. Farr if he is going to be examined.

STATEMENT OF JOSEPH FARR.

JOSEPH FARR, having been first duly sworn by the chairman, testified as follows:

Senator PAGE. Would it be more than $2 a thousand to run the hemlock through this mill here?

Mr. FARR. Judging from the cost here, it would.

Senator PAGE. Judging from your knowledge of lumbering?

Mr. FARR. About $2 would be the reasonable cost for getting the hemlock out. It would depend a good deal on the nature of the hemlock.

Senator PAGE. Now, would $5.20 pay the expense of logging, in your judgment?

Mr. FARR. No, sir.

Senator PAGE. How much has he got that below your estimate?

Mr. FARR. You mean delivered at the bank?

Senator PAGE. He says $5 delivered to the bank and 25 cents for driving.

Mr. FARR. Well, I think that hemlock located near the river can be handled at those figures.

Senator PAGE. You are trying to ascertain whether the hemlock stumpage had any value, and your estimate was that run as it is run here there would be no profit, in your judgment, in taking the hemlock out and cutting it; that there is not a profit in loading the hemlock at $10 a thousand on the cars.

Mr. FARR. I think a profit can be made at that. By the way, that is not exactly the point I was trying to get out. Here is an operation covering a little over a million feet of timber, and from the cost it has been shown that there is a profit of something over $4, I think, on the stumpage price.

Senator PAGE. $4.83.

Mr. FARR. Five dollars, we will call it. The point that I am trying to figure on is as to what we can figure for the future operations. Over one-half of this operation is pine. We have $23.33, I think, leaving a stumpage value of $11. On the hemlock we lose $2.26 a thousand. According to the timber on the reservation and estimating this operation had been the same as the balance of the reservation, we would have a loss of $2.26 a thousand on 30 or 40 per cent of this operation, and we would only have received $11 a thousand stumpage on 10 per cent of it. Now, we are receiving that $11 stumpage on over 50 per cent of it, and the loss on only 31,000 feet, and by figuring that out, if you want to apply it to the reservation, it would show a loss of more than it now shows a profit. I am simply trying to make that clear and apply it to the reservation, as I believe it was not understood when the statement was made, without any desire to criticise.

Mr. BRANIFF. I would like to say that he has twisted the facts in the matter.

Senator LA FOLLETTE. Let him answer.

Mr. BRANIFF. He has made this a hemlock proposition, when it is not. It is a hard-wood proposition.

The CHAIRMAN. It is due to the witness to say that when he was put this evidence in he did explain that this would have been cheaper

had it been a hemlock proposition; that is, he would have floated the logs down the river to the mill.

Mr. FARR. I said excepting that the loss will still be evident.

Mr. BRANIFF. He is assuming, for example, that it would cost just as much to handle hemlock as hard wood. In making that conclusion that we have 40 per cent of the timber on this reservation hemlock and then estimating our cost of handling the hemlock is going to be the same as it was in this instance, which was not a hemlock proposition, he draws the conclusion we are going to lose on all hemlock.

The CHAIRMAN. Unless you got a higher price for hemlock, as you did in this instance, and only saved $1.06, it would leave a loss?

Mr. BRANIFF. It would leave a very small profit.

Mr. FARR. Over one-half of this operation was pine; that is the cheapest timber to handle. Even hemlock is not in the class with pine, and that is of the nicest quality of pine, perhaps, that exists.

The CHAIRMAN. Unless you could account for the difference somewhere else than in the mere difference of getting it in. Now, there is a loss on these figures of $2.26 a thousand on the hemlock. Now, you could have $1.06 difference in the cost of handling it between this way and floating it, and it would still leave a loss of $1.20.

Mr. BRANIFF. I figure it would cost $5.20 to cut and deliver it at the mill, whereas my cost here is $7.74.

The CHAIRMAN. Then there is some difference in the cost besides the mere difference between floating and shipping?

Mr. BRANIFF. Yes, sir; Mr. Farr was just asked a moment ago whether he believed he could deliver the hemlock at the stream at $5.20, and he said if the haul was not too long he could do so. Granting that that expense would be $5.20, as against $7.74, that makes quite a margin.

Senator PAGE. I understand that the value of hemlock is extraordinarily low at the present. Is that your understanding of it?

Mr. FARR. I would say that hemlock is somewhat low, but I can not agree with Mr. Braniff's statement that it is $6 off. It is off considerably. It has been on a rise lately, and if he sold hemlock, mill run, at $10, and he considers that $6 off, that would mean mill run $16, and I never heard of a sale made at any such price, when you take the mill run. Sixteen dollars in good times was a good price for the best grades of hemlock. It would be impossible to introduce any evidence, I think, at any time, that that was the price. I have kept track of the lumber market for twenty-seven years.

Mr. BRANIFF. I would like to have some one ask Mr. Farr how much he thinks hemlock is off.

The CHAIRMAN. How much off is hemlock now?

Mr. FARR. From what time?

The CHAIRMAN. Two years ago.

Mr. FARR. Two years ago I think it was commencing to go off a little at that time.

The CHAIRMAN. Take it within that time.

Mr. FARR. It would be from $1.50 to $2, I should judge. I have not kept track of the dates exactly; I follow it up each year.

The CHAIRMAN. Just about two years ago the 1st of October the panic had just begun.

Mr. FARR. As I recall it now, a year ago it was away off, and it has commenced to get stronger lately. Of course the question that Senator Page has asked me as to the cost of logging this hemlock, I want to say that is the simple cost at which I have observed the work being done at other places.

Mr. COX. Here is a statement regarding the price of hemlock, if you care to have it.

The CHAIRMAN. There is nothing to make comparisons with former years.

Mr. COX. No; only the present price.

The CHAIRMAN. What is the present price?

Mr. COX (reading): "An advance of 50 cents has been made this week by the Pennsylvania mills, making the price $9.50."

Mr. FARR. There are the other questions which we will take up later on as they come in. Mr. Braniff, I believe you sold in the neighborhood of 5,000,000 feet of timber here, including the mill run, did you not, recently?

Mr. BRANIFF. We did not sell it mill run. We sold it on grade, most of it.

Mr. FARR. On grade?

Mr. BRANIFF. Most of it. We sold some of it mill run.

Mr. FARR. You included, I presume, the better grades?

Mr. BRANIFF. Yes, sir.

Mr. FARR. That price averaged $10.50, did it not?

Mr. BRANIFF. I have never figured it up. We are making sales constantly.

Mr. FARR. That would be cut from the 40,000,000 feet of logs that had been cut before you came here, or most of it?

Mr. BRANIFF. Most of it was cut from those.

Mr. FARR. The logging price for that, I believe, was $7?

Mr. BRANIFF. Most of the contracts were $7; yes.

Mr. FARR. Some $6.75?

(No response.)

Mr. FARR. Fifteen million or so of the logs were landed at mill site No. 1 or No. 2, were they not?

Mr. BRANIFF. Approximately that.

Mr. FARR. What did it cost to load the logs at mill site No. 3?

Mr. BRANIFF. $1.81.

Mr. FARR. And to freight them in?

Mr. BRANIFF. Well, we figured $1 a thousand.

Mr. FARR. That would be $2.81 added to the logging?

Mr. BRANIFF. Yes.

Mr. FARR. What did it cost to run them through the mill and load them on the cars?

Mr. BRANIFF. Well, the same figures that are given in that camp 7 operation.

Mr. FARR. What was that, can you recall it roughly, that would make the cost then approximately $14 a thousand?

Mr. BRANIFF. I have not figured it up. Something like that. Fourteen dollars and some cents.

Mr. FARR. And you sold this at $10.50, and that would mean a net loss on the stumpage of $3.50 a thousand?

Mr. BRANIFF. Yes.

Mr. FARR. I believe all the dead and down logs have now been sawed into lumber?

Mr. BRANIFF. Yes.

Mr. FARR. Do you you know what the amount is?

Mr. BRANIFF. The amount that were hauled in?

Mr. FARR. Yes; what was the final haul in or driven in?

Mr. BRANIFF. Out of the forty million——

Mr. FARR. Then, on an estimate that there is thirty-five or forty million, the loss would be $3.50 per thousand, the average right through, wouldn't it, and the balance to be sawed perhaps will not be in any better condition.

Mr. BRANIFF. I cannot say what the loss will be. I know it will be a very heavy loss.

Mr. COX. How much more do you think it costs to saw the poor class of logs in that 40,000,000 feet than it would have cost if they had been green logs?

Mr. BRANIFF. I cannot answer that question with any degree of definiteness.

The CHAIRMAN. There were certain charges that were filed down at Keshena yesterday and which we will go through. The first is that there has been a loss of about 50 per cent in unnecessary expenditure and experiments in the building of the mill and other improvements. What have you to say to that?

Mr. BRANIFF. I do not believe there has been any extravagance in building the mill. I believe the mill is not too big for the amount of lumber here, also taking into consideration the fact that we expect to be here indefinitely. That is, this work has been planned to be here indefinitely.

The CHAIRMAN. Have you ever made a comparison with other mills, recently built mills in the last two or three years, of the same capacity of this mill?

Mr. BRANIFF. No, sir; I never have.

The CHAIRMAN. Now, the road from Neopit to Phlox, that I think you said cost——

Mr. BRANIFF. About twenty-three hundred and some odd dollars, between $2,300 and $2,400 a mile.

The CHAIRMAN. What made it cost so much as that?

Mr. BRANIFF. One of the reasons was that it was built under the eight-hour law. The entire road had to be constructed under the eight-hour law. When men are working eight hours they do not work as hard as they do when they are working ten hours; they do not put in as much per hour as when they work ten hours.

Senator LA FOLLETTE. Why was that built under the eight-hour law?

Mr. BRANIFF. Because the Indian Service informed me that this was government work, and that the eight-hour law applied to this operation.

Senator LA FOLLETTE. Have they changed their minds about that?

Mr. BRANIFF. The Attorney-General changed his mind about that. I made a trip to Washington about the matter. The matter was taken up with the legal department of the service, and a brief was submitted to the Indian Office; and I believe they jointly put the matter up to the Attorney-General and secured his decision allowing

us to operate on an indefinite basis—that is, we can work the men as long as anyone.

The CHAIRMAN. What portion of it was built under the eight-hour law?

Mr. BRANIFF. It was all built under the eight-hour law.

Senator LA FOLLETTE. How much did that add to the cost of it, if you can roughly estimate it at all?

Mr. BRANIFF. Not less than 7 per cent.

Senator LA FOLLETTE. You were about to state the other reasons why the road cost the amount you stated?

Mr. BRANIFF. It was a heavy road to build. It ran through a hard-wood belt, and the stones had to be blasted out; it was a very rocky road, and there was a lot of rock to handle. Considering the amount of work done and the disadvantage under which we labored, I believe the road was not too expensive. I believe the cost was reasonable.

The CHAIRMAN. About 11 miles of that?

Mr. BRANIFF. I think about 11½ miles.

The CHAIRMAN. What was the necessity or importance of building that kind of road in that place?

Mr. BRANIFF. When the road was constructed and for a long time after it was started, we had no railroad; we had no way of communicating without camps; there was no road over which we could tote supplies. We were working all along both streams, and we had driving camps in there—improvement camps—and we had no system of communication. The road which was there was practically impassable at certain seasons of the year. It was simply a way through the woods. It was deemed necessary to get into these camps, and it was deemed advisable to make a highway into them.

Senator LA FOLLETTE. What do you say as to the permanence and character of the road?

Mr. BRANIFF. It is a permanent road, and in my opinion that road will increase the value of this land on this reservation sufficient to pay for its cost.

The CHAIRMAN. Is Phlox west or north of the reservation?

Mr. BRANIFF. Northwest.

The CHAIRMAN. This road runs up between the West Branch and the Little West Branch?

Mr. BRANIFF. Yes, sir.

The CHAIRMAN. Does it cross the Little West Branch again?

Mr. BRANIFF. Yes; it crosses it twice.

The CHAIRMAN. I know it crosses once up here above the junction.

Mr. BRANIFF. Yes; it crosses again about 8 or 9 miles away.

The CHAIRMAN. Where is this gentleman that came up from Shawano, Mr. Dillett. We are taking up the items of this complaint. Do you want to cross-examine Mr. Braniff?

Mr. DILLETT. I may, at times. You have cross-examined him sufficiently to satisfy me.

The CHAIRMAN. Among those who have come up from Keshena, if you would have some one who would conduct any cross-examination as we take these matters up, each might be finished as we go along.

Mr. DILLETT. We have some one here for that purpose.

The CHAIRMAN. Then that covers it.

Mr. HOLCOMBE. How many Indian families are benefited by that road, Mr. Braniff?

Mr. BRANIFF. I don't know the population of the country west of here, but everyone who lives in that settlement has got to come down that road to get to Neopit or Keshena. I don't know how many there are, but quite a number of them.

Mr. HOLCOMBE. More than 18 or 20 and their families?

Mr. BRANIFF. I know there are—probably several hundred.

Mr. HOLCOMBE. I mean that live along that road, more than 18 families?

Mr. BRANIFF. I don't know about along the road. Everybody who lives in that district has got to come along that road. It is the only way to get out to Keshena.

Mr. OSHKOSH. Can I ask a question?

The CHAIRMAN. We would prefer, as long as you have this gentleman here, to have some one man—we don't care who he is or how many questions he asks—to have some one man conduct the cross-examination.

Mr. DILLETT. These Menominees are suggesting that many of them living in that section are Potawatomies and members of other tribes than the Menominee tribe. Do you know anything as to that fact?

Mr. BRANIFF. No; I don't know anything of it.

Senator LA FOLLETTE. Do they live on the reservation?

Mr. DILLETT. I believe so. Do the Potawatomies live on the Menominee Reservation?

Mr. OSHKOSH. Yes.

Mr. DILLETT. They also suggest that the usual mode of travel adopted by the Indians is on horseback. What do you say about that?

Mr. BRANIFF. I see a good many on horseback and a great many others in rigs. I didn't know that any Potawatomies were allowed on the Menominee Reservation.

Mr. DILLETT. I don't know what the fact is, but they say there are some living out there.

Mr. BRANIFF. I had always assumed no one was allowed to reside on an Indian Reservation except members of the tribe. I did not know there were any Potawatomies here.

The CHAIRMAN. The next item is the question of dams built and blown out and dams unnecessarily built. What have you to say as to that?

Mr. BRANIFF. No dams have been unnecessarily built. All have been necessary.

The CHAIRMAN. Have any been blown out?

Mr. BRANIFF. We had one dam blown out. I arrested my logging superintendent for it and brought him before Commissioner Dillett, who discharged him.

The CHAIRMAN. It was not blown out because it was unnecessary or had been improperly located or built?

Mr. BRANIFF. It was blown out because he wanted to build another dam for some reason best known to himself. He was brought before the commissioner and he was not held.

The CHAIRMAN. What did you suppose he wanted to build another one for?

Mr. BRANIFF. He always denied he blew it out. I don't know what his reasons were.

The CHAIRMAN. Where was that dam?

Mr. BRANIFF. It was what is now known as "Pine dam." We built another one in its place. It was a small brush dam of very little value, which had been in use before I came here. This man apparently wanted to build a new dam there, and I did not approve that, because I thought we could get along with the old one. While I was in Washington this dam was blown out, and I had evidence to show that he was responsible. I arrested him; the Forestry Service sent an officer and arrested him, and he was brought before Commissioner Dillett and was not held.

The CHAIRMAN. In this connection, as to the dam, it is also claimed that valuable timber has been sluiced over the dam here at Neopit and has been lost.

Mr. BRANIFF. I deny that; at least I don't know of any valuable timber that has been sluiced over. It has not been done.

The CHAIRMAN. Have you any cross-examination on these matters?

Mr. DILLETT. I think anything we have to offer on that will properly come in the nature of rebuttal.

The CHAIRMAN. I thought that if you cared to cross-examine him you can do so as we go along.

Mr. DILLETT. He has denied that any such thing has happened.

Mr. BRANIFF. I don't know of any such thing happening. I don't believe it has happened.

The CHAIRMAN. What do you say as to the charges of unnecessary expenditures in the erection of buildings, especially residences?

Mr. BRANIFF. Which residences?

The CHAIRMAN. Well, it is a general charge that the residences are extravagantly built.

Mr. BRANIFF. All of the residences that have been built, with the exception of five, which are occupied by the civil-service employees, are put up and rented to our employees at a rental which will yield a very good figure on the investment. Our rentals run from $7 to $12 a month, including light. Light costs nothing; renewal of globes, and so forth, are paid for by the tenants. Our houses for employees will cost from $600 to not exceeding $1,000, and they are rented from $7 to $12. The four houses that are occupied by the civil-service employees have averaged about $2,250 apiece, and in addition to that there has been expended $200 apiece for furniture, in the way of such heavy articles as can not be moved, such stuff as tables, chairs, etc. I do not believe that is extravagant, and I believe it is good policy to house comfortably the civil-service employees out here and make them comfortable.

The CHAIRMAN. The next charge here is a general charge as to the mistake of locating the mill at Neopit. We went over that today, and unless you have something more you care to offer in that respect it will be passed until evidence is put in in opposition to it.

Mr. BRANIFF. I believe I have nothing more to say.

The CHAIRMAN. Now, in regard to building frame houses for these camps in place of the ordinary log houses which have been built heretofore, what have you to say in regard to that?

Mr. BRANIFF. That is an economy. It is cheaper to build them that way.

The CHAIRMAN. Have you figured on it, so that you are satisfied that that is the case?

Mr. BRANIFF. The most of the lumber put into those houses is lumber for which we could get only $6 a thousand. I only know in a general way it is very much cheaper. I have no comparative figures, but I know it is cheaper, very much cheaper. I know that all the lumber companies always build their camps out of lumber in preference to logs. The labor is much less, in the first place. Logs have got to be hewn.

The CHAIRMAN. The next charge is that it is costing more to log this timber now than it did when these men did it themselves under contract.

Mr. BRANIFF. We have not done any logging except that little job we put in last winter.

The CHAIRMAN. You have given your explanation of the reason for the cost of that. Unless you want to add something to it, that will be passed until the other side gives such evidence as they want in opposition to it.

Senator LA FOLLETTE. What were you going to say?

Mr. BRANIFF. I have nothing further to add to that.

The CHAIRMAN. You don't contract at all, do you?

Mr. BRANIFF. Why, no logging has been contracted except, as I recall, we allowed Moses Tucker, who is one of the Indians on the roll; we allow him a certain price for hauling some logs over the road which we built. It was a small contract, given him at a certain figure, and he agreed to haul them in, and we found he had no money and no means of supplying the teams or labor, and we had to pay it all, and came out behind. That is the only instance.

The CHAIRMAN. Don't you think contracts could be made with these Indians whereby they could get out these logs under contract?

Mr. BRANIFF. I think it would be an exceedingly bad thing to attempt at present, for this reason: The logging we are doing now is difficult; it is very particular work, because we are logging under the forestry regulations. We are going to be judged not only by the cheapness with which we can log, but also by how well we can clean up our woods and dispose of the brush and save the small timber from being smashed, and get out the stuff and have a clean operation. We know it is absolutely impossible for an Indian to attempt to do that kind of work. He is not accustomed to it. He never did it before, and he could not be forced to do it now. I believe in the course of years, after the Indian has become accustomed to modern methods of logging and cleaning up the woods, it might be possible to let some logging contracts to Indians. I believe that is one of the possibilities. I do not believe that this is the time to attempt it.

The CHAIRMAN. Don't you think it would be worth while to sacrifice a little in that respect in order to gain the advantage which it would be to the Indians in doing some business on their own account and learning to do business? We have got to take into account the advancement and improvement of the Indians, and one of the plans here is along that line.

Mr. BRANIFF. I don't know, Senator, one Indian that works for us who I would like to intrust with a logging job under the regulations and under the methods of logging which we have got to follow at present.

The CHAIRMAN. That is a question of policy for the Government, taking into consideration the preservation of this timber and also the development of the Indian. While you might not do it in view of the hard and fast rules that obtain now, could not a condition be established there abating somewhat the requirements of these rules and benefiting the Indian in giving him a chance to do a little business on his own account?

Mr. BRANIFF. I don't think so.

Senator LA FOLLETTE. Could not they change the rules and regulations for the protection of the growing timber and the small stuff, and while still doing it according to the Forestry regulations and conserving the timber for the future, could not contracts be made with the Indians, and have a condition inserted in the contract for supervision by the superintendent, who would see that the logging contracts were carried out in such a way as not to injure the small growing trees?

Mr. BRANIFF. That might be attempted on a small scale, and you could see how it worked out; but if we gave a contract to one Indian, the others would feel justified in trying to obtain contracts, too, and we would be doing a great deal of logging under Indian contracts, and I am afraid of it, Senator. I am afraid to attempt it.

Senator LA FOLLETTE. Wouldn't it be a most excellent way in which to instruct these Indians?

Mr. BRANIFF. I believe it can be worked into gradually. I wouldn't advocate going into it now on a large scale.

Senator LA FOLLETTE. I suppose there are not a large number of Indians who are able to take contracts?

Mr. BRANIFF. They all do.

Senator LA FOLLETTE. They all do?

Mr. BRANIFF. A great many of them do.

Senator LA FOLLETTE. Are they equipped with teams and with the necessary machinery and tools, very many of them, for doing that kind of work?

Mr. BRANIFF. Mr. Farr knows more about that than I do. He was the man in charge of these men when they used to contract at the other end of the reservation. We feel this way about it, that we want to work this proposition out—we want to know how much it costs to burn brush, for example. We want to know how much more it costs to log under the Forestry regulations than to log as the logger usually does. I believe it would be a dangerous thing to attempt that now. I think we ought to do it ourselves for a while and then let the Indian do it.

Senator LA FOLLETTE. Do you employ Indians?

Mr. BRANIFF. That is the point exactly. Our Indians are employed in the woods in our logging camps. I believe the best plan is to work with our crews and let the Indian become accustomed to the new method of logging, to our methods, and then let him take a contract, work into it gradually. I think it is just as good policy not to put the Indians in responsible positions either in a sawmill, with valuable machinery, or elsewhere, until they know how to run them

and have worked with them. The white men, you understand, understand these things.

Mr. DILLETT. At what price did you give this contract to Mose Tucker?

Mr. BRANIFF. I am not sure, but I think it was $250 for hauling the logs.

Mr. DILLETT. Just a hauling contract?

Mr. BRANIFF. Yes.

Mr. DILLETT. It didn't involve cutting?

Mr. BRANIFF. No.

The CHAIRMAN. Could not they be worked into that more rapidly so as to use their own teams instead of buying government teams, and that would be in a small way developing them along the line of doing business?

Mr. BRANIFF. Yes; that might be done. We might work into it gradually by giving them something which we could supervise and watch over closely. I think that could be done.

The CHAIRMAN. Don't you think it would be a good plan to encourage the doing of that?

Mr. BRANIFF. Oh, decidedly.

Senator LA FOLLETTE. I suppose, as a matter of fact, you have instructed these white loggers to log in a different way in order to comply with the forestry regulations, have you not?

Mr. BRANIFF. It is a very difficult thing to do. We have got to watch it very closely and go very slowly. The men in the woods are accustomed to certain methods of logging, and our methods are radically different. We leave the timber in the woods, we burn the brush, we handle everything carefully and economically, which is the reverse of ordinary logging. Our own white men have got to be trained to saw low stumps. Take a greeen crew of lumber jacks and it is almost impossible to get them to saw the stumps low enough to satisfy us. They have got to grow accustomed to that. I does not take more than a season or two to accustom a crew as to that kind of logging. To start out an Indian crew without any instruction or experience is a pretty dangerous thing to do, I think.

Mr. HOLCOMBE. Isn't it the fact that the law requires you to do that?

Mr. BRANIFF. No, sir; it does not.

Mr. HOLCOMBE. Let me read it to you:

> The Secretary of the Interior, in so far as practicable, shall at all times employ none but Indians upon said reservation in forest protection, logging, driving, sawing, and manufacturing into lumber for the market such timber, and no contract for logging, driving, sawing timber, or conducting any lumber operations upon said reservation shall hereafter be let, sublet, or assigned to white men, nor shall any timber upon any such reservation be disposed of except under the provisions of this act.

Mr. BRANIFF. That does not apply to logging contracts.

Mr. HOLCOMBE. That was in response to your last answer.

The CHAIRMAN. Haven't you been disposed to follow the hard and fast rules laid down in this matter and have not considered enough the fact that one of the elements in this matter was that of benefiting and developing the Indian?

Mr. BRANIFF. I do not think so. I think we have done a great deal for the Indian, and I think we have gone just as far as we could.

The CHAIRMAN. Don't you think you could get a good deal of this hauling done this winter by the Indians by letting contracts to them instead of buying your own horses? I am simply asking you for your opinion and not in the way of criticism.

Mr. BRANIFF. Possibly we can get a certain amount of it done.

The CHAIRMAN. That seems to be quite a question here, and one about which they have made a good deal of complaint to us, that they did not get into this work as far as and as fast as they thought they should. The next charge is—I don't know whether you know anything of the facts—there are too many men at the mill, and men are in the habit of even sleeping there when they ought to be at work. That is a matter that will probably come in on the other side of the case. Do you know anything about it?

Mr. BRANIFF. No; I do not believe there are too many men at the mill.

The CHAIRMAN. The next charge is one that would be within your knowledge if it has foundation, and that is, that the logs are cut in such a way that they do not make a board of the length for which they are cut, and consequently there is more or less loss in logging. That is, that a log which is intended to be cut for a 12-foot board is so cut that it will not make a 12-foot board and the next board that has a market value, I suppose, is a 10-foot board.

Mr. BRANIFF. We do not cut the logs, except that small amount that we cut last winter.

The CHAIRMAN. What have you to say as to those who do the cutting?

Mr. BRANIFF. I do not think that is true.

The CHAIRMAN. Was it brought to your attention with respect to any of the logs which you found cut when you came?

Mr. BRANIFF. That is the first time, I believe, it has ever been brought to my attention. I never heard of it before. It may be true and it may not. I don't know anything about it.

The CHAIRMAN. In the sawing up of this timber which you found cut, wouldn't you have noticed it, if there was any appreciable amount of it, if it had been so cut?

Mr. BRANIFF. I should think somebody would have called my attention to it if it existed on a large scale. It has never been called to my attention, however.

Mr. DILLETT. How long should a log be cut from which it is intended to make 12-foot lumber?

Mr. BRANIFF. I should think a 12-foot log should be cut not less than 12 feet 2 inches, to allow for trimming.

Mr. DILLETT. You think 2 inches over the length would be sufficient?

Mr. BRANIFF. I think on a 12-foot log it would be. I believe they usually allow about 4 inches on a 16-foot log.

Mr. DILLETT. Would that be true as to logs that are to be driven in the river?

Mr. BRANIFF. I should think so. I have never thought much about that. We usually allow 4 inches on a 16-foot log.

Senator LA FOLLETTE. The great bulk of all of this stock here was cut long before you came here, wasn't it?

Mr. BRANIFF. Oh, yes.

The CHAIRMAN. The next complaint that appears here is that one reason why the Indians do not work here more than they do is that originally they did not live here, and they have got to live from their homes, and that they can not get sufficient lumber to build their houses with. What have you to say to that?

Mr. BRANIFF. We do not give lumber to the Indians. We sell it to them.

The CHAIRMAN. That complaint was that there is a great deal of stuff that could be used if they were allowed to use it that now goes to waste.

Mr. BRANIFF. I don't know of any lumber that goes to waste here, sir.

Senator LA FOLLETTE. I think they have reference to that which is used for filling.

Mr. BRANIFF. They can have all of that they want, gratis, free for nothing, if they haul it away.

Senator LA FOLLETTE. Is that what was referred to in your complaint?

Mr. DILLETT. Yes, sir.

The CHAIRMAN. They complain that you only allow them 4,000 feet of lumber for building. Have you any rule of that kind?

Mr. BRANIFF. No, sir; they have no lumber allowed them.

The CHAIRMAN. Have you ever heard any complaint of this kind?

Mr. BRANIFF. No; this is the first time I have ever heard it. I have never received a request for lumber which I have refused to give if it was paid for.

The CHAIRMAN. Do you care to ask Mr. Braniff any questions at this time?

Mr. DILLETT. No; I think not at this time.

The CHAIRMAN. Then I think you may begin with the questioning of your witnesses now, unless some members of the committee want to ask some questions of Mr. Braniff.

Senator LA FOLLETTE. I want to ask Mr. Braniff something about fire protection on this reservation under the methods employed here.

The CHAIRMAN. This will probably be as good a time as any other.

Senator LA FOLLETTE. Last year was a year of very great loss, was it not, resulting from fires?

Mr. BRANIFF. Yes.

Senator LA FOLLETTE. I wish you would state what the loss was on this reservation and what it was on surrounding lands immediately adjoining the reservation, what you have done since you have been on here, if anything, for the protection of this reservation against fires.

Mr. BRANIFF. Well, the history of this reservation shows that a very large part of the timber, the valuable pine timber on the reservation, has been destroyed by forest fires. In the old days the law under which logging was done did not allow the cutting of green timber, and the Indians in many cases have actually set fire to their woods in order to log their own timber. At one time years and years ago the Indians were not allowed to cut any timber, so the fire habit became a pretty fixed habit in certain parts of the reservation, and this meant that valuable timber was destroyed by forest fires. Apparently no attention was paid in the past to fires, and I fail to find an instance where a serious attempt has ever been made, before this

work was undertaken, to control forest fires on the reservation. They were allowed to run without any attention.

Senator LA FOLLETTE. Can you state approximately what area on this reservation was burnt over before this work was undertaken here?

Mr. BRANIFF. I can not. I only know it ran over great areas in segregated spots here and there. I got here in March, 1908, and the following summer was a very dry summer, one of the worst experienced in the Lake States for many years. We had no rain for weeks and weeks at a time. Everything was dry. It got so dry here that the leaves fell off the trees before the frost came. The woods were tinder boxes and we had fires breaking out constantly here, there, and everywhere. Fortunately we have a telephone system, which communicates with a very large part of the western end of the reservation and enables us to keep in touch with the distant points. I had patrolmen out to patrol the reservation, and there were weeks when my crews every day or two days would have to stop the construction work and go to fighting fires. There were times when we had to get out the crews at midnight, and times when we had to have a special train to take us down to the south line of the reservation, to put out fires along the line of the reservation, the west line and the north line and the south line. We spent $8,000 in putting out fires—a little less than $8,000—and we saved the reservation, a large part of it, from being destroyed by forest fires last summer. The fires did a certain amount of damage in spite of us, but very little. We lost, perhaps, not to exceed a section burnt over. I believe the aggregate of timber lost and damaged by fire was not in excess of one section. The state lands were also protected from fire by our forces, and the State reimbursed us for its percentage of the cost of controlling these fires. We got something like $600 from the State, which would make our fire-fighting bills something like $7,400. At that time the Wisconsin Northern was building a logging road and had a large crew of men burning brush along the right of way. It made it very dangerous. Their construction gangs set one or two fires, and we secured reimbursement for the expense of putting out their fires. The country adjacent to our reservation was badly burnt, and coming up on the road from Shawano you can see the burnt area south of the line. You will notice that after it crossed the line it was stopped. You will find, if you go north of the reservation, that a large area of land owned by Shawano people and Oshkosh people was burned over.

Senator LA FOLLETTE. Give us some idea how extensive that is.

Mr. BRANIFF. Mr. Wallrich, of Shawano, told me he lost about 20 sections of timber just north of the line of the reservation. The state forestry commission has gotten out an elaborate report on the fires in Wisconsin, and that will give you some valuable information.

Senator LA FOLLETTE. Has that report been printed?

Mr. BRANIFF. I believe it has.

Senator LA FOLLETTE. At what do you estimate the loss by fire on this reservation last season?

Mr. BRANIFF. I should say it would not exceed $10,000.

Senator LA FOLLETTE. Are you able to state the total number of fires which occurred on this reservation and which were put out?

Mr. BRANIFF. Not absolutely. I know some days we had three or four and sometimes half a dozen different fires. They would break

out—small fires—but we would put them out, and it was really a fire. We had men patrolling the reservation, and on any sign of smoke the men would ride right out there. Sometimes the patrolman would not need any help; he would put it out himself.

Mr. Cox. I would like to know how much Mr. Braniff thinks this loss would have been if there had been no fire protection here last winter.

Mr. Braniff. I only know a very large part of this end of the reservation would have been burnt over—a very large part of it. I don't know; it is incalculable.

Mr. Cox. How great an area of the reservation is covered by young timber that is not yet merchantable?

Mr. Braniff. Around in this immediate vicinity you have a very large amount of young growth. Several sections. Going south on the railroad, toward the south line, you have a very large area which contains timber a part of which is merchantable and a part unmerchantable. In the plains east of here around about Keshena you have an immense area of young growth in spots, segregated areas. This end of the reservation, as a general proposition, is virgin timber.

Mr. Holcombe. Did you receive full reimbursement from the railroad for the fire occasioned by it?

Mr. Braniff. The reimbursement we received was for the cost of fighting the fire. The situation was somewhat peculiar. It was only a very small amount, less than $100. The contractors were building the road here, they had contracted with the railroad, and the railroad charged the contractor for the expense of putting out the fires, and the contractor really had not been so much to blame because some subcontractor had damaged them, and we charged them 50 per cent.

Mr. Holcombe. It was the Indians' loss, however, was it not?

Mr. Braniff. Yes, sir; about $40 or $50, or something like that.

Mr. Farr. This west end of the reservation, as it is termed, is mixed hard wood?

Mr. Braniff. Yes; most of it.

Mr. Farr. And it has never burned over heretofore?

Mr. Braniff. Well, it has been burnt in places; not very much.

Mr. Farr. You stated, I believe, that it would have burnt over last season were it not for the men being on the ground?

Mr. Braniff. Yes; I am sure a large part of it would have.

Mr. Farr. That, I presume, would be the result of the operations coming in here; railroads, and so forth?

Mr. Braniff. Well, the railroad set a number of fires. A large number of fires were set by Indian settlers burning brush out in the woods.

Mr. Farr. The reason I asked the question is, that it would have been peculiar that it never occurred before.

Mr. Braniff. It was a very dry season.

The Chairman. I understand you will conduct the matter on behalf of the Menominees?

Mr. Dillett. I don't care whether I question the witnesses or whether you question them.

The Chairman. You can question them, and you will also call them. You have talked with them, so you know who have made these complaints and who are prepared to substantiate them.

Mr. DILLETT. To some extent. The committee has prepared the evidence.

Mr. COX. While he is getting his witnesses ready, I would like to ask one question, and that is, what experience he has had and with what success he has dealt with the liquor traffic on the reservation.

The CHAIRMAN. You may cover that point before you get through. Of course there are a great many witnesses, and we still have a great deal of testimony to take on our own account; so we wish you would get yourself in shape and call those who are in a position to testify to matters within their own knowledge, and call them as quickly as you can.

Mr. DILLETT. Yes.

The CHAIRMAN. You may proceed, Mr. Braniff.

Mr. BRANIFF. A logging camp or a lumber operation in this part of the country under normal conditions is always more or less troubled by whisky. Whisky is a bad thing. It disarranges logging camps and small crews, and when it gets into towns in this country it is awful. When we got here we found that the suppression of the liquor traffic was not only desirable but a necessity, because I was charged with the responsibility of keeping whisky out of this job. The operative agreement with the Indian Office required me to do so. I have spent a great deal of time and trouble on that question. We have down in Shawano a brewery and an exceptionally large number of saloons, and our Indians for many years have been accustomed to going down to Shawano and getting about all the whisky or beer they wanted. There is the town of Gresham, which is only 10 miles south of here, and then there is the town of Phlox, which is a mile and a half west of the reservation, right on our main road, and the town of Breed, about 3 miles east of the east line of the reservation, and in fact there are a number of towns, including Shawano, where there are saloons of a kind that will sell liquor to the Indians. When I got here to Neopit I found a great deal of drinking. The loggers had been in the preceding winter, and while they were here it was no trouble to find whisky anywhere. At one of the logging camps Mr. Farr's report shows that the logging contractor and the entire crew got drunk on several occasions and the logging was suspended for a time.

Senator LA FOLLETTE. Where was that?

Mr. BRANIFF. That was in Pete Lamote's camp. Mr. Farr says in his report that Pete Lamote was drunk and the entire crew was drunk and ran the cook out of the camp. I don't know anything about it except from his report.

Mr. DILLETT. Do you know whether that report shows that a white man was the subcontractor and partner in that contract?

Mr. BRANIFF. I believe that a man named Anderson was one of the contractors connected with that. At any rate, we had a good deal of trouble with drinking on the reservation, and we finally succeeded in reducing it by arresting all the people as fast as they got drunk. A part of them were carried before Commissioner Dillett, in Shawano, and a part were carried over to Keshena and put in jail there by the agent, and we have gradually eliminated the whisky. Several months ago, last winter it was, a saloon keeper established a saloon on the south line of the reservation. The man who put that saloon in was a saloon keeper in Shawano.

Senator LA FOLLETTE. How near to Neopit?

Mr. BRANIFF. About 2¾ miles from Neopit by the railroad track. After he established that saloon there things began to get pretty bad, and I used to find empty whisky bottles in the hallways of the hotel. We had two or three drunken fights at the hotel, and I decided to take heroic measures, and what I did was this: I placed a watchman's shanty on the south line very close to this saloon, and I strung a wire on the poles of the railroad—a telephone wire—and put in an instrument in the watchman's shanty and put an Indian watchman there—not white men, but Indians—to watch this place. I paid them $60 a month and their board. It cost me quite a little to watch the place, and then I posted a notice to the effect that any white man could go down and get drunk at that saloon if he wanted to, but if he did, I would discharge him. We discharged some 30 or 40 or 50 men and 1 foreman. The foreman was in the lumber yard, and we gradually forced him out.

Senator LA FOLLETTE. Forced out?

Mr. BRANIFF. Forced out the saloon man. This is a copy of the notice which I issued to the men.

Senator LA FOLLETTE. Let it go into the record.

Mr. BRANIFF. I will read it.

EMPLOYEES TAKE WARNING.

A saloon established along the south line of the reservation to sell intoxicants to men employed by the Forest Service has been extensively patronized of late by men from Neopit. The presence of this saloon is a menace to the well-being of every workman on the reservation, whether white or Indian. It is detrimental to orderly conduct among the whites and a sore temptation to Indians, whom it tends, directly or indirectly, to debauch.

It is the privilege of any white employee of the Forest Service to patronize this saloon if he so desires. It is equally the privilege of the Forest Service to discharge instantly any employee who does so. This is the policy that has been determined upon. You are therefore warned that drinking in this saloon or your presence there will be regarded as cause for instant dismissal.

The introduction of liquor on an Indian reservation, the selling or giving of liquor to an Indian, is a criminal offense under federal statutes. If any such offense is detected, the guilty party or parties will be arrested and every effort made to convict them.

Keep away from this saloon!

EDWARD A. BRANIFF,
Forest Supervisor.

MAY, 1909.

Mr. BRANIFF. The result of our effort was complete success, and the saloon was finally abandoned some two or three months ago. The cost was almost $1,000. Since then nobody has been found drunk, and if there is any whisky drunk here I do not know it, and I never see a drunken man. We have not for several weeks.

Senator LA FOLLETTE. How many Indians live in Neopit, if you know, approximately?

Mr. BRANIFF. Oh, there must be three or four hundred Indians with their families, at least.

Senator LA FOLLETTE. What stores are maintained here in Neopit?

Mr. BRANIFF. Well, there are two stores of some size, one kept by Peter Lookaround and the other kept by Christiansen.

Senator LA FOLLETTE. Are they two Indians?

Mr. BRANIFF. Mr. Christiansen is an Indian and Peter Lookaround is an enrolled member of the tribe.

Senator LA FOLLETTE. Can any Indian establish a store here who desires to do so?

Mr. BRANIFF. I believe the trading regulations allow him to do so. Both stores have apparently been quite successful.

The CHAIRMAN. That is all. Now, Mr. Dillett, if you are ready you can put your witnesses on.

Mr. DILLETT. I will call Mr. Likens.

STATEMENT OF GEORGE LIKENS.

GEORGE LIKENS, assistant government farmer, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Mr. LIKENS. At Keshena.

The CHAIRMAN. What is your business?

Mr. LIKENS. Agency farmer.

Mr. DILLETT. You have been connected with the work here, at Neopit, have you not?

Mr. LIKENS. Yes; under Mr. Allen. I was appointed employment agent for the Menominee Indians.

Mr. DILLETT. What were the duties of that position?

Mr. LIKENS. Well, I was to bring the Indians here. I have a copy of the letter, I think [producing paper].

Mr. DILLETT. Perhaps it had better be read into the record.

The CHAIRMAN. Yes; you may read it.

Mr. DILLETT (reading):

DEPARTMENT OF THE INTERIOR, U. S. INDIAN SERVICE,
GREEN BAY INDIAN AGENCY,
Keshena, Wis., January 11, 1909.

Mr. GEORGE LIKENS,
Farmer, Green Bay Agency, Wis.

DEAR SIR: You are hereby instructed to proceed to Neopit, Wis., and make your headquarters there until further notice. The work of the forestry department, at this point, has caused the collection of a large number of workmen, both white and Indian, and it is necessary that some representative of the agency be there. It is not possible to outline all of your duties at this time, but your usefulness will, in a large measure, depend upon your seeing an opportunity for service while there and meeting the conditions as they arise. However, in general, you will be expected to look after the following matters:

First. To encourage in every way the employment of Indian labor in all positions that Menominees are able to fill. It is highly important that not only as many Indians as possible be employed, but that they be employed steadily and that everything possible be done to encourage them to faithfulness, contentment, and an honest striving for promotion.

Second. To see that good morals prevail, both among whites and Indians. You understand, of course, that the introduction or use of intoxicating liquors is not to be permitted under any circumstances. Any white person or Indian who is guilty of either offense should be promptly apprehended and this office notified. You are advised also that it is necessary to look after and prevent the visits of any lewd woman, to prevent gambling and such other forms of vice as are apt to creep into a place of this sort.

Third. To cooperate in every possible way and in the utmost friendliness of spirit with the forestry department and to assist in whatever their interests; to promote a friendly feeling between them and the Indians whose interests they are serving.

You should report to me by mail at least twice a week and as much oftener as you may deem necessary. Should any emergency arise, use the telephone, having the expense charged against this office.

Very respectfully,

EDGAR A. ALLEN,
Special Agent in Charge.

The CHAIRMAN. Are you still in the service?

Mr. LIKENS. Yes, sir.

Mr. DILLETT. What have you observed in regard to the employment of Indians here in the work?

Mr. LIKENS. While Mr. Allen was here I had no trouble in finding employment for the Indians. I had no trouble in getting them to do the work.

Mr. DILLETT. Has it been different since?

Mr. LIKENS. Yes, sir. There seems to be some trouble between Mr. Braniff and Mr. Wilson, and I have not been considered as an employment agent since. I have been considered more as a policeman.

The CHAIRMAN. When did Mr. Allen leave?

Mr. LIKENS. I think it was about March.

The CHAIRMAN. Of this year?

Mr. LIKENS. Yes, sir.

Senator LA FOLLETTE. How long was he here?

Mr. LIKENS. Something over six months, I think. He came in July.

Mr. DILLETT. What seems to be the difficulty in getting employment for the Indians after Mr. Allen left?

Mr. LIKENS. Well, they did not recognize Mr. Wilson as having power; I don't think that Mr. Allen had.

Mr. DILLETT. Did the Indians come here to find employment and fail to get it?

Mr. LIKENS. Yes, sir. They would write to Mr. Allen. Mr. Braniff would write to Mr. Allen and tell him that he would like so many Indians for certain positions, and after Mr. Wilson came I don't think he got but very few notices of that kind. He furnished girls to work in the hotel and I did not have any trouble in finding the best girls on the reservation to fill the positions, and they made a complaint that they were not being treated with respect at the hotel and I informed Mr. Belt and Mr. Everett and told them they would be removed from the hotel if they were not treated with more respect, and a short time afterwards the parents came and took them out of the hotel, and some of them tried to get work afterwards, after they put in another cook, and they were refused work.

Mr. DILLETT. When they came back they were refused work?

Mr. LIKENS. Yes; that is their statement.

Mr. DILLETT. What were the conditions at the hotel of which the girls' parents complained; explain briefly; was it the use of vulgar talk, or what?

Mr. LIKENS. Yes.

Mr. DILLETT. What else?

Mr. LIKENS. The cook was instructed to look after the interests of the girls and see that they did not run around at night, and take care of them, as they had never been in a place like this, and they did not seem to take the proper interest in them, and the white fellows and Indians would collect in the kitchen of evenings and have a general good time, and the parents objected to it and they finally took them out of the hotel.

Mr. DILLETT. After the change in the management of the hotel the girls came back?

Mr. LIKENS. Some of them wanted to come back.

Mr. DILLETT. And why were they not given employment?

Mr. LIKENS. I don't know as to that.

Mr. DILLETT. Who would employ them, the manager of the hotel or Mr. Braniff or whom?

Mr. LIKENS. I think the manager of the hotel.

Mr. DILLETT. And you did not learn why they were not given employment again?

Mr. LIKENS. Well, the reason was because they left without giving notice enough to get others in their places.

Mr. DILLETT. What do you know about men coming up here to find employment and failing?

Mr. LIKENS. I know I showed a letter to Mr. Braniff that I got from Mr. Allen when I first came up here, and he said he thought that would be a very good thing and that there were a few things he would like for me to look after, and he wanted me to put some Indians off the reservation.

Mr. DILLETT. Off the reservation or drive them away from Neopit?

Mr. LIKENS. He wanted them to leave Neopit.

Mr. DILLETT. Were they enrolled members of the tribe?

Mr. LIKENS. Yes; he said that they were holding secret meetings in their homes.

Mr. DILLETT. Did you make any attempt to carry out those instructions?

Mr. LIKENS. I took it up with Mr. Allen and he said he expected Mr. Braniff could be removed easier than the Indians, and this was their home and it was not his place to determine whether they should have secret meetings in their home or not.

Mr. DILLETT. Do you know of instances where Indians have come here to Neopit seeking employment in and around the mill and yards and in the woods and on the river and have failed to get such employment?

Mr. LIKENS. Yes. Some of them on account of their past records.

Mr. DILLETT. What was wrong with their records?

Mr. LIKENS. They were inclined to indulge in intoxicating drinks.

Mr. DILLETT. Did that seem to disqualify them or bar them from getting a job here?

Mr. LIKENS. Yes.

Mr. DILLETT. Any other reasons given for not employing them?

Mr. LIKENS. He said they were not very capable to perform the work, as they would get a position in the mill and if any of them happened to get sick or anything of that kind, or if they had any excuse for leaving without giving the foreman notice, they would walk out and leave. When they would get drunk I would take them down and we would work them until they served out their sentence, perhaps ten days, and then they would come back up here; and I tried in one instance, when Mr. Braniff thought it would be a very good idea not to give them work for some time, in order to learn them to appreciate a job when they had it.

Mr. DILLETT. Where would they finally be taken to work out the sentence?

Mr. LIKENS. Down at the agency.

Mr. DILLETT. At Keshena?

Mr. LIKENS. Yes.

Mr. DILLETT. Can you give the names of particular Indians who were refused employment?

Mr. LIKENS. Yes.

Mr. DILLETT. You may give the names of some of those you can think of readily.

Mr. LIKENS. Charley Che-ke-na was one. I think Alex Crow was discharged at camp 7, and if I remember rightly George Michael and Joe Bristow were refused work.

Mr. DILLETT. Any others?

Mr. LIKENS. I don't recall the names of any at present.

Mr. DILLETT. Do you know of any Indians in the service here who were discharged apparently without cause?

Mr. LIKENS. I don't understand you.

Mr. DILLETT. Do you know of any Indians who were working here that were discharged without cause or without sufficient cause?

Mr. LIKENS. Well, I can not say in regard to the cause. There was a man discharged at camp 7, I think it was.

Mr. DILLETT. What position did he hold?

Mr. LIKENS. He was timekeeper. He got the position owing to his crippled condition.

Mr. DILLETT. He is the one-legged fellow, is he?

Mr. LIKENS. Yes.

Mr. DILLETT. What reason was given for his discharge?

Mr. LIKENS. Perhaps they informed him.

Mr. DILLETT. You don't know?

Mr. LIKENS. No; I don't know that. He has not been able to get a position since. That was some time ago.

Mr. DILLETT. Have you observed Mr. Braniff's manner of dealing with the Indians and employees, as to whether he has been courteous or insolent?

Mr. LIKENS. I don't know that I could say insolent. It might have been a matter of business.

Mr. DILLETT. Describe his conduct as near as you can.

Mr. LIKENS. Well, he was rather frank in his talk. If he had anything of very much importance he would tell you in the first few words.

Mr. DILLETT. Did you ever notice anything that seemed to indicate a lack of courtesy, the courtesy that is due from one man to another in business or in any other matter?

Mr. LIKENS. Yes; I thought he was not as friendly as a great many gentlemen.

Mr. DILLETT. Do you know whether he has incurred in that way the ill will of a great many of the employees and subordinates around Neopit?

Mr. LIKENS. No; I can not say as to that, as I do not work directly under Mr. Braniff. I was just working in harmony with him as near as I could.

Mr. DILLETT. You have spent your time here and have seen a great deal of Mr. Braniff, I presume?

Mr. LIKENS. I saw very little of him. I would come here sometimes to see him and he would be busy and I would not get to see him.

Mr. DILLETT. Do you know as a matter of fact from your experience here what the general feeling is of the employees here toward Mr. Braniff?

Mr. LIKENS. Do you mean of the Indians?

Mr. DILLETT. Among the Indians and whites both.

Mr. LIKENS. Well, I heard Mr. Braniff make a remark one time that he sympathized—Mr. Allen write a letter to me to investigate a certain party up here as the Indians had made complaints against him and he was advised to leave the reservation, as he was not popular among the Indians, and Mr. Braniff said: "I know how to sympathize with him, as I am not popular myself."

Mr. DILLETT. I think that is all.

The CHAIRMAN. Do you desire to ask this witness any questions, Mr. Braniff?

Mr. BRANIFF. Yes; I would like to get a little information from him. I just want to get a little information for myself. Who were those girls who were refused work over in the hotel, do you remember, I want to investigate the matter. I had not heard of that before.

Mr. LIKENS. You mean——

Mr. BRANIFF. The girls at the hotel who were refused work, who were they, do you remember?

Mr. LIKENS. They claimed that they had white girls in their places.

Mr. BRANIFF. Who were they, do you remember?

Mr. LIKENS. Yes.

Mr. BRANIFF. Who were they? I should like to look into it.

Mr. LIKENS. It was the girls working there during that time.

Mr. BRANIFF. Who were they, do you remember?

Mr. LIKENS. Mary Amgabe, the Knote girl, and Maggie Sagatuck. They all agreed to come back to work if Mr. Wilson would take charge, but they would not work under Ready.

Mr. BRANIFF. Did they quit?

Mr. LIKENS. Yes; their parents came for them.

Mr. BRANIFF. When was that?

Mr. LIKENS. Mr. Lamote can perhaps tell. I think he was one that came for them.

Mr. LAMOTE. I think it was along the 1st of May.

Mr. BRANIFF. What was the trouble, Mr. Likens, about those girls; was it some trouble that they had with the cook?

Mr. LIKENS. No; I don't think they had had any trouble with the cook, but they would not let them run up and down in the halls.

Mr. BRANIFF. Do you remember ever bringing the matter to me?

Mr. LIKENS. I brought it to Mr. Belt.

Mr. BELT. These girls left because, as I understand it, remarks had been made about the girls. They came up here one day, and it was while you were away, and said they were going to quit. Their parents, some of them, were with them, and I got them to promise to stay until the last of the week, and by that time I could get more girls. Mr. Likens came over one time and said the girls would like to come back provided they could get Mr. Wilson back to cook again, and I knew that was impossible, so the girls could not expect employment under that condition.

Mr. LIKENS. You remember, Mr. Belt, of my telling you they were going to leave?

Mr. BELT. Yes.

Mr. BRANIFF. I just wanted to ask you. I had never heard of this before. Are any Indian girls now employed in the hotel?

Mr. LIKENS. Yes. Here is a letter that verifies the statement. You remember about Charley Che-ke-na wanting a job?

Mr. BRANIFF. Yes; I wanted to ask you some questions about that. What kind of a job did Charley Che-ke-na ask for?

Mr. LIKENS. He wanted a job as scaler.

Mr. BRANIFF. Did he ask for any other kind of job than that of scaler?

Mr. LIKENS. I don't know.

Mr. BRANIFF. Do you remember my telling you that I did not have any job for a scaler at that time?

Mr. LIKENS. Of course there were scalers in the woods. Mr. St. John, he was a scaler in the woods.

Mr. BRANIFF. He had come on from New York to take a job as scaler?

Mr. LIKENS. Yes.

Mr. BRANIFF. There were no other scalers employed at that time, were there?

Mr. LIKENS. I can not say.

Mr. BRANIFF. I would like to make a statement that he applied for a job as scaler and that we had no such job at the time.

The CHAIRMAN. Mr. Belt, are you going to be a witness here?

Mr. BELT. I don't know about that.

The CHAIRMAN. I think we will save time, perhaps, if as we go along we have these things explained, and I will swear you now.

STATEMENT OF DAVID G. BELT.

DAVID G. BELT, an employee on the Menominee Reservation, having been first duly sworn by the chairman, testified as follows:

Mr. BRANIFF. Do you remember in regard to Alex Crow, who was discharged at camp 7? Do you remember his having been discharged before?

Mr. LIKENS. No. He informed me that he had been working out at camp 4 and the crew had been allowed to go home, and he also, as the camp broke up.

Mr. BRANIFF. You remember my telling the reason that Crow had been discharged was that he would not go out and keep the time; that he would stay in camp?

Mr. LIKENS. Yes.

Mr. BRANIFF. That he was unsatisfactory; that he would not go out and keep time. Do you remember my saying that the reason was that the foreman had to keep the time and Alex Crow did not do anything? I would like to make that statement.

The CHAIRMAN. Do you remember anything of that kind?

Mr. LIKENS. No, sir.

Mr. BELT. Crow was told the same thing by me. The foreman complained that he did not keep the time; that he would spend the day in Neopit and at night he would come out and get the time from the foreman's book and post it in his own book. The last time he was dismissed he was told he was dismissed for that reason.

Mr. LIKENS. Wasn't it the foreman's place to see that he was attending to his work?

Mr. BELT. The foreman tried to get him to do the work and he would not do it.

Mr. BRANIFF. I have a distinct recollection of going over that Crow case fully with Mr. Likens and telling him very fully why it was impossible to use him in that position. He simply would not work, he would not do the work, and we had to get somebody else. I also remember having told you that he was discharged at two camps; that he was given two or three trials, and we could not get any results. You said I told you I would like to have George Michael leave town?

Mr. LIKENS. Yes.

Mr. BRANIFF. I don't remember having told you anything of the sort.

Mr. LIKENS. I think there is some correspondence between the two offices.

Mr. BRANIFF. I don't remember having told you to have him leave.

Mr. LIKENS. Did you tell me about Joe Bristow and Tom Labell?

Mr. BRANIFF. I don't remember that.

Mr. BELT. There has never been any correspondence in your file concerning that?

Mr. BRANIFF. I don't recollect any. There have been matters concerning George Michael's family, but not concerning George Michael that I remember. As to Tom Labell, do you remember my explaining why it was desirable that Tom Labell should not reside here any longer?

Mr. LIKENS. Yes; you said that Tom Labell and Joe Bristow were holding secret meetings.

Mr. BRANIFF. Do you recall that I said that Tom Labell, since he had worked here, had never been on the pay roll and that he had never done any work?

Mr. LIKENS. I don't remember.

Mr. BRANIFF. That was the reason, that he would not work, that he was a man who drank a great deal of whisky?

(No response.)

Mr. BRANIFF. That is all I have.

The CHAIRMAN. That is all. Call your next witness, Mr. Dillett.

Mr. DILLETT. I will call Mr. Tucker.

STATEMENT OF LEWIS TUCKER.

LEWIS TUCKER, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Where do you live?

Mr. TUCKER. At Keshena.

The CHAIRMAN. Are you a member of the Menominee band?

Mr. TUCKER. Yes.

Mr. DILLETT. Did you try to get a job here at Neopit?

Mr. TUCKER. I was put on the drive, and I saw four Menominee boys go by there, and I wanted to get a job, and they wanted to get a job, and they didn't give them any job.

Mr. DILLETT. When was that?

Mr. TUCKER. Last spring.

Mr. DILLETT. On what stream?

Mr. TUCKER. On this stream here, camp 6.
Mr. DILLETT. The Little West Branch?
Mr. TUCKER. The Little West Branch.
Mr. DILLETT. Who were those four Indian boys?
Mr. TUCKER. I know two of them by name.
Mr. DILLETT. Give us their names.
Mr. TUCKER. John Kingpoway.
Mr. DILLETT. What was the other's name?
Mr. TUCKER. Tim Waka.
Mr. DILLETT. You can not give us the names of the other two?
Mr. TUCKER. The other two I don't know.
Mr. DILLETT. Who did they apply to for a job?
Mr. TUCKER. Tim Robb.
Mr. DILLETT. Was he the foreman on the drive?
Mr. TUCKER. Yes.
Mr. DILLETT. What reason was given to them for not employing them?
Mr. TUCKER. Said he didn't have any room for them, and the next day five white men came up there and got a job.
Mr. DILLETT. Were you working on the drive at the time?
Mr. TUCKER. Yes.
Mr. DILLETT. Did the foreman say why they didn't have room?
Mr. TUCKER. I wasn't there when he spoke to them. The fellows left there.
Mr. DILLETT. He told them that he did not have room for them.
Mr. TUCKER. I didn't hear what the foreman told them.
Mr. DILLETT. You say five white men the next day got a job?
Mr. TUCKER. Yes.
Mr. DILLETT. From the same foreman?
Mr. TUCKER. The same foreman.
Mr. DILLETT. Are there any other Indians that you know of who applied for a job and were refused?
Mr. TUCKER. No, sir.
Mr. DILLETT. That is all.
Mr. BRANIFF. I would like to have Mr. Robb explain about that.
The CHAIRMAN. You may call him as a witness.

STATEMENT OF JAMES J. ROBB.

JAMES J. ROBB, an employee on the Menominee Indian Reservation, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Do you remember some Indians applying to you for work on the drive last spring on the Little West Branch?
Mr. ROBB. Yes, sir.
The CHAIRMAN. And you refused them work?
Mr. ROBB. I did not refuse them work.
The CHAIRMAN. Did you hire them?
Mr. ROBB. I sent them to another camp.
The CHAIRMAN. What camp did you send them to?
Mr. ROBB. I asked them to go to camp 4.
The CHAIRMAN. Were you in charge of camp 4?
Mr. ROBB. Yes; I had a foreman there in camp 4.
The CHAIRMAN. You had general charge of the whole business, so you had the right to send the men wherever you pleased?

Mr. ROBB. Yes, sir.

The CHAIRMAN. Do you know whether they went there?

Mr. ROBB. They went to work for a day and quit, as near as I can recollect.

The CHAIRMAN. Do you know any reason why they quit?

Mr. ROBB. No.

The CHAIRMAN. Do you know the names of any of them?

Mr. ROBB. I remember the one name, Kinopaway. I don't remember the other fellow.

The CHAIRMAN. Did they talk English?

Mr. ROBB. Yes, sir.

The CHAIRMAN. They asked you for a job in English?

Mr. ROBB. Yes, sir.

Mr. DILLETT. Do you remember hiring some white men the next day?

Mr. ROBB. No; I do not. I might have, though.

Mr. DILLETT. What explanation could you give for not putting these Indians on?

Mr. ROBB. I don't remember.

Mr. DILLETT. If you had the work, why didn't you give it to the Indians?

Mr. ROBB. Why, I wanted them in the other camp; I had work for them there, and that is where I needed them.

Mr. DILLETT. If you hired some white men the next day, you must have needed some there, did you not?

Mr. ROBB. Probably they were not the same kind of men; probably they could not do the work. I want men frequently down here on the pond that can go out on the loose logs. Now, probably these men could get work where they would not have to do that. Probably somebody quit. I don't remember. I might have had room the next day and not that day. I know that I never refused one of them work.

The CHAIRMAN. How long have you been foreman of the work?

Mr. ROBB. I came here the 1st of July a year ago.

The CHAIRMAN. During that time have you refused work to the Indians?

Mr. ROBB. I may have refused a few, but I had good reasons if I did.

The CHAIRMAN. Reasons personal to the ones who applied?

Mr. ROBB. No, no; they may have quit or might have got drunk, or something like that.

The CHAIRMAN. I say, reasons personal to the men who applied?

Mr. ROBB. Yes, sir.

The CHAIRMAN. That is all.

ADDITIONAL STATEMENT OF A. L. ROSSMAN.

A. L. ROSSMAN, having been recalled for further examination, testified as follows:

The CHAIRMAN. In what capacity have you been working here?

Mr. ROSSMAN. I have been foreman for eight or nine months, and logging superintendent.

The CHAIRMAN. In either of those capacities have you the hiring of men?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. In that time what has been your custom as to hiring Indians when they applied for work?

Mr. ROSSMAN. I have always hired them when I had a job for them.

The CHAIRMAN. Have you always had jobs for them?

Mr. ROSSMAN. Not always; no, sir.

The CHAIRMAN. Do you remember of any particular instances when they have come to you and you did not have work for them?

Mr. ROSSMAN. Yes, sir.

The CHAIRMAN. How many such instances do you recall?

Mr. ROSSMAN. I recall one just at present.

The CHAIRMAN. When was that?

Mr. ROSSMAN. It was on the river down here this summer, shortly after the Indians got their annuities. Before they got their annuities I had 32 Menominee Indian drivers on the creek, and in order to keep them there I went to Kashena and got the annuities myself and brought them to them, so that they would not have to leave the river. We had a lot of rain at that time and had good water, but I could not start them. The next morning, if I remember right, I think I had 16; the other 16 had absconded during the night or morning.

The CHAIRMAN. Did any others come for work?

Mr. ROSSMAN. Not Menominees; no, sir. I chased all over the country and sent men out to get men to help me at the river while we had the water. I finally got some Stockbridges from Morgan's siding and Gresham, and by the time we got through work, three days, those Menominees had their money spent and wanted their work back and wanted me to deliberately fire the men and give them their jobs back. I wouldn't do it.

Mr. C. F. DILLETT. Suppose those Menominees who quit had been men who had never worked for you before, what policy was adopted? Would you have given them work?

Mr. ROSSMAN. I do not quite catch that.

Mr. DILLETT. Supposing other Menominees had come about the time these men came back, what would you have done? Would you have fired the Stockbridges and have given the Menominees work?

Mr. ROSSMAN. No, sir; not as long as I had a full crew. I did not think I was justified in doing so, for this reason——

Mr. DILLETT. Then you would not discharge a white man or a Stockbridge Indian to make room for a Menominee?

Mr. ROSSMAN. No, sir; I would not, unless he was a poor man. I have fired lots of poor men, of poor white men, and when a Menominee came along that I knew was a good man I would fire the white man and give the Menominee the preference. I have always made it a rule to give the Menominees the preference wherever I could. I was instructed to do so by Mr. Braniff.

Mr. HOLCOMBE. Where you found a Menominee who was a poor worker, would you discharge him?

Mr. ROSSMAN. I would cut him down; he would not get as much wages.

Mr. HOLCOMBE. Has that been your practice?

Mr. ROSSMAN. Yes, sir.

Mr. BRANIFF. Do you remember of any case since you have been here as my logging superintendent or as my foreman where a Menominee Indian who wanted to work has failed to find work on this operation? Do you know of any such case?

Mr. ROSSMAN. No, sir; I do not know of any. One man did not have any work for a time; he was blacklisted for a certain length of time. That was John La Mote.

Mr. BRANIFF. What was the reason for that?

Mr. ROSSMAN. Drunkenness.

Mr. BRANIFF. For how long a time was he refused work?

Mr. ROSSMAN. That I could not say, but I have an order in my pocket signed by you to put him to work again, and I proceeded to do it. He preferred to drive a team, and you asked me to give him a team if we had one, and I did so that very day.

Mr. BRANIFF. Do you remember the circumstances; was he drunk constantly or just once and a while?

Mr. ROSSMAN. Well, as to that I could not say. In fact, I was not here in town at the time he was laid off for being drunk. He was not working for me at that time. I think he was working around the mill job somewhere.

Mr. EVERETT. There was a rule in force that if a man got drunk he would be refused employment for a time by way of punishment.

Mr. ROSSMAN. Yes, sir; I think that was the system here for a while; but I wish to say that it was not in force—that is, so far as I was concerned.

Mr. BRANIFF. Dou you remember of a fellow by the name of Ryan being drunk at the same time that La Mote was?

Mr. ROSSMAN. I said that I was not here when La Mote was.

Mr. HOLCOMBE. Is the same rule enforced against white men who get drunk? Are they laid off?

Mr. ROSSMAN. It has been so, so far as my work is concerned. More than that, any white man, any white man who has gotten drunk while he was in my employ I fired him and would never give him the job back again at all. That settled him entirely. I would also do so to the Menominees if I could. The liquor question was my undoing.

Mr. BRANIFF. Do you see as much drunkenness in the Indians as you found when you came here; when I arrived?

Mr. ROSSMAN. No, sir.

Mr. BRANIFF. Do you notice as much trouble in your crews with regard to whisky?

Mr. ROSSMAN. No, sir; not on this end. I had considerable trouble over at South Branch Oconto this summer.

Mr. BRANIFF. Have you, within the last few months, ever found anybody drinking whisky in the logging camp?

Mr. ROSSMAN. No, sir.

Mr. BRANIFF. Did you when you first arrived?

Mr. ROSSMAN. Yes, sir.

Mr. BRANIFF. That is all.

(The witness was thereupon excused.)

STATEMENT OF GEORGE E. LIKENS.

GEORGE E. LIKENS, having been first duly sworn, testified as follows:

The CHAIRMAN. What do you think of this plan of laying men off when they get drunk?

Mr. LIKENS. I think it is a poor rule that would not work both ways.

The CHAIRMAN. Which way do you mean?

Mr. LIKENS. It is all right to fire the Indian and let the white man work.

The CHAIRMAN. If they do that, that is a question of administration on their part. What is your idea of fixing men when they get drunk?

Mr. LIKENS. I think that they should be punished, but after they serve their sentence they should not be held for the same offense. That is what I insist upon.

The CHAIRMAN. Suppose they repeat the offense?

Mr. LIKENS. It will be a long time before they break an Indian from drinking. We are here to check him. I was instructed by Mr. Allen that we were here to check him, but we could not check him in a day any more than you could a child.

The CHAIRMAN. I am asking you for your opinion as to this matter of laying men off because they get drunk.

Mr. LIKENS. Will you ask the question again?

The CHAIRMAN. I was just trying to get your opinion, in view of your experience in these matters, as to the policy or wisdom of discharging men for getting drunk, punishing them in that way.

Mr. LIKENS. I think it is a bad policy.

Mr. HOLCOMBE. You made the remark that you thought it was a poor rule that did not work both ways. Do you know of any occasion of a white man getting drunk who was not discharged?

Mr. LIKENS. Yes, sir.

Mr. HOLCOMBE. Who was it?

Mr. LIKENS. His name was Wilson.

Mr. HOLCOMBE. Was it reported to the foreman?

Mr. LIKENS. Yes, sir; it was reported to Mr. Braniff.

Mr. HOLCOMBE. What was done in that case, if you know?

Mr. LIKENS. As soon as he sobered up I let him work on.

The CHAIRMAN. What work was he doing?

Mr. LIKENS. I think he is a carriage rider at the mill.

Mr. HOLCOMBE. How long ago was this?

Mr. LIKENS. That was, I think, the 15th of March.

Mr. HOLCOMBE. This year?

Mr. LIKENS. Yes, sir; I made a note of it, but I haven't my book with me.

Mr. HOLCOMBE. Do you know of any other cases?

Mr. LIKENS. This particular case was a deputy marshal under Johnson, under this new liquor law, and Mr. Larson and I came up on the train with these white fellows, and they were so drunk they had to almost carry one of them to the hotel and put him in bed, and we went and searched him, and Mr. Larson and I came to the office, and Mr. Larson stated the case to Mr. Braniff, but he was not discharged.

Mr. BRANIFF. Do you remember this white man who was drunk?

Mr. LIKENS. One was Wilson and the other was Laporte, I believe.

Mr. BRANIFF. Do you know whether either of those men are working for us to-day?

Mr. LIKENS. I know that they are not.

Mr. BRANIFF. Do you know whether they were discharged or not?

Mr. LIKENS. They might have been in a month or so, or sometime afterwards.

Mr. BRANIFF. I know that they are not working for us now.

The CHAIRMAN. What did Mr. Braniff say when you reported this matter to him?

Mr. LIKENS. He called up the boy's father and told him his boy was drunk and told him to come to the office, and he decided that he was not very drunk, and the fellow that was in the hotel he did not do anything with him.

Mr. BELT. This fellow Wilson came up to the office within a half or three-quarters of an hour after the train got in and came in the room where I was, and if he had not told me that he had two or three drinks I would never have known that he had had a drink. I took him in to see Mr. Braniff.

Mr. HOLCOMBE. Did he tell you that he had been drunk?

Mr. BELT. He told me that he had two or three drinks. He would not deny it.

Mr. BRANIFF. I would like to make this statement. As soon as Mr. Likens reported that this man had been drunk, I called him to the office, but could detect no signs of his having been drunk, and was therefore not justified in discharging him. As to Laporte, I have no recollection of that case.

Mr. BELT. They were both reported at the same time.

Mr. BRANIFF. Laporte, if he was the man who was the setter on the carriage, had been discharged in the meantime.

The CHAIRMAN. Who by, do you know?

Mr. BRANIFF. I do not remember.

(The witness was thereupon excused.)

STATEMENT OF GEORGE D. PECORE.

GEORGE D. PECORE, after first being duly sworn, testified as follows:

The CHAIRMAN. You are a member of the Menominee band?

Mr. PECORE. Yes, sir.

The CHAIRMAN. You may proceed with your statement.

Mr. DILLETT. Are you employed in the office?

Mr. PECORE. Yes, sir.

Mr. DILLETT. Do you remember, some time ago, of a Mr. Ryan being drunk here?

Mr. PECORE. Yes, sir.

Mr. DILLETT. About when was that?

Mr. PECORE. He has been drunk several times. He has not got over it yet.

Mr. DILLETT. It has become chronic, has it?

Mr. PECORE. Yes, sir.

Mr. DILLETT. Does he hold a position here?

Mr. PECORE. He is a laborer here.

Mr. DILLETT. What does he do?

Mr. PECORE. He does most all kinds of jobs.

Mr. DILLETT. He is still holding his job, is he?

Mr. PECORE. Yes, sir.

Mr. DILLETT. You say he has been drunk several times?

Mr. PECORE. Yes, sir; he has been so drunk that he could not walk at times.

Mr. DILLETT. Has the matter ever been called to Mr. Braniff's attention?

Mr. PECORE. I do not know, but everybody knows it all around here.

Mr. DILLETT. It is a matter of common knowledge at Neopit, is it?

Mr. PECORE. Yes, sir.

Mr. BRANIFF. What Ryan is that?

Mr. PECORE. John Ryan.

Mr. BRANIFF. Is he the fellow who attends the dam down here?

Mr. PECORE. Yes, sir; and Mike both.

Mr. BRANIFF. Which is John and which is Mike?

Mr. PECORE. Dan, jr., and Mike Ryan.

Mr. BRANIFF. As I recall, there is a Ryan who attends a dam down at the poorhouse.

Mr. PECORE. That is Mike. He has been drunk, too.

Mr. BRANIFF. Have you ever called my attention to that?

Mr. PECORE. I will have to change that. In fact, three of them have been drunk—John Ryan, Dan Ryan, jr., and Mike.

Mr. BRANIFF. When were they drunk?

Mr. PECORE. They were drunk on the works here lots of times.

Mr. BRANIFF. Did you ever call my attention to it?

Mr. PECORE. No, sir; it was not my place to call your attention to it.

Mr. BRANIFF. Do you know of anybody else who has ever called my attention to it?

Mr. PECORE. I do not know anything about that.

Mr. BRANIFF. I am glad to get this information. I have not heard it before. When was John Ryan drunk?

Mr. PECORE. I can not just exactly tell you the date.

Mr. BRANIFF. I must have some data before I discharge a man. If I find it out, he will be discharged.

Mr. PECORE. Your policemen ought to be able to inform you about that.

Mr. BRANIFF. Where did you get your information?

Mr. PECORE. Because I saw them.

Mr. BRANIFF. Then you probably remember when he was drunk?

Mr. PECORE. I can not tell just exactly the date.

Mr. BRANIFF. About when was it?

Mr. PECORE. Dan Ryan, jr., was drunk in June.

Mr. BRANIFF. Where did you see him drunk?

Mr. PECORE. Laying in the depot.

Mr. BRANIFF. When was John Ryan drunk—about the same time?

Mr. PECORE. The time before that.

Mr. BRANIFF. Where did you see him drunk?

Mr. PECORE. He was drunk around the works here; staggering around. It was so common that I did not pay any attention to it. I saw him staggering here in this office one day.

Mr. BRANIFF. Is this common with them?

Mr. PECORE. It is with those folks.

Mr. BRANIFF. Is it with anybody else; have you seen much drunkenness here?

Mr. PECORE. Not lately; only the Ryans.

Mr. BRANIFF. I consider it anybody's duty to tell me whenever they see a man drunk.

Mr. DILLETT. Have you so instructed your employees?

Mr. BRANIFF. Yes, sir; everybody knows that. Everybody knows that drunkenness is not tolerated here. It is well known that we do not tolerate it on the part of one man or the other.

Mr. DILLETT. That is not answering the question. Have you instructed your office help and employees to notify you of any cases of drunkenness?

Mr. BRANIFF. Repeatedly. I have not only instructed them to that effect, but signs have been posted all over this town and in the hotel office to that effect. I would like to have some more definite information on this. When was John Ryan drunk and where was he drunk?

Mr. PECORE. John Ryan?

Mr. BRANIFF. Yes.

Mr. PECORE. He was drunk here on the works lots of times.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF GEORGE LIKENS.

GEORGE LIKENS, having been recalled for further examination, testified as follows:

Mr. LIKENS. I know of an instance when there were seven Indians drunk up here, and I asked for help to take them down, and I could not get any help. Mr. Rossman said that they were nice Indians, and would not cause me any trouble; and I had a spring wagon, and they all seemed anxious to go down, and I told them if four would ride in the spring wagon the other three and I would walk; and we took them from here to Kashena.

Mr. BRANIFF. When was that?

Mr. LIKENS. That has been about, I think, a month ago; and since that time I have found the policeman drunk here and arrested him and took him down. I took the badge off of him.

Mr. BRANIFF. What was the policeman's name?

Mr. LIKENS. Louis Keketosh.

Mr. BRANIFF. When was that?

Mr. LIKENS. Less than a month ago.

Mr. BRANIFF. You say Rossman seemed to want to keep these men at work.

Mr. LIKENS. Rossman told me that they had been drunk, and I went to Mr. Braniff and got an order from him to let them go home every Saturday if they would promise to come back on Monday and go to work; and I found them working on the road and I came up here to see if I could get some one to help me. I had more than I could well do, and I could not get any help. They all seemed to want to go, and I took the seven down by myself.

The CHAIRMAN. What has been your observation as to whether drinking has increased or decreased?

Mr. LIKENS. Oh, it has decreased.

The CHAIRMAN. Is there quite a marked decrease?

Mr. LIKENS. Well, I do not know; there has been quite a good deal of drinking. During the payment, Mr. Allen would send me to Shawano.

Senator LA FOLLETTE. What payment do you refer to?

Mr. LIKENS. During the annuity payment.

The CHAIRMAN. That was in June, was it not?

Mr. LIKENS. There were two payments. One was before that; one was in May and one was in November, I believe; and Mr. Allen sent me to Shawano, and I would watch the Indians; and if I found them with whisky, I would take it away from them and break the bottles to encourage them to go out on the street and act like white people, and encourage them to spend their money for something that would do them some good. The first time I had quite a lot of trouble with them, and the last time there was not near the trouble as the first time, and I have the respect of all the Indians.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF ANTOINE STICK.

ANTOINE STICK, having been recalled, testified as follows:

The CHAIRMAN. You desire to say something to the committee. You may proceed now.

ANTOINE STICK. I can not talk very well.

The CHAIRMAN. Yes, you can; you talked good English on yesterday.

ANTOINE STICK. I will try it, anyway. Now, I was going to tell you Senators yesterday that the Menominee tribe earned this money and somebody came here and squandered it all. That is what don't agree with me at all. Now, we have been logging here before, and this man here claims that we do not know how to log now. He wants to get the possession of it. What we are going to live? We do not have any good show here to work. We do nothing. He is after this whisky business all the while. Now, what do you think about it?

The CHAIRMAN. We want to know what you think about it. Go on with your statement. Just tell your story.

ANTOINE STICK. That is the reason that I wanted somebody to interpret for me.

The CHAIRMAN. We will get along faster if you will talk for yourself. Oshkosh, you had better interpret for him. It might take him all night to say what he wants to say. We would rather have you say it so that we can understand it. Stick, if there is anything that you tell us yourself you may go ahead; you talked well enough yesterday.

ANTOINE STICK. I will commence at the last logging, a year ago—a year ago last winter. Goodfellow was superintendent. It was about 4 miles from here. There are lots of pagans living around there who want a job to go to camp. They do not hire them at all. It seems to me that these pagans are just as much white as I am. Those white people there are company for the Indians because they are running the camp, you might as well say, and this Goodfellow was the head man, overseeing everything. Now, I would like to ask him—he is here now—did you ever interfere with anybody a year ago in October—October 27, somewhere around last year; no, it was 1907. This Goodfellow here I would like to ask him one question.

The CHAIRMAN. You can not ask him now, because you are on the stand, and when you get through, or at some other time, we will

call Mr. Goodfellow, when he is in your place there. You go on and tell us what you have to say.

ANTOINE STICK. Those that live there ought to get the contract, too, as well as us fellows. That is where that first kick commenced. We Indians go and visit there, and he came to see them in camp once, too. It seems to me that this man wants to own the whole contract—the way they were cutting logs before. That is what he is after; this man. It seems to me that he does not want to interfere with his people here, the rest of them, and this man that got killed over here—I guess you never heard about that. The business committee—the Menominee committee—they broke the committee. That was about the month, I guess, that he got killed. Who stopped this logging contract? We want to find out. We was to get $35, each one of us. Some way he found out himself and asked Mr. Freeman. Mr. Freeman did not want to really tell him about it. Who stopped this contract?

It was toward the spring I came down to Kashena. One of those old fellows around there asked me what I thought about it. I said: "I will go down and find out from Mr. Freeman and see what he will say." I went down there to his office and asked him. "Mr. Freeman," I said, "I have come here for the purpose to see you. What are you going to do about this man who was killed up here at the crossing? Who did it?" He says, "Well, I do not know," and he walked away. I said, "I want an answer to that; come back here." He said he did not know, and I called him back and he started away and I called him back again. I said, "What are you going to do about this man's case? It was pretty near all winter since he was killed, and I think you ought to do something. You said you did not know; you said you never came around. It seems to me he knows who did it. You told me that fellow went away. He is not around Neopit at all, and at the same time he was working all winter around the camp there." I did not tell him any more then. Of course he told me the fellow worked up there, and was going toward the village up there to see those old fellows there. When I did not get any good satisfaction, what I wanted to find out, I went away. That is all I asked. I went back again to the same camp to work. They had just commenced to build a mill here and improvements here. Then I commenced to work here, right across the river. This Dorsey, his name is, I think. I worked about four days and Dorsey came over there where we were working. He said, "We are cutting wages now; you will get but $24 a month." There were about twenty of us. They called us up there and they told us that they were cutting wages. There were lots of them who quit right straight. I quit too. Twenty-four dollars a month did not make any living at all. I came down here to get my time. We were getting $2 a day when we first started, and they cut us down so that lots of us quit.

Senator LA FOLLETTE. What made him cut you down?

ANTOINE STICK. Dorsey and George Pecore. I went down to Kashena and Dorsey told me this. I want to find out who cut those wages. He said, "Come to Kashena." So I went down to Kashena and went after Freeman again. I said, "Mr. Freeman, I heard you were cutting wages, all over, even here in Kashena, and I want to find out if it is so." He said he did not know anything about it.

Well, of course, anyway the boys quit. When we come to work here we always get small wages, and they are always good workers, good lumbermen. He has invited many boys around here to go to work, I think. The other day—August—I commenced cutting roads through from here to Kashena with this man here, Rossman; I saw him right in the door there. He called me up and asked me if I wanted to work. He asked me if I could file saws. I told him yes, I could file saws. I did not want to file. I said, "How much do you pay?" He said, "I pay $40 a month and furnish a tent besides." I told him all right, I would go to work to-morrow, and I worked there all that month of August to September 10. This fellow Jim Chamberlin came up and said, "We cut your wages now; you are getting $30 a month." I asked him why. I said, "This man hired me and offered me $40 a month, and I am working here and you come here and cut my wages this month." I said, "I guess I had better go and see the boss; you did not hire me." I said, "I will let you know to-night." Chamberlin came after our checks here and brought them to us over there. I had about $2 coming, I guess; they made a mistake somewhere in the office here. It was over $2 I said, and next day Rossman came around and I said to him, "You offered me $40 a month." He said, "Yes, sir; and in figuring it out I allowed you $35 a month." I said, "How is this?" I said, "You offered me $40 a month, will I get that?" He said, "Oh, yes; you will get it next month; we will carry that so that you will get it." I told him about cutting these wages $30 a month. I said, "What are you cutting our wages for?" Chamberlin said, "This is nothing but summer work"—at the same time we worked ten or eleven hours working hard pulling stumps and everything else. I said, "We work hard just the same. Do you call that summer work? You do not expect to get any more, do you?" He said, "That is all we are paying to every one of them." Well, a good man ought to get good wages here. Of course, there are lots of poor loggers who do not know how to work. All they are good for is holding saw-bucks, and that kind of work. This man Rossman is right here and he can tell you just the same way. Rossman wants to do a bad thing. I want to know when a man earns his money if he ought not to be paid. How is it about our pay for logging? I want to find out if we can get our pay for all that blown-down timber.

Mr. DILLETT. What he refers to are these contracts where they were penalized for not doing the work according to the contract.

The CHAIRMAN. That has to go to the Indian Office for adjustment. We do not make any final settlement at all. It will have to be settled down there.

ANTOINE STICK. I have papers here to show.

Senator LA FOLLETTE. Mr. Dillett, have you any statement to make with respect to that matter?

Mr. DILLETT. I do not know that I have.

Senator LA FOLLETTE. Do you want to make any statement in that connection?

Mr. DILLETT. If you care to take up the matter any further, I notice there are some others here who can talk more fluently than Stick and explain the matter better. Maybe Mr. Crook would like to make a statement.

The CHAIRMAN. Do you want to make a statement now?
Mr. DILLETT. Not before to-morrow morning; no, sir.
(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF MOSES TUCKER.

MOSES TUCKER, having been recalled, testified as follows:

The CHAIRMAN. If you have any statement that you care to make, you may proceed.

MOSES TUCKER. The last thing after I got through hauling those logs on mill site No. 2 and No. 1, I came up here and asked Mr. Rossman to give me a job on the drive. I told him I would rather go on the drive as a foreman to run a crew. He said he had some jobs at the mill. I told him I had never worked in the mill before, and also I did not like to take those wages that they were paying, one dollar and seventy-five cents. I told him I had quite a family to support, so I would rather go on the drive, providing I could get better wages, and he said, "All right; I will see Mr. Braniff." A day or two after that I came down again to see him about it, to know whether he went to see Mr. Braniff about it, and, if I am not mistaken, he said, "Yes; Braniff told me he would give you the first driver's job whenever there is a chance to commence on the drive." I waited a few days and I got tired of waiting; I came down and asked him again—that is, Mr. Rossman. He said, "I do not think you will get a job, because they have another man to take your place—that is, a foreman." That is where I got disappointed in that position, or that job.

The CHAIRMAN. Who did he have in your place, if you know?

MOSES TUCKER. I could not say.

The CHAIRMAN. That is all with regard to that. Is there anything else that you want to bring before us?

Senator LA FOLLETTE. Had you been foreman before?

MOSES TUCKER. Yes, sir.

Senator LA FOLLETTE. That is, while this work was going on on the drive?

The CHAIRMAN. Since Mr. Braniff came here have you been foreman?

MOSES TUCKER. No, sir.

The CHAIRMAN. What else is there that you desire to say?

MOSES TUCKER. There is something that I wish to find out. Last fall I took the job—that is, me and my brother took a job—hauling at two dollars and a half by the thousand, hauling from the schoolhouse to the mill site No. 2 and from the schoolhouse to the mill site No. 1, for two dollars and a half a thousand. Those logs were already skidded, and I was to get $1.25 a thousand for those logs skid. There was no room to finish the skidding. I was getting $1.25 a thousand. At first I said it was not enough—two dollars and a half a thousand. This was Mr. Lafountain, and I said I could not do it. I said "We have been promised that we will make $5 a thousand. Now, it has cost something to cut those logs and skid them; therefore, you have to show it to the department at $4 a thousand." He said "All I can give you is $2, in order to make a good showing to the department." Well, I came down here the next day to see Mr. Braniff

about a contract. He told me that I could go ahead and commence to haul, because it was late in the season. He said, "I will ask the department—or rather the Forestry Service—for a contract, or commission, to enter into a contract." I said "All right." He said "Go ahead there, and if you do not get the contract you can work by the day." I am satisfied as long as I get a little work to keep my family. A week or ten days afterwards he came down again and said it is all right; he said the contract is all right, but I have never seen the contract yet, and I thought, according to the custom of the past, where we used to enter into the contract, so that we can live under the contract, that it would be all right; and it is kind of queer that a man taking a contract should not live under the contract. After we settled we settled as the contract; that is, they could hold me for the contract.

The CHAIRMAN. Did you sign a contract?

MOSES TUCKER. No, sir.

The CHAIRMAN. Did you go on and haul the logs?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. How long did you haul; do you know?

MOSES TUCKER. Altogether I hauled a little over five hundred thousand, if I am not mistaken.

The CHAIRMAN. Have you been paid for it?

MOSES TUCKER. We settled in the spring, after I got through, at two dollars and a half a thousand; also a dollar and a quarter a thousand to skid the logs that we cut—some standing timber, somewhere about forty or fifty thousand—and I got nothing for cutting those logs, just simply skidding them, that is all; nothing for the sawing.

The CHAIRMAN. How much pay did you get for all of this work?

MOSES TUCKER. Well, it comes to—if I am not mistaken—about twelve hundred and fifty dollars.

The CHAIRMAN. Did you get that much pay; did they pay you twelve hundred and fifty dollars?

MOSES TUCKER. That is for labor and all of my supplies.

The CHAIRMAN. Did they pay you anything?

MOSES TUCKER. We settled, because they had some charges against me on this contract.

The CHAIRMAN. That is what I want to know—if they have paid you anything yet. Did you get any pay at all?

MOSES TUCKER. Do you mean in money?

The CHAIRMAN. Yes, sir; or in checks.

MOSES TUCKER. No, sir.

The CHAIRMAN. You have not got any pay?

MOSES TUCKER. No, sir.

Senator LA FOLLETTE. How long since you did the work?

Mr. BELT. He got about fifteen hundred dollars for labor and supplies—about fifteen hundred dollars. He had about twelve hundred and fifty dollars coming to him.

The CHAIRMAN. Did you get anything; did Mr. Braniff furnish any supplies for you?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Did he pay out any labor for you?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Do you know how much supplies he furnished?

MOSES TUCKER. I could not say exactly.

The CHAIRMAN. What do you know about this, Mr Braniff?

Mr. BRANIFF. We gave him the contract at his figures. He made an arrangement with my logging superintendent, and we agreed to pay him a certain price for his work. He had no money and could not get any credit and ran behind with the storekeepers and they would not trust him, and we had to buy supplies for him and pay all his labor bills, and when they had all been paid and the logs had been delivered, my recollection is that he was considerably in debt and had nothing coming to him.

Senator LA FOLLETTE. What about this contract that he says you got approved by the department?

Mr. BELT. The office wrote Mr. Braniff that it was not necessary to enter into a written contract; that a verbal agreement would answer.

The CHAIRMAN. Have you a statement of his account?

Mr. BELT. Yes, sir.

The CHAIRMAN. Have you ever shown it to him?

Mr. BELT. Yes, sir; when the scale was completed he came to me and got a statement of his accounts, exactly what he had earned and what we had charged to him.

The CHAIRMAN. Do you claim that the account was not correct?

MOSES TUCKER. No, sir.

The CHAIRMAN. The account shows that in supplies and pay for labor they had paid out more than the contract came to. Do you understand that?

MOSES TUCKER. Yes, sir; I understand that perfectly.

The CHAIRMAN. Was the account that they made correct?

MOSES TUCKER. It was supposed to be correct.

The CHAIRMAN. Well, if it was correct there would be nothing coming to you, would there?

MOSES TUCKER. Well, I was not making any complaint about nothing coming, but the complaint that I made is about entering into the contract.

Senator LA FOLLETTE. That is, that you did not get the contract that you thought you were going to get?

MOSES TUCKER. Well, yes.

The CHAIRMAN. You know what the word "credit" means, do you not?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Did they not give you credit for what you did, as you expected you would get credit for it?

MOSES TUCKER. Sure.

The CHAIRMAN. Do you understand my question? Are you sure you did?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Now, if they gave you credit, as you understood you would get the credit, and that is correct, and their account against you is correct, and it shows that they have advanced more than the contract came to, I do not see that you have any complaint against them.

MOSES TUCKER. Well, the complaint is about the contract—to enter into a contract, just the same as we did before in the past.

The CHAIRMAN. You were to get a certain price for a certain kind of work; you were to get two dollars and a half a thousand for what you cut on the skid, were you not?

MOSES TUCKER. No, sir; to haul.

The CHAIRMAN. To haul to the skid?

MOSES TUCKER. To mill site No. 1 and No. 2.

The CHAIRMAN. Do you know how much you hauled to the site at $2.50 a thousand?

MOSES TUCKER. I hauled, I think, somewhere near 360,000.

The CHAIRMAN. Did they give you credit for that amount?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. At that price?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. That is all you claimed with respect to that, is it?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Now, what else did you do?

MOSES TUCKER. I skidded some logs for $1.25 a thousand.

The CHAIRMAN. Did they give you credit for that?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. For all that you did?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Then that was correct?

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Then what else did you do?

MOSES TUCKER. I cut some logs—somewhere about forty or sixty thousand—I do not quite remember just how many.

The CHAIRMAN. How much did you get for that?

Mr. BRANIFF. Was that not a dollar and a quarter extra?

MOSES TUCKER. It was a dollar and a quarter a thousand just simply to skid those logs. Now, I took forty or sixty thousand—I cut the logs down and set them up. I did not get anything for that.

The CHAIRMAN. What was that worth?

MOSES TUCKER. Somewhere about 75 cents a thousand, if not more.

The CHAIRMAN. If it was a dollar a thousand it would only make $40.

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Then that would still leave you owing them something like a couple of hundred dollars. According to their statement, your work came to $1,218, and you think there ought to be something more for the logs you cut, do you?

MOSES TUCKER. Well, yes, sir.

The CHAIRMAN. If you cut 40,000 logs at $1 a thousand that would only be $40.

MOSES TUCKER. Does that scale show 40,000?

The CHAIRMAN. No; but you said you cut 40,000.

MOSES TUCKER. I said somewhere near forty or sixty thousand.

The CHAIRMAN. Well, call it 60,000; at $1 a thousand it would only be $60. Now, according to their statement as to the logs you cut, you owed them when you got through $365—that is, they had advanced in wages and supplies $1,584.

MOSES TUCKER. Yes, sir.

The CHAIRMAN. Now, I understand that you admit that that is correct?

MOSES TUCKER. Sure.

The CHAIRMAN. Now, if they advanced you that, and they credited you with $1,214, it left you owing them $365, and they said nothing about the logs you had cut. Now, admitting that you had cut 60,000 logs at $1 a thousand, it would only make $60, and you would still be owing them $300. So, I do not see what there is to complain about if you admit that those figures are correct.

MOSES TUCKER. That part is all right, but I am speaking about this contract—about entering into a contract the same as we used to do in the past.

The CHAIRMAN. The contract does not make any difference if they credited you with what you expected they would credit you with. The Indian Office said that it was not necessary to sign any contract. Now, if they give you credit for what you claim you ought to have, the mere fact that you did not have any written contract does not cut any figure. That is plain, don't you think so?

TOM LA BELLE. I will tell you what he is trying to say. He is trying to make a complaint to you to show that Mr. Braniff is not competent in giving the full rights to an Indian as well as a white man. Just a while ago he was trying to explain it to you, but he got lost, and I thought I would put your mind on what he is getting at. It is his judgment as to giving him two dollars and a half a thousand to haul this timber 5 miles to this mill. It seems as though this man was entering into this contract to make his living some way, and he had to scheme some way in order to get a job to get grub to feed his family, and they held him to that verbal agreement of two dollars and a half a thousand—let him do the same kind of work so that——

The CHAIRMAN. That is another question. I supposed that he had a claim here for something that was due him. Now, according to his own figures, even putting it at sixty thousand, at a dollar a thousand, and giving him credit for that, it would still leave him behind $300.

TOM LA BELLE. He admits all that; but it is the idea that he wants to explain to you; he wanted more by the thousand.

Senator LA FOLLETTE. He thinks he did not make as good a bargain as he ought to have made?

TOM LA BELLE. Yes, sir.

Senator LA FOLLETTE. And his claim is that Mr. Braniff ought not to have taken advantage of him in driving a hard bargain with him.

TOM LA BELLE. That is what he is trying to get at.

Mr. BRANIFF. The answer to that is that I did not make the bargain at all. He went out and saw my logging superintendent and made the deal with him and brought it in to me. He said "O. K.," and I sent it on.

The CHAIRMAN. His claim is that the contract was not at a fair price.

Mr. BRANIFF. The way it came out it seems it was not. I think he got a little more. I did not make it. He made the contract with the superintendent.

Senator LA FOLLETTE. If it was not a fair price, do you not think he ought to be paid a fair price for the work—that is, what it is fairly worth—because it is a fact that these people may not be competent to make a good bargain, and you are here in a sort of a super-

vising capacity and ought to protect them; you ought to protect the individual. You are looking out for the interest of the tribe, and driving a good bargain with an individual ought to be considered looking after their interest.

Mr. BRANIFF. I agree with you, Senator. It has never been put to me in that way before. It has not been called to my attention.

Senator LA FOLLETTE. What do you think would be a fair price?

Mr. BRANIFF. I would be perfectly willing to write the department and ask that a man be paid a fair amount for his time and men.

Senator LA FOLLETTE. What do you think would be a fair price per thousand; how could it be stated? On what terms?

Mr. BRANIFF. I think what we ought to do would be to credit Tucker with the amount that he came out behind and then pay him for his teams and labor—a certain amount. We would be willing to pay him $100 a month for the time he worked with his team and labor. I will make that recommendation to the department.

MOSES TUCKER. I want to go a little further on that same subject to make it clear to you. I know this to be a hard proposition, because I know the road. When we commenced to haul we had three hills to go up, and with two span of horses all we can lug over those hills is 600 feet, and we had a team to load and a crew to unload and deck those logs according to orders.

The CHAIRMAN. I do not see that there is anything more that you have to complain of. These officers will report this matter to the Indian Office with a recommendation that you be paid what will be a fair price for that without any regard to this agreement that you made. That is all we can do, and all they ought to do, but they ought to do that.

Senator LA FOLLETTE. Mr. Braniff said that he did not make the bargain with you.

TOM LA BELLE. He just wants to be treated right.

MOSES TUCKER. I wish to say further that I hauled over 1 mile, or 1½ miles. What does it call for to haul that 1 mile without going up those hills? It will cost them as much as $3 a thousand for just that mile. I hauled at the farthest 5 miles, and all I can haul is just 600 feet on those three hills.

The CHAIRMAN. Do you think $100 a month for yourself and team would be fair wages?

Senator LA FOLLETTE. Together with these supplies and the payment of your extra labor?

MOSES TUCKER. Yes, sir; I would be well satisfied.

The CHAIRMAN. We will recommend that it be figured up on the basis of $100 a month, and take out what has been advanced to you, and if that leaves anything coming to you, you will be paid.

Senator LA FOLLETTE. Is that what you mean, Mr. Braniff?

Mr. BRANIFF. I think he ought to be paid over and above his indebtedness. He is in debt now about $300.

The CHAIRMAN. How many months did you work?

MOSES TUCKER. The pass book will show.

Senator LA FOLLETTE. How many months do you think you worked?

Mr. BELT. It was between three and four months.

Senator LA FOLLETTE. That would not make him come out any more than even.

The CHAIRMAN. On that basis it would leave him about $300 to the good.

Mr. BELT. As I understood Rossman at one time, if Tucker had been properly equipped to handle the job, he could have handled it at about the same rate that he had agreed to.

Senator LA FOLLETTE. And get fair wages out of it?

Mr. BELT. Yes, sir; but he was not properly equipped to carry on the work.

MOSES TUCKER. Furthermore, if they had as good a road as they had winter, I could haul that timber for $1.50 a thousand, but we had to go up those hills with 600 feet, making three or four trips a day, and I could not do it.

Mr. BRANIFF. I can say, to Tucker's credit, that he really worked very hard and is entitled to compensation.

The CHAIRMAN. Mr. Braniff is disposed to recommend that to the department, and if he recommends it I have no doubt that the department will approve it. Is that satisfactory to you?

MOSES TUCKER. Yes, sir.

(The witness was thereupon excused.)

STATEMENT OF TOM LA BELLE.

TOM LA BELLE, having been recalled, testified as follows:

TOM LA BELLE. I want to make a little complaint with regard to hiring my teams out to Mr. Braniff and his contractors—that is, his foreman—that is, Lafountain.

I asked Lafountain if there was any chance, after I got through with hauling this timber, when they were just commencing—they had just commenced building those hotels for George McCall—I asked him when I would get through hauling this timber from the agency up here if there would be a chance to get my horses in there to work around by the mill site. He said, "That is all right; you can send them up at any time; there will be a chance for him to work." I said, "All right; I will have to make two more trips and I will have all the lumber hauled up here that you need." He said, "Drive your teams up, and it will be all right." After I got through hauling the lumber I told the men they should go up to Neopit and go to work. So they came up here to work. After they got through work, some time or another, they were dismissed from the work. They said they had brought all the teams that they wanted around here, so they sent them down, and I did not feel that I was getting justice myself, and I reported it to Mr. Freeman. Mr. Freeman said, "Why, that plant up here is for your benefit, and he must give you the right to get those horses in there to go to work, or yourself either." I said, "When I get through my work here I will be ready to go up," and about that time they had this barn built over here and the teams came over. They had one team out here in the barn; they had the barn out here and had filled up all the places where they could keep the horses, and the man that was taking care of the barn sent one of the teams to the new barn and kept a team there.

That same night I drove up here to find out whether the teams were accepted in this work and I found that one team was up here and the other team at the other barn all right and ready to pull out in the morning and go to work. About 11 or 12 o'clock that night I

heard somebody rapping at the door. "Wake up here," he said. I said, "What is the matter?" He said, "Come down here; there is a horse fast down here." So I put on my clothes—I did not know whose horse it was, but I thought I would go out and assist him to save the horse. So I started down to the barn on the run, and the man was ahead of me. "Come on," he said, "let us hurry up. He is in a bad shape." I am a fleshy man and could not run very fast, but I ran and it was quite a while getting there, and when I got there the horse was fast and I took a stick there and tried to break him loose where he was fast, but I could not do it, and I said "Run back and get an ax; that is the only way to cut him out." So he ran outdoors to get the ax, and he chopped it himself and chopped a whole lot of the manger that was there, and when he got him loose the horse fell and was dead; he was dead a half an hour before. We did that for nothing. I made some remark that it was wrong for those carpenters to build a barn and fix mangers in that condition. He said, "They are practical carpenters that Mr. Braniff has around him and can do the business right up; he gets 35 or 40 cents an hour for the work." I said, "They ought to make some more traps for the rest of the Indians to get into to scare them away from here." He said, "Do you suppose it is the fault of the carpenters?" I said, "No; it is the management of the building of this barn that is at fault." I did not say any more. I had an idea that to make an attack on Mr. Braniff about that, but me and him did not agree very well and I thought it would be best for me to keep away from him; that the farther I kept away from him the better I felt about it. I did not bring any charges. I talked with other Indians some. I had a good notion to bring it up and see how it would come out, or else report it.

The CHAIRMAN. Whose horse was it?

TOM LA BELLE. It was my horse. They got the horse out from the works and dragged him out into the woods, and I had a good notion to report this matter to Washington to test Mr. Braniff by what statement he had made. So he had this barn fixed over again; they went to work and fixed the barn over again. I said, "They are practicing at my expense, those fellows." One man that I was talking to said, "Why?" I said, "They have built the mangers there two times." I said, "That will be an awful expense to the tribe—build a mill here and tear it down and build it up again." I said, "They ought to have fixed that right in the first place. The horses should be at work for the benefit of this tribe." So that was the last of it.

Then I do not think that the business was carried on just right; this working for nothing. Right in this dam here, when they first commenced to build it, they dug a hole there, I should judge about 12 feet wide and about 6 or 7 feet deep; the ditch must be dug anyway about 3 or 4 rods from the bank of the river, and after they had it completed the men worked—eight or ten of them that were digging there for a month or so—and they threw all that dirt back in there again and filled up that hole, and just about the time they were putting in this dam they had another crew to go over and take that dirt out again. I said to the Indians, "See what they are doing. Some day we will report this; just how this man is spending our money in foolishness. We worked hard to save this little money and it is wrong for a man to come and waste that money."

I said, "He is practicing on our business. I do not think he is right." So I asked a few questions among the rest of the tribe, and they felt just about the same as I did, and I went to Joe Gristo and other Indians who had an interest, and there are lots of them here who know this to be a fact, but they have not the interest in it to look into it. A few of us talked the matter over; we were talking about how Mr. Braniff was doing this work, and he had other people that were right close by and instructed him just what I said. I did not mean any harm. I did not care who heard it, as long as I can prove it to them that I was in the right in the matter, and I had full right to talk about it. I heard afterward that Mr. Joe Gristo was ordered off bodily with his family, to get out of there, and George McCall—and I do not know anything about him—I did not hear that I was ordered off or anything of the kind, but I heard that I had to get off, too. I asked why, and he said just because we were talking all around about what Mr. Braniff was doing. I said, "That is no harm; we are supposed to stay here and use the best knowledge that we can." I said, "In time we will take this in charge, perhaps—in time, of course—now we can not because we are afraid of it; we are liable to get killed there; to go into a place where we will be in danger of our lives."

Now, that is the only way we have talked, and that is about all that I want to say this evening. I wish Mr. Joe Gristo would take the stand.

Mr. DILLETT. Do you know anything about these logs that went over the dam here; do you know anything about any logs that were allowed to go over the dam and float down the river?

TOM LA BELLE. Well, yes; I know a little about it. I found that out from Mr. Prickett.

Mr. DILLETT. Tell us what you know about that.

TOM LA BELLE. I know it; I saw it. I saw good logs and merchantable timber running through that dam, and I asked what was the reason, and I said, "We built that dam here to keep the logs up here so as to manufacture this lumber. It is merchantable timber, and they are sluicing it right down." I said, "Look at that big log there." We stayed there a few minutes, I guess, and I said to Prickett, "Is not that a kind of fright to say how extravagantly this matter is running?" I said, "Look at those logs they sluice over there—merchantable timber. How much do you suppose they sluice down there?" He said it was not much. He said, "It is not worth while thinking about it." I said, "Well, if it is not worth while speaking about it of course that will be all right," and said I would go down and see what was going through that dam. It is a shame to let that timber go that way. I said, "The timber that they are sluicing through this dam is a good deal better than what the foresters up here charge us with over here where we live in the woods." He said, "That is true." I went up and saw Mr. Braniff and told him. I said, "There is quite a lot of that stuff sluiced through that dam that would be merchantable timber, and it should be stopped." Mr. Braniff said, "All right; if that is the case I will go there and see," and he just got up from the desk and put on his hat and walked down there with Mr. Prickett, down to the dam, and asked the man who was sluicing this stuff through. He said, "Where did you get the authority to shove this timber through here?" The man said,

"From the foreman." He said, "What foreman?" The man said, "The mill-yard foreman." He said, "I want you to shut that up and do not let any more of that stuff go through the dam." He stopped the man and everything was quiet. Now, I thought to myself, "I will go down and look and see." So I went down and I saw as much as I could not really say at a rough guess—I was on top of the hill looking down the stream, but the way the jam looked below there must have been as much as a half or three-quarters of a mile of that jam of that stuff.

The CHAIRMAN. Below the dam here?

TOM LA BELLE. Yes, sir.

The CHAIRMAN. Were they merchantable logs?

TOM LA BELLE. Yes, sir; good merchantable lumber that could be used anywhere, such as ties and shingles and other sorts of timber. I kept on talking about that, about the way he was doing that work, and finally I had a couple of men here to go down and look at it. They thought it was too bad to let that go. I think that Reginald Oshkosh and myself and Moses Lamote went down there to see just exactly what it was, because we were ordered by the tribe to go to see for ourselves, to see whether this was a fact. Of course I told them, but yet I did not know what kind of merchantable timber there would be in there when I saw it going through the dam. So we walked down there and examined the business, and I saw that there was merchantable timber there—timber that could be made into lumber—and I think that I can prove to the committee on the ground that my statement is true and will be supported by the men who went down there, that there is merchantable timber there.

The CHAIRMAN. How far below the dam was this?

TOM LA BELLE. I did not measure it, but it was a half or three-quarters of a mile below here.

The CHAIRMAN. Is it there now?

TOM LA BELLE. Yes, sir. That is about all that I want to say. I just wanted to make my statement on this matter. To-morrow I will say a little bit more.

Mr. DILLETT. Do you mean to say that the logs are still in that jam now?

TOM LA BELLE. Yes, sir; certainly. What is left of them are down there.

(The witness was thereupon excused.)

STATEMENT OF REGINALD OSHKOSH.

REGINALD OSHKOSH, having been first duly sworn, testified as follows:

The CHAIRMAN. What do you know with regard to this matter?

REGINALD OSHKOSH. I could not exactly state much different from what Mr. La Belle has stated, only that I made an estimate; we walked down there. I accompanied Mr. La Belle and Mr. Lamote. The jam is almost in sight of the railroad bridge.

The CHAIRMAN. You made an estimate of it?

REGINALD OSHKOSH. Yes, sir; it is about a half a mile—not quite half a mile. I think it is about 100 rods long. The three of us walked over the jam to see whether it was merchantable timber or

not, and I observed that quite the biggest part of it was cedar that had been cut above here—so I had been informed—and had been floated down before the drive arrived in the pond. I made an estimate—it may be overestimated—but I estimated that there are about 10,000 cedar posts, and about 500 telephone posts, and about 20,000 feet of logs—not of any particular kind, it is all kinds; 500 cords of pulp wood, both hemlock and pine; there are 1,000,000 shingles—that is, the cedar that is too large to make posts or too short to make posts; 500 cords of cord wood and 2,000 cords of stove wood. Now, this is only about one-half of the jam or one-third of the jam. There is two-thirds of this timber that has been sluiced through the dam and is still farther down somewhere near the falls, and it is all jammed there, but I have not had the opportunity to go there myself.

Senator LA FOLLETTE. How far is that from here?

REGINALD OSHKOSH. I should judge between 3 and 4 miles.

Senator LA FOLLETTE. Mr. Chairman, I suggest that Senator Brown be appointed a special committee to make an investigation into that matter and report in the morning.

The CHAIRMAN. I think that is a good idea. We have authority to appoint subcommittees. The chair will appoint Senator Brown and Mr. Reginald Oshkosh as a committee to make an investigation into the matter of this complaint and report to the subcommittee to-morrow morning.

Senator LA FOLLETTE. Mr. Oshkosh, would you be willing to go with him?

REGINALD OSHKOSH. Yes, sir.

The CHAIRMAN. That is the best way to settle it. You may go with Senator Brown to-morrow and report upon this matter, and that will save the necessity of calling these witnesses.

Mr. BRANIFF. Do you not think that our river foreman ought to go down there, too? He is responsible for that, and he ought to be made to account for it if it happened.

REGINALD OSHKOSH. I made a visit to Neopit some time last summer——

Senator LA FOLLETTE. I think it would be a good thing to have Mr. Farr go down also. He is a good judge of those things.

REGINALD OSHKOSH. I was here last summer; I could not say exactly what day it was. I never expected that this matter would come up, and it was reported to me at that time by various Indians that there were efforts made to catch this timber going down and haul it from the river on the banks for fuel purposes. Now, I did not expect that this matter would come up; it had escaped my mind, but I understood that Mr. Braniff had denied these people—these Indians—the privilege of pulling this timber out of the river for fuel purposes. He would rather let that timber float down and do the Indians no good. In other words, he was playing the dog in the manger; he could not have it himself, still he did not want anybody else to have it. That is the complaint that was made to me by various Indians, and I think that is all that I have to say about that jam.

(The witness was thereupon excused, and the subcommittee, at 11 o'clock and 45 minutes p. m., adjourned until to-morrow morning, October 1, 1909, at 9 o'clock a. m.)

COMMITTEE ON INDIAN AFFAIRS, U. S. SENATE,
Neopit, Wis., October 1, 1909.

(The committee met at 9 o'clock a. m.)

Present: Senator Clapp (chairman); also E. P. Holcombe, esq., supervisor, Interior Department; William T. Cox, assistant forester; also C. F. Dillett and M. J. Wallrich, esq., attorneys.

PENALIZED CONTRACTS.

The CHAIRMAN. I desire to say, with regard to these contracts that were penalized, that of course this committee can not undertake to try the case, but the committee will hear each side with reference to allowing suit to be brought on those contracts. That is as far as the committee can go in the matter.

Mr. WALLRICH. If that is the opinion of the committee, my idea is that we should represent, so far as the various charges upon which these contractors are penalized and the supply men are concerned, to bring it before the committee, and if upon that statement of facts we are not entitled to adjustment of the difference that exists between the Government and these contractors and supply men, then this committee, if it deems it advisable and proper, should cooperate with those contractors in enacting legislation to enable them to secure their rights in court.

The CHAIRMAN. That is my idea of the situation. That is as far as the committee can go in the matter. The committee can not adjudicate the matter and we can not take the time to try it, because we could not adjudicate it after we did try it. Now the committee will hear a statement from the attorneys on each side.

Mr. DILLETT. There are some of these Indians who would perhaps like to go home. They have been here all day yesterday and so far to-day, and we have a few witnesses that we did not have last night. I would like to make a brief statement of the facts—and I appreciate the necessity of being brief—that we rely upon, and that will be a guide in questioning the men whom you have invited here, practical lumbermen. We want to point out that the work here has been deficient, and the mistakes that have been made by the present management. That is what the Indians have employed me for, to assist them in presenting evidence and argument to show that the management ought to be changed and that a practical man ought to be put in charge here.

The CHAIRMAN. I supposed that you had covered that last night.

Mr. DILLETT. No, sir.

STATEMENT OF C. F. DILLETT, ATTORNEY.

Mr. DILLETT. Now, I will state briefly that we have made informal charges, and in support of those charges we claim that the work has not been done properly here at the present time; out in the middle yard here the lumber is not being properly piled; it is piled too flat, so that the water will not run off of it readily. The hemlock is piled without chimneys.

The CHAIRMAN. I understand that you will have testimony on that point.

Mr. DILLETT. I simply mentioned that point so that it would be a guide to the committee in questioning the practical lumbermen who will be brought here.

Senator LA FOLLETTE. You can question your witnesses when you bring them on.

The CHAIRMAN. If you have any evidence to submit you can put on your witnesses.

Mr. DILLETT. The evidence is from the practical mill men. I thought that it would be better to make a statement in advance, so that we could more definitely determine what the points at issue are.

We claim that there was a mistake made in logging the mill here. Mr. Braniff has practically disclaimed responsibility for it, but I do not see how he can escape responsibility, because it was decided to locate one large mill here after he came, and no doubt it was upon his recommendation.

The CHAIRMAN. He does not disclaim responsibility for that.

Mr. DILLETT. I understood that he did.

The CHAIRMAN. No; he admits responsibility for that change and putting the large mill here; that he had one of three selections. He is not responsible for those selections.

Mr. DILLETT. If he was confined to putting one large mill in one of those three selections, I have no argument with him.

The CHAIRMAN. No; he was not. He made it very plain that he had to choose one of those three selections with the idea of three small mills. He changed one large mill, but the selection was made, of the location, by the Government.

Mr. DILLETT. If he disclaims responsibility for the selection of this location, there will be no question raised upon that point.

Here is the point: Instead of buying lumber at Shawano and shipping it up here to be used in the construction of these buildings, and having some shipped from the West or South, that was shipped in here from long distances by rail, there should have been a small or portable mill put in here to saw out this stuff, especially the timber for the sawmill. There was timber right here on the ground that is rotting, and it should have been sawed up immediately and used in the construction of these buildings. I am confident that there was a grave mistake made there at a great expense to the Indians. This "tote," as it is called, from here toward Flox, that we were out on yesterday, is an unnecessary expense. Practical loggers, corporations, and lumbering concerns that are doing logging expend probably from twenty-five to fifty dollars a mile making their tote road. Here there has been an expenditure of over $2,300 a mile.

The CHAIRMAN. This is all a matter of argument, but you must bear in mind that, wise or unwise, there is a policy back of all this. The policy of the Government, as outlined in this law, is a continuing operation, standing as long as we can anticipate activities. You would naturally find different conditions prevailing there from what you would find with respect to a company that was simply coming in here to skin this thing off as quick as it could and let the land go for taxes or sell out to settlers. Now, the question is, with this policy back of it, for which the Government is responsible and not anybody here, whether, with that policy in view, these expenditures have been unreasonable and extravagant.

Mr. DILLETT. I claim that they have, even with that in view.

Senator LA FOLLETTE. Let us have the testimony in this matter, because the committee will not decide on anybody's statement. If we have to formulate any decision in the matter, it will be based upon the testimony, and we will save some time if we get right at the testimony.

Mr. DILLETT. There are a few more Indians that have some statement to make. Here is one that has been reduced to writing, and I will read it.

The CHAIRMAN. Is he to testify to it?

Mr. DILLETT. Well, he will swear to it, but he made it in writing in order to expedite matters. It is as follows:

STATEMENT OF LOUIS KESHENA REGARDING MANAGEMENT OF TIMBER OPERATIONS AT NEOPIT.

Before Mr. E. A. Braniff assumed the duties of the operations at Neopit, Wis., during the logging season of 1907–8, competent scalers were employed to scale the timber as fast as same was skidded or banked on the streams. I visited Neopit personally to ascertain when I could get settlement for my winter's work of logging. On one of these visits Mr. E. A. Braniff was absent and I approached Mr. W. E. La Fountain, superintendent, on the subject. In reply Mr. La Fountain said that they could not depend on the winter's scale, so they proposed to have a rescale at the expense of the loggers, and as soon as this rescale is finished and also a rescale of the logs that were left in the woods, then you may expect a settlement. Mr. E. A. Braniff, during the time the mill was being constructed, also began making the road west of Neopit to the reservation line. I could not see any reason why such a road should be built. There were no logs being hauled on this road, only what was cut on the right of way. Mr. Braniff did not haul any supplies from Phlox, Wis., in order to make use of this road. All of the supplies were shipped by rail on the Wisconsin and Northern Railroad. If I remember rightly, the road cost us Indians about $28,000.

Mr. John Goodfellow constructed a dam about 3 miles from Neopit on the Little West Branch Creek. On one of my visits I noticed that this dam had been taken out and another dam replaced. The wings of the two dams on the north side of the river almost come in contact. I can see no reason why this should be done. If the dam built by John Goodfellow was of no use, I see no reason why another should be built at the same place. It was a matter of wasting time and money. I certainly know that it cost the tribe money and was of no benefit. In my opinion, Mr. Braniff made a very unnecessary expense in hauling logs 1½ miles from one of the rollways to the pond. When I first observed this fact I supposed that Mr. Braniff intended to transfer logs not floatable, but, come to find out the facts, all the logs that would float were hauled from this landing, such as pine, hemlock, and basswood. This is what I call unnecessary expense. I will leave this matter to any practical logger, whether or not these same logs could not be floated down the stream much cheaper. This logging road on which these logs were being hauled runs parallel on the north side of the Main West Branch River. In this matter of hauling the logs I have Joseph Otter to substantiate

my statements by a sworn statement. Said Joseph Otter was a laborer during the time the logs were being hauled.

I further state that Mr. Braniff took the responsibility of cutting a right of way for a railroad. I know positively that this right of way was cut as far as the first crossing on the Little West Branch; beyond that I could not state. Of course, the timber from this cutting was taken care of. I can not see any provision in the act of March 28, 1908, granting anyone the right to construct a right of way for railroads, thereby wasting time and causing unnecessary expense to the Menominee tribe. There is a very small portion of the road leading to the reservation line west in connection with this right of way, but the biggest portion of this right of way can be seen to-day.

Peter Lamote, Moses Tucker, and I observed the following facts: When the logs enter the mill they are scaled, and when the log is cut into lumber the lumber grader stands at the rear of the mill where he grades the lumber and scales it. The different grades are placed in different carts and piles. Going to the lumber yard, we saw a man who was taking down the lumber, also a grader from Rhinelander, Wis., placing lumber and scattering a portion of it on one side only to be repiled, and this grader made the remark to us that the scattering lumber was only fit for making boxes. I always supposed that the mill grader ought to know his business and that his grading should stand inspection. This grader from Rhinelander also made the remark to us that there was considerable of 1-inch elm boards which would bring a great deal more money if cut in different dimensions. This man also stated that of the above-mentioned lumber pile only one-third of same would be accepted and that two-thirds was only fit for boxes. On my visit viewing the different works it appeared to me that all that I had heard about the mismanagement was true, and that there are too many laborers. I am an eyewitness to the fact that men were sitting around with nothing to do except to draw their pay.

(Louis Kashena was called to the stand.)

The CHAIRMAN. You have heard this testimony read by Mr. Dillett?

LOUIS KASHENA. Yes, sir.

The CHAIRMAN. Do you solemnly swear that what is stated therein is true to the best of your knowledge, information, and belief, so help you God?

LOUIS KASHENA. Yes, sir.

STATEMENT OF ALEXANDER CROW.

ALEXANDER CROW, after having been first duly sworn, testified as follows:

The CHAIRMAN. Mr. Dillett, you may proceed with the examination of this witness.

Mr. DILLETT. You were discharged from employment here as timekeeper, were you not?

ALEXANDER CROW. Yes, sir.

Mr. DILLETT. What reason, if any, was given for your discharge?

ALEXANDER CROW. There was no reason given.

Mr. DILLETT. Did you inquire for any reason for their discharging you?

ALEXANDER CROW. I did; I inquired of the foreman who discharged me, and he said he had nothing to do with it; he knew nothing about it.

Senator LA FOLLETTE. What is his name?

ALEXANDER CROW. James Welsh.

Mr. DILLETT. It was stated here last evening that you were discharged because you would not do the work; you would not go out to the camp to take the time of the men, and so forth. What have you to say about that?

ALEXANDER CROW. That was what was said here last night, but that is not true, because I was out twice a day. It was stated that I was in Neopit here most of the time because I had to come down here. I had a crew on the boom here.

Mr. DILLETT. How many camps did you keep time for?

ALEXANDER CROW. One camp; three crews in a camp.

Senator LA FOLLETTE. And a crew on the boom?

ALEXANDER CROW. And a crew on the boom.

Senator LA FOLLETTE. You were keeping time for all of them?

ALEXANDER CROW. Yes, sir.

Senator LA FOLLETTE. So it was necessary for you to visit the crew here and get their time?

ALEXANDER CROW. Yes, sir.

Senator LA FOLLETTE. And also at the camp?

ALEXANDER CROW. Yes, sir.

Mr. DILLETT. Did you do that every day?

ALEXANDER CROW. I did that every day.

The CHAIRMAN. Is this man Welsh here now?

ALEXANDER CROW. I think he is at work here.

Mr. BRANIFF. He is not here at Neopit to-day; he is out at the camp.

Senator LA FOLLETTE. Do you know anything about this?

Mr. BRANIFF. Yes. I first sent him out to keep time at Jim Welsh's camp at camp 4, and my foreman complained that he was not doing his work; he would not go out and watch the men, that he really was not keeping time at all; that Jim himself had to keep all the time, and that Crow would be down here in Neopit hanging around the town instead of being out in the woods with the men. The foreman complained to me several times about it, and I myself observed Crow hanging around town instead of keeping time.

The CHAIRMAN. Did he have to come down here to keep the time of the crew?

Mr. BRANIFF. Occasionally it might have been necessary, but he was around here half the time, with the men out in the woods.

Senator LA FOLLETTE. Would it not be necessary for him to be here every day if he had a crew here to keep the time of?

Mr. BRANIFF. He had a crew here, but he was here too much of the time, instead of being out in the woods. The foreman had to keep the time himself, and Crow would simply keep his figures, which were of no benefit to us, and I told him I could not give him work and could not send him out. Complaint came from the agent that we ought to find some employment for him because he was a cripple, and I believed so, too; I thought I would give him another

chance and sent him over to camp 7, where we had a foreman named Gale.

Senator LA FOLLETTE. Is he here?

Mr. BRANIFF. No, sir; he has left our service. Gale made the same complaint that Welsh did. There was no occasion then for Crow to be in town, because all the men were out in the woods. There was nobody from Gale's camp here at all, yet he would constantly be about town even then, so he was of no benefit to us and we discharged him.

Senator LA FOLLETTE. Was there not anything else he could do besides keep time?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Do you give him an opportunity to do any other work?

Mr. BELT. He packed shingles in the mill for a while after that. He quit of his own accord.

Senator LA FOLLETTE. Is that all you know about it?

Mr. BELT. That is all I happen to know about the case.

Senator LA FOLLETTE. Mr. Crow, did you pack shingles in the mill?

ALEXANDER CROW. Yes, sir.

Senator LA FOLLETTE. Did you quit there of your own accord?

ALEXANDER CROW. Yes, sir; the work was too hard for me.

Senator LA FOLLETTE. You could not do the work on account of your crippled condition?

ALEXANDER CROW. Yes, sir.

Mr. BRANIFF. It was not necessary for you to move around any in the shingle mill, was it?

ALEXANDER CROW. I had to lift the shingles that I packed; I had to pile them up and take them outside.

Mr. BRANIFF. I would like to ask Crow if there is any job that he would like to get in which he is willing to do the work. Is there anything around here that you can do? If so, we will be glad to put you to work. You might think that matter over and see me about it.

Senator LA FOLLETTE. Is there anything that you can think of that you could do here that would not require you to be on your feet all the time?

ALEXANDER CROW. Not at present.

The CHAIRMAN. That is all.

(The witness was thereupon excused.)

STATEMENT OF JOSEPH GRISTO.

JOSEPH GRISTO, after having first been duly sworn, testified as follows:

Mr. DILLETT. You are a member of the Menominee tribe?

JOE GRISTO. Yes, sir.

Mr. DILLETT. Where do you live?

JOE GRISTO. At Neopit.

Mr. DILLETT. Were you driven away from Neopit?

JOE GRISTO. They ordered me out of town.

Mr. DILLETT. Who ordered you out of town?

JOE GRISTO. Mr. Braniff.

Mr. DILLETT. Did he tell you personally to go?

JOE GRISTO. Yes, sir.

Mr. DILLETT. What reason did he give?

JOE GRISTO. He called me up to the office here; I was on the police force here, and he fired me on the way going to work. I got a letter back on his trip. So when I got the letter I looked at it, and when he got back I took the letter to him and took his outfit to him and said, "Here is your outfit; I am discharged." He said "All right."

Mr. DILLETT. Have you that letter?

JOE GRISTO. No, sir; I have not the letter. I asked him what grounds he had to discharge me on. He said, "Well, the Menominees are kicking; they do not want that many policemen here, and I will have to let you go; go on," he said. He said I refused to watch the west end of this reservation. I was not hired to go on the west end of the reservation; I was hired to go and see after the trains; if anybody was getting off with liquor. The chief of police is George McCall, and also Mr. W. E. La Fountain.

The CHAIRMAN. Had he told you to go to the west end?

JOE GRISTO. No, sir; I did not get any orders at all to go there.

Senator LA FOLLETTE. Is there anything else?

JOE GRISTO. That was the first case. Then he called me up in the office again afterward.

Senator LA FOLLETTE. That was after you had quit work?

JOE GRISTO. Yes, sir. He sent young Bean after me to come to the office, saying that he wanted to see me. I came to the office and asked him what he wanted, and he asked me how long it took me to move out of town. He said, "I do not want you here."

Senator LA FOLLETTE. Did he say why?

JOE GRISTO. No, sir; he did not say why, so I did not move. I asked him who told him I had to move out of town, and he told me not to get mad about it, so I quit right there and went home. Then he wrote a letter to the agent and told him some story, I suppose, and the agent gave me ten days to move out.

Senator LA FOLLETTE. Who was the agent then?

JOE GRISTO. Mr. Allen, special agent. My wife and I took the train then and went down to see him. When I got in the office I asked him about it. He said, "You had better move." I said, "That is what I came here to see you for. What have I got to move for." I said, "I can not find any reason why I have got to move out of town. If I have to move out of town I want to find out what for." He said, "Well, I will see about it; I will telephone over to Mr. Braniff to put this off for a while, and I will go and find out myself." I said, "That is what I want you to do." I said, "If Mr. Braniff says anything about me I want to find out; he knows what he is firing me for out of Neopit, or the reservation, and I would like to find out." He said he would look it up, but he never did, but he did not bother me any more. He never said any more about it.

Senator LA FOLLETTE. You did not move out at all, did you?

JOE GRISTO. No, sir; I did not move out; I stayed there. In February some time I met Mr. Braniff over here. Of course he fired me and fired my team; between the 15th and 20th of June, a year last June, he fired me; so it was not my place to come and ask him for a job. I did not know whether he would give me a job or refuse me, so

I would not ask him. I would not ask any of them. I had enough money saved up for myself and I could live for a while, anyhow. I kept boarders here. I met him out on the ice, and he said, "Joe, come here." I went over to see him. He said, "What are you going to do with these buildings over there?" I said, "I am going to live in them; what do you suppose?" He said, "Any man who lives here and has got buildings we want him to go to work; he will have to go to work." He said, "Why don't you go to work?" I said, "That is what you ought to have told me long ago, and walked up to me like a man and offered me a job. It was not my place to look for you; I did not know whether I would get it or not." I said, "You fired my team and fired me." He said, "Well, that was not my fault." I said, "Well, I do not know whose fault it is." He claimed that it was the Menominees who were kicking. So I came over and went to work; when he told me he would give me a job I went to work in the mill.

The CHAIRMAN. Are you working there now?

JOE GRISTO. I work there when I have not anything else to do. I have a little work of my own around the house. I have a few boarders. When I have time I go to work there.

Senator LA FOLLETTE. What do you do in the mill?

JOE GRISTO. Most anything that they can put me at. I satisfied them, I think, in what I did.

Senator LA FOLLETTE. Is your team at work?

JOE GRISTO. My team I sold after I got fired out of the service. I had a Menominee fellow driving the team, too—a fellow clerking over here in the store. They were satisfied with the team; the team was doing as much as any team we had around here. It was working around the mill yard leveling up.

The CHAIRMAN. Is there anything more you care to say.

JOE GRISTO. I guess that is all.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF EDWARD A. BRANIFF WITH REGARD TO JOSEPH GRISTO.

The CHAIRMAN. Mr. Braniff, do you know anything about this matter?

Mr. BRANIFF. This is a part of the fight that was made for many months against whisky. Joe had a couple of boarding houses over here, and a great deal of whisky came in and went out of them. There are cases where white men would come in and bring whisky in the reservation and put up at Joe's. In one case I had the proof from the man himself, in which he was invited to come in and bring whisky.

Senator LA FOLLETTE. Invited by whom?

Mr. BRANIFF. The man stated, when I arrested him, that Gristo had invited him to Neopit to bring some whisky. He was peddling whisky—that is, it had been reported to me, and I found him on the track and he admitted it. I told him to leave town. He was a whisky drummer. He told me that he had been invited to come to Joe's house and he had been hanging around there for some time. Joe drank a good deal of whisky himself; a number of times while he was policeman he used to drink. His duty was to suppress the liquor, and

I did not consider that a man who drank, and who had men at his boarding house who brought whisky into the reservation, a proper man to control the liquor traffic. In addition to that, he had been instructed on a number of occasions to patrol this main tote between here and Flox, and to prevent whisky from coming in from the saloons to Flox, and he did not go out. He had been told several times to go out, but he was about town practically all the time; and I did not believe that he was the proper man to be a policeman, so we decided to discontinue his services as policeman.

As for his being discharged in any other capacity, I do not believe that that is correct. I do not remember very much about his team. My foreman handled those matters. I positively know that an Indian that is able to work, whether it is Gristo or anybody else, we find work for him. If he has a team to-day, we will be glad to put it to work.

Now, Gristo for a long time did not work at all, but hung around here, and I asked him to go to work several times. I asked him why he did not go to work; I did not understand why he did not go to work, and I saw him and told him that it would be a mighty good thing if he would go to work in our mill here, and I believe he did so the next day. He has worked intermittently since then; he is an occasional worker; he is a good worker when he is at work.

Senator LA FOLLETTE. What is there about his being ordered off the reservation?

Mr. BRANIFF. I did not order him off the reservation, but I told him he would have to give up that kind of a house; that he could not keep a house in which there were bad characters; that I preferred that he rent out his house and close his building rather than bring men into the reservation who had whisky; that such men were not desirable in Neopit, where we were making an effort to keep whisky out.

STATEMENT OF PETER GAUTHIER.

PETER GAUTHIER, after having first been duly sworn, testified as follows:

Mr. DILLETT. You are a member of the Menominee tribe?

PETER GAUTHIER. Yes, sir.

Mr. DILLETT. Do you live at Neopit?

PETER GAUTHIER. Yes, sir.

Mr. DILLETT. What did you see a week ago last Sunday with regard to drunkenness here?

PETER GAUTHIER. I saw three white men come here drunk.

Mr. DILLETT. Where did you see them?

PETER GAUTHIER. At the back of Look-Around's store.

Mr. DILLETT. Were any arrests made?

PETER GAUTHIER. No, sir.

Mr. DILLETT. Do you know who the men were?

PETER GAUTHIER. I know one, but the other two fellows I did not know.

Mr. DILLETT. What was the name of the man you know?

PETER GAUTHIER. Gus Katardy.

Mr. DILLETT. Do you know where those men came from?

PETER GAUTHIER. They came from Flox.

Mr. DILLETT. Do you know where they went from Look-Around's store?

PETER GAUTHIER. Mr. Look-Around ordered them out, and I do not know where they went—to some other place to board.

Senator LA FOLLETTE. Did they live here?

PETER GAUTHIER. No, sir; they boarded here. I do not know where they are from.

Senator LA FOLLETTE. Are they here now?

PETER GAUTHIER. Yes, sir.

Senator LA FOLLETTE. Did you report it to anybody?

PETER GAUTHIER. No, sir; I never said anything about it. I thought the people saw them at the time they came there.

The CHAIRMAN. Did any policemen see them, that you know of?

PETER GAUTHIER. I do not know whether the policemen saw them or not.

Senator LA FOLLETTE. Why did you not report it to Mr. Braniff?

PETER GAUTHIER. I thought the policemen ought to do that.

Senator LA FOLLETTE. If the policemen did not see them they could not report it.

PETER GAUTHIER. The policemen did not live very far from the store. They could see it plainly. They staggered in there.

The CHAIRMAN. Have you seen them drunk since that time?

PETER GAUTHIER. No, sir.

Mr. BRANIFF. I would like to make a statement in this connection. It is not my fault if somebody gets drunk and I do not hear about it. I would like to have everybody here—every man present in this room—to understand that if he sees anybody here under the influence of liquor, whether he is an Indian or a white man, or if he sees anybody with whisky on him, I consider it his duty as an employee of this work to immediately come to the office and report the case. If action is not secured in twenty-four hours, I will hold myself blamable.

TOM LA BELLE. May I ask a question right there, in regard to what Mr. Braniff said last night when he claimed that he has policemen, and instructed the policemen if any such thing took place that the policemen should come and report to him; he had given his orders to his officials around here. He said that last night, and I wish to have Mr. Prickett take the stand and explain on what authority he had to come here and make some complaint through Mr. Braniff, or through Mr. Prickett. Mr. Prickett is right here.

The CHAIRMAN. We will get to that in a minute.

Mr. DILLETT. I have here a written statement by an Indian, about a page and a half long, which I will read, with the permission of the committee.

The CHAIRMAN. Very well.

Mr. DILLETT. It is an affidavit by Peter Lamote, and is as follows:

STATE OF WISCONSIN, *County of Shawano, ss:*

Peter Lamote, being first duly sworn, deposes and says that he is a Menominee Indian, 52 years of age, and has lived on the Menominee Reservation all his life; that he has been engaged in logging on the reservation since 1882; that he is a practical logger and has helped to accumulate the fund now on deposit to the credit of the Menominee Indians in the United States Treasury; that the Menominee Indians made money in their logging operations, as shown by their fund accumulated; that in the winter of 1907–8 the Indians logged on what is known as the "Blown-down district" of the reservation; that in the spring of 1908 Mr. E. A. Braniff was placed in charge of timber operations on the reservation under the provisions of the act of March 28, 1908, which authorizes the erection and equipment of suitable sawmills, etc., for the purpose of manufacturing into lumber the timber cut under this act; that he, Peter Lamote,

was one of the members of the Indian business committee in existence at that time; that in April, 1908, at a meeting of this committee, at which Mr. E. A. Braniff was present, the committee asked Mr. Braniff where would be the best locations for erecting these sawmills, and, in reply, Mr. Braniff said that selections of sites had already been made for their mills; that the committee then asked Mr. Braniff at what time or how soon the mills would be in shape to begin sawing lumber, and his reply was, "In ninety days."

Peter Lamote further deposes and says that, in his opinion, a grave mistake was made in locating the main sawmill at Neopit; that it should have been located on the main Wolf River at the Keshena Falls, or just below the falls, for the reasons following: That all the streams on the reservation except the south branch of the Oconto, on which logs are driven, empty into the Wolf River at points above the falls, and that most of the timber tributary to the south branch of the Oconto can be hauled to and banked on the Wolf River; that in his opinion a portable sawmill could be transported from place to place on the reservation when needed to saw logs that could not well be floated on the Wolf River and its tributaries, at less expense than the logs are now transported by rail to Neopit; that it is too expensive to transport these logs to Neopit by rail; that if the main mill was located at the Keshena Falls, the logs could be brought to the mill at much less expense than by the present method to Neopit; that the Keshena Falls afford one of the best water powers in the State; that in March and February, 1909, he worked in the sawmill at Neopit; that he saw trainloads of logs coming into the mill yards twice a day while he was there; that when the rivers were open in the spring they commenced sawing the logs that were in the pond; that logs could not be hauled for the reason that the railroad became useless for hauling, because when the frost went out of the ground the roadbeds became insecure; that on or about May, 1909, they began hauling by rail from mill sites Nos. 2 and 3, which are located about 10 miles from Neopit; that it would have been much less expensive to have left the logs then at these sites and employed all the force in driving the logs then in the streams and to have hauled the logs necessary to haul by rail next winter; that poor management was shown in this; that if the force had been turned on to clearing the streams and pond during the driving season, that next winter the logs could be hauled by rail from mill sites Nos. 2 and 3, and at the same time logs could be cut and banked on the streams preparatory to driving them to the mill in the spring, and that, by proper management, much expense could have been saved the tribe.

A. Blanc.

KESHENA, WIS., *September 28, 1909.*

Subscribed and sworn to before me this ——— day of September, 1909.

The CHAIRMAN. Is Mr. Lamote here?

Mr. LAMOTE. Yes, sir.

The CHAIRMAN. You have heard the statement which has just been read. So you solemnly swear that the contents of this document are true to the best of your knowledge, information, and belief, so help you God?

Mr. LAMOTE. Yes, sir.

STATEMENT OF A. S. LARSON, ATTORNEY, REPRESENTING THE STOCKBRIDGE INDIANS.

Mr. LARSON. I desire to make a statement at this time to the committee, and I shall confine myself to facts material to this inquiry.

Some time before this committee came here the Indians sent for me to meet them in council in Keshena, and when I arrived there I noticed a very bitter feeling toward Mr. Braniff; there seemed to be an absolute determination to have a change in the management at Keshena. I had formerly been employed at the agency, after graduating at the law school and before entering upon active practice. I enjoyed the confidence of the Indians and they were anxious for me

to take hold of the matter and lay it properly before this committee. On account of the preparation of several cases for trial in the supreme court which will be argued next Tuesday—the briefs in the case were not served on me until the 24th of this month—it was absolutely impossible for me to cover the facts material to a proper presentation of this matter to this committee. I advised the committee to employ Mr. Dillett, who is one of the most responsible attorneys in the city of Chicago, and recognized as one of the most logical reasoners. I felt that the matter would be properly attended to if it was placed in the hands of Mr. Dillett, and that it would be attended to in a systematic manner. They did not go at it with a view to the facts, in order that you gentlemen might be saved the time of listening to oratory instead of the presentation of the facts, and Mr. Dillett has been materially embarrassed on account of the Indians not taking hold of the matter in a business way. I have felt the embarrassment of the position in which he was placed by being obliged to come before this committee with no more material to work on than he has been able to produce before you, and when I asked Mr. Dillett to accept the employment, I asked it as a favor to both myself and the Indians, because my time was so much occupied, and he did take hold of it. I think that suggestion has an important bearing upon this work in its presentation to the committee, which is the result of no fault of Mr. Dillett but is attributable to a lack of training and a lack of knowledge on the part of the Indians as to the proper way to go about it.

I feel that the time has come, and I say it not through any feeling of prejudice toward Mr. Braniff, when there ought to be, as the facts warrant, a change in the management of this institution. Mr. Braniff's ability can not be questioned. He has a college education. He is a man who has courage and fearlessness to take hold of large propositions. The very fact that he has gone at this institution and made the expenditures that he has made without any former training in logging operations and without any experience in this line of work and has undertaken to carry the work through shows that he is not a man lacking in fearlessness and ability. There is one thing that he does lack, however, which to my mind is material to the success of an operation of this kind for the Indians if it is to be carried on by the Indians, and that is personality that attracts rather than repels, and that Mr. Braniff does not possess. He has, unfortunately, a disposition which antagonizes the Indian upon this reservation. You Senators, who have come in contact with people—with voters throughout your State—will appreciate the importance of having a faculty or the ability of getting along with men. I remember one incident in my own experience——

The CHAIRMAN. I think, Mr. Larson, that these are matters which the committee will naturally consider. Now, I suggest that you proceed to the important part of your argument.

Mr. LARSON. I was just suggesting matters that I think you will consider material. I think this is material. I think these matters are proper matters to be presented before the committee.

Now, yesterday you gentlemen of the committee drove along the road from here to Phlox at the request of some of the Indians. I got into a wagon and drove along back of you, not for the purpose of

following you. I took a different course and departed from the main road. Some of you gentlemen might have been in the rig with me as this Indian pointed out the logs on either side of the road.

The CHAIRMAN. Do you not think that we saw the logs along in the woods?

Mr. LARSON. I do not know; you probably saw the logs lying on either side, but I do not know whether you knew who was responsible for those logs being there. These Indians pointed them out and they feel the loss. As we passed one right of way, Thomas La Belle, one of the Indians, pointed out a long course that had been cut out—a right of way that had been cut out under the authority of Mr. Braniff. He said that there were 3½ miles of right of way that had been cut out for a proposed railroad and no use made of it, and that at the expense of the tribe.

All those things were pointed out as we went over the course, and it was only by going over the course with some Indians conversant with the facts that a proper understanding of the matter could be had. The Indians have pointed out again and again—I do not know whether you gentlemen noticed it in passing along the river coming into Kashena from Shawano—that there are logs in the river that will be picked up and that are absolutely worthless and should not have been put into the drive at all. They would not pay for the expense of their being sent to Shawano and then sent up over the road here; it would not justify the expense, besides the cost of manufacturing the same into lumber.

These are all matters that should be properly presented to the committee by the Indians, but through their lack of forethought, and not being prepared to go through it in a systematic manner, those matters will not be properly laid before the committee, but I think it is a matter that the committee should inquire into on its own initiative, the committee knowing the lack of system on the part of Indians and their inability to properly present their own case and the facts. It was due to that entirely that they are unprepared to have the matter properly laid before the committee.

I do not wish to reflect upon the honesty of Mr. Braniff or upon his ability to conduct other lines of business. I have a great deal of respect for the man in other ways, but I do think that there are a great number of matters in which he can be very justly criticized, which are not being brought to the attention of the committee on account of the Indians not properly taking hold of the matter.

Mr. George McCall has a claim which he wishes at this time to lay before the committee.

The CHAIRMAN. Is this one of the penalized logging contracts?

Mr. LARSON. No, sir; this is one of the matters connected with the conduct of affairs here.

STATEMENT OF GEORGE McCALL.

GEORGE MCCALL, after having been first duly sworn, testified as follows:

The CHAIRMAN. Mr. Larson, do you wish to examine this witness?

Mr. LARSON. Yes, sir. You are a member of the Menominee tribe of Indians, are you?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. And formerly boarded employees at Neopit during the period when they were constructing the mill here and before the present boarding house had been erected?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. How did you come to take charge of the boarding of those men?

GEORGE MCCALL. Well, I was employed by Mr. Braniff.

Mr. LARSON. State the circumstances under which you undertook this work, how you undertook it, who asked you to do so, and all about it.

GEORGE MCCALL. Mr. Braniff did.

Mr. LARSON. What were you doing at the time he came to you and asked you?

GEORGE MCCALL. I was logging.

Mr. LARSON. And he came to you and asked you to start a boarding house here?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Just state what the conversation was.

GEORGE MCCALL. He walked up there into my camp and asked me if I would come down and take charge of the workingmen. I said I suppose I could; I was thinking I would come down here to board, put up a shanty here and board some of the men. He asked me if I could not come down here and live in the tents and board these men.

Mr. LARSON. Board the men in tents?

GEORGE MCCALL. Yes, sir. I said I could, but there were no tents put up for those men. I said I would put up the tents and board the men, so they could live in there on board floors; I would fix them so that they could be in there. He wanted us to come right down the next day. I told him I had a few logs yet to put in, which I thought I would haul in or swamp them. He said: "Never mind those logs there; they are just as well there as at the river." So I agreed to come down. I came down here and started in, and he commenced putting up the tents. I agreed to keep 60 men.

Mr. LARSON. He furnished accommodations for 60 men, did he?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. And you boarded them?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Was there any arrangement made between you as to what board you should receive from the men?

GEORGE MCCALL. No, sir; not at that time.

Mr. LARSON. How much were you to charge?

GEORGE MCCALL. He said you can charge whatever you think is right.

Mr. LARSON. And what did you charge?

GEORGE MCCALL. Four dollars.

Mr. LARSON. Was there any arrangements made between you as to how you should be paid—whether Mr. Braniff would retain the board money from the wages of the men?

GEORGE MCCALL. Not with Mr. Braniff; but after I got in here and commenced boarding them that first month I asked the superintendent, "How are we going to get our pay?" He said, "That will be deducted from the men; the amount will be collected at the office."

Mr. LARSON. Who is the superintendent?

GEORGE MCCALL. Mr. W. E. Lafountain. So before the month was out he came over and said we could do that. He said, "we ought not to do it; you will have to collect your own board;" and I did.

Mr. LARSON. And you lost considerably.

GEORGE MCCALL. I lost better than $400. I have collected some since last spring.

Mr. LARSON. How long did you continue to board these men?

GEORGE MCCALL. There was no contract made as to how long.

Mr. LARSON. How long did you, in fact, board them?

GEORGE MCCALL. I boarded them about six months.

Mr. LARSON. You were first asked to furnish accommodations for 60 men?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Were you afterwards asked to furnish additional accommodations?

GEORGE MCCALL. They kept increasing until I had about 180. I would keep buying stuff to keep them.

Mr. LARSON. At the time that Mr. Braniff said that he would furnish tents in which to accommodate your boarders was anything said as to whether you should pay for the rent of the tents or rent of the ground upon the reservation?

GEORGE MCCALL. No, sir.

Mr. LARSON. Was anything said about your paying for the lumber that was to be used in providing floors for these tents?

GEORGE MCCALL. No, sir.

Mr. LARSON. Nothing of the kind was said?

GEORGE MCCALL. No, sir.

Mr. LARSON. Were you afterwards charged for the rent of those tents?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. How much were you charged?

GEORGE MCCALL. Well, I was charged—do you mean the whole thing?

Mr. LARSON. Yes; how much were you charged a month for the rent of those tents?

GEORGE MCCALL. I was charged for those six months $431, I think.

Mr. LARSON. You were charged at the rate of $25 a month, were you not?

GEORGE MCCALL. For the tents; yes, sir.

Mr. LARSON. You were charged at the rate of $25 a month for the tents?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Mr. Braniff also charged you for the lumber that was used in the floors in the tents, did he not?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Was that lumber Menominee lumber here—the lumber belonging to the tribe—or was that shipped in from Shawano?

GEORGE MCCALL. I guess it was shipped in from Shawano.

Mr. LARSON. What was afterwards done with that lumber?

GEORGE MCCALL. It was pulled off; I do not know where it went.

Mr. LARSON. Did you take it?

GEORGE MCCALL. No, sir.

Mr. LARSON. Did the company here use it?

GEORGE MCCALL. Yes, sir; I suppose they did.

Mr. LARSON. And you were charged a total of $413.03 for the use of those tents and the lumber?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. It was deducted from the moneys you had coming from the Government for the use of your teams?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. And you now have coming to you how much for the use of your teams, if this rentage for the tents and the lumber was not deducted from it?

GEORGE MCCALL. I think I have $492.

Mr. LARSON. I will show you an affidavit which purports to have been made by you and sworn to before the Indian agent, Mr. Wilson, and also a copy of a letter of Mr. Braniff to Special Indian Agent Allen, in regard to the matter, and ask you whether the statements made in your affidavit before Mr. Wilson are true?

GEORGE MCCALL. Yes, sir; they are true.

Mr. LARSON. I ask you whether the statement made by Mr. Braniff in his explanation to Special Agent Allen are true?

GEORGE MCCALL. I do not believe they are.

Mr. LARSON. The first intimation that you had that you were to pay him for the use of the tents was when he deducted it from the amount of your teams?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. Do you wish me to offer this affidavit in evidence, together with Mr. Braniff's letter of explanation?

GEORGE MCCALL. Yes, sir.

(The papers referred to by Mr. Larson are as follows:)

STATE OF WISCONSIN,
County of Shawano, ss:

George McCall, being first duly sworn, on oath deposes and says that he is 48 years of age, a recognized member of the Menominee tribe of Indians, residing at Neopit, Wis.

Affiant says that Mr. E. A. Braniff appeared personally at said affiant's camps, 6 miles from Neopit, Wis., the latter part of April, 1908. Mr. E. A. Braniff said to said affiant, "I come over to see you what arrangements I can make with you in regard to moving down to Neopit and board about 60 men," for said E. A. Braniff had no way of keeping men at the time. Said affiant says to Mr. E. A. Braniff, "I can in two or three days, for I have about 18,000 or 20,000 feet of logs all swamped and will have to haul the logs to the river before I can go." Said Braniff says, "Never mind hauling the logs, for I am going to take the scalers away to-day; the logs might just as well be there as to the river." Said affiant said, "All right. I will furnish tents and put floors in them if you will furnish the rest of the necessary outfit, such as stoves, dishes, and bedding." Affiant says that said E. A. Braniff never said anything about rent. Affiant says that after he was in readiness to keep the 60 men Mr. E. A. Braniff daily increased the number of men until it reached the number of 180 men, putting said affiant to extra expense every day. Affiant says that all of the above statement in regard to Braniff making the bargain was heard by one Mrs. Ella McKinge. Affiant says that W. E. La Fountain informed him that all board bills would be collected at the office on the first pay day. Mr. W. E. La Fountain again informed said affiant that board bills could not be collected at the office, and by this action affiant has on his books about $420, which was never paid. Affiant says that in the month of August Mr. E. A. Braniff informed said affiant that he had to pay $50 a month rent for the outfit. In reply, affiant said, "That is too much; I'll not pay that much for the rent, for the reason there was no rent mentioned in the start." Later Mr. W. E. La Fountain came and said to said affiant, "What would you be willing to pay?" Affiant said, "For my part I would be willing to give $30 per month." Affiant says that the latter part of November he told his wife, on leaving for Shawano, that the last

of the month of November, 1908, was the limit; would quit the business. On said affiant's return was informed by his wife that they had to stay another month; that Mr. Belt, by the request of E. A. Braniff, told said affiant's wife, "Mr. E. A. Braniff will fix up all tents and that said Braniff will stand all expenses; you folks will be all right if you stay another month." Affiant says that in Mr. E. A. Braniff's statement of account that said affiant received lumber which was used with the tents is false, for the reason that said affiant never received one board. Said affiant says that he has hereunto attached statements of accounts against Mr. E. A. Braniff and a statement of Mr. E. A. Braniff against said affiant. Affiant lastly says that he has a number of times made an effort for a settlement, but never could get any satisfaction, and believes that Mr. E. A. Braniff is the most dishonest man of all men.

GEO. MCCALL.

Subscribed and sworn to before me this 29th day of September, A. D. 1909.

T. B. WILSON,
Superintendent and Special Disbursing Agent.

Statement.

Neopit, Wis., September, 1908. Mr. E. A. Braniff, in charge, to George McCall, Dr.:

September, 2 span of horses, blacks and bays	$82.75	
October, driving team	25.00	
December, driving team	25.00	
January, 1909, driving team	25.00	
January, 1909, bay team and teamster	48.12	
January, 1909, black team and teamster	31.50	
February, 1909, driving team	25.00	
February, 1909, bay team	30.12	
February, 1909, black team	27.02	
March, 1909, black team	29.61	
March, 1909, bay team	30.27	
April, 1909, bay team	26.52	
May, 1909, bay team	14.12	
June, 1909, bay team	15.75	
July, 1909, bay team	28.37	
August, 1909, bay team	32.25	
Total team work		$491.40

Neopit, Wis., January 2, 1909. Mr. E. A. Braniff, in charge, to George McCall, Dr.:

30 yards oilcloth, at 30 cents	$6.00	
Rent, whip, robes, harness, and buggy from May to December, 1908	15.00	
Dishes for hotel, December 3 to April 20	10.00	
Bedding for camp 7, July 25, 1908	10.00	
Dishes for camp 7, July 25, 1908	2.00	
Dishes and bedding, camp 2, May 15, 1908	10.00	
Dishes not returned, camp 2	2.50	
35 hand towels for making	1.75	
16 hand towels not returned	6.40	
3 days' board for 3 men, at 65 cents	3.90	
3 sets logging sleighs, complete (for rent)	90.00	
3 months' use bob sleighs, at $5	15.00	
4 blankets for jail	4.00	
4 quilts, at $1.50	6.00	
4 padlocks for jail	4.00	
2 months' rent for camps	100.00	
35 feet 2-inch rope	5.00	
		291.55
Total		782.95

NEOPIT, WIS., *March 13, 1909.*

Mr. E. A. ALLEN,
Special Agent in Charge, Keshena, Wis.

DEAR SIR: Your letter of March 9 is received with reference to George McCall's account, and I am glad that you have taken this matter up in a formal way, for the reason that repeated efforts on my part to get a statement of McCall's charges against the Forest Service have heretofore been of no avail. This is the first statement I have yet received from McCall of what he claims is due him.

I will take up McCall's statement in categorical order. I myself personally first made the proposition to the McCalls to open the boarding house at Neopit. They were breaking up their logging camp, and I suggested first to Mrs. McKenzie and then to Mr. and Mrs. McCall that they move their outfit down to Neopit and board our men. They were to be allowed to charge a reasonable board and were to collect same from the men when they were paid off. I have no recollection of any agreement that the Forest Service was to furnish tents and other facilities free. The board charged was certainly high enough to enable McCall to purchase tents and furnish other accommodations and still make a substantial profit. We furnished the tents and the lumber ourselves because McCall did not have them and because it was absolutely necessary to shelter and care for the men. The understanding was that McCall was to reimburse us. We furnished in all 14 sleeping tents and 7 cook and dining tents. Some of these tents were in use as long as six months, and a reasonable rental was expected for them. I believe that an average rental of $25 per month for six months for these 21 tents to be very low. In addition we furnished 12,397 feet of lumber, at $17 per thousand, for flooring these tents. Since we afterwards used a part of the lumber, I have allowed McCall one-half off, making the bill for lumber $105.40. The labor of flooring the tents and of putting them up amounted to $185.36, but this included the cost of putting up the post-office, amounting to $27.72, which I have deducted. McCall's total bill for lumber and use of tents is therefore $413.06.

With reference to McCall's disposing of his equipment, I did not personally make any bargain with McCall for purchasing his equipment, nor did I authorize Mr. W. E. La Fountain to make any such bargain. McCall has never spoken to me about buying any part of his equipment. If he had done so when he broke up his boarding house I would have been able to take part of it off his hands, and would have been glad to do so in order to accommodate him. If he made the effort I am sure it would be quite possible for him to dispose of the greater part of his equipment to people who are residing here at Neopit and who are keeping house. We expect to put up a number of inexpensive houses for our employees this spring, including houses for Indians, and McCall will have an excellent opportunity of disposing of his equipment to such people.

Mr. McCall's statement that he has loaned us a considerable amount of materials, consisting of axes, cantbooks, sleighs, etc., is probably true to a certain extent. Mr. McCall had dealings with our Mr. W. E. La Fountain for a long time, concerning which I know nothing, or very little at best. I do know, however, that Mr. La Fontain either lent or gave away to the McCall's a considerable amount of materials which he had no right to give away, because they were not his property. On November 27 McCall got 2 sacks of flour and 230 pounds of hay from our warehouse, and on January 19 he got 785 pounds of hay, no part of which to my knowledge has been returned. In addition, we cut a large amount of wood for the use of his tents when he was charging board and should have paid for labor of cutting this wood himself.

The following statement shows what has been paid McCall and what yet remains unpaid for team labor:

October, 1908:	
Driving team	$25.00
Bay team and teamster, paid, check No. 362083	66.25
Black team and teamster, paid, check No. 362087	41.74
November, 1908:	
Driving team, paid, check No. 370983	25.00
Bay team and teamster, paid, check No. 370988	60.00
Black team and teamster, paid, check No. 370987	8.70
December, 1908:	
Driving team	25.00
Bay team and teamster, paid, check No. 371540, $5; paid, check No. 371541, $51.25	56.25
Black team and teamster, paid, check No. 371542	8.24

January, 1909:	
Driving team	$25.00
Bay team and teamster	43.12
Black team and teamster	31.50
February, 1909:	
Driving team	25.00
Bay team and teamster	30.12
Black team and teamster	27.02
	497.94
Paid	266.18
Not paid	231.76

The following statement shows the amounts which McCall is indebted to us:

(Dr.)	
Nov. 27, 1908:	
To 2 sacks flour, $2.70	$5.40
To 1,380 pounds hay, $11	7.59
Jan. 19, 1909:	
To 785 pounds hay, $11	4.32
To lumber and use of tents	413.03
	430.34
(Cr.)	
Mar. 1, 1909. By team labor	231.76
Mar. 1, 1909. To balance	198.58

The balance due us on McCall's account, March 1, 1909, is, according to the above statements, $198.58.

McCall's statement that we broke into his logging camps and occupied them for three months against his will is not correct, so far as my knowledge goes. We did occupy these camps while building one of our dams, but I did not consider them as his property, since they were built out of reservation timber, for which he never paid. I did not know either that there was any objection on his part to our occupying these camps. I do not see how there could have been any objection, since they were not his own. We certainly did not break into them.

I would be glad to have you give the copy of this letter inclosed to McCall, in order that he may look over our statement and advise me as to its correctness. I need not assure you of my entire willingness to do justice to McCall as well as to any other man, provided he has a just claim against this work.

Very respectfully,

EDWARD A. BRANIFF,
Forest Supervisor.

Mr. LARSON. Have you any other statement which you desire to make with reference to your mistreatment, as you see fit to term it, on the part of Mr. Braniff?

GEORGE MCCALL. Nothing except what is embodied in the affidavit.

Mr. LARSON. You claim that you still have four hundred and some odd dollars due for teamwork on the reservation, and Mr. Braniff refused to pay you that; you still have four hundred and some dollars coming for teamwork from Mr. Braniff?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. And he declined to pay that to you?

GEORGE MCCALL. Yes, sir.

Mr. LARSON. That is all I care to ask.

The CHAIRMAN. Do you wish to examine this man, Mr. Braniff?

Mr. BRANIFF. No, sir; I do not care to ask him any questions. I would like to have Mr. Belt, who knows much more than I do about this matter, take the stand.

I would like to make a statement myself in this case. The situation was that McCall was to put up a boarding house and was to re-

ceive $4 a week from the men for board, and we were to furnish him with tents because he was financially unable to buy them, or the lumber, and he was to reimburse us for the tents and for rental and lumber, because I felt that I had no right to buy lumber here and turn it over to the Indians, as it was not my property. The matter was taken up with McCall, and he was told about the rent, and he agreed to it, and in charging him for the lumber I agreed with McCall that we were to take the lumber which had already been used—take it as culled lumber, use it ourselves, and charge him only one-half of what the lumber had cost us, assuming that he had received one-half of the value, and we would use the lumber for our purpose and he would take the other half.

I have tried repeatedly to get some statement from McCall as to his account, because he has claimed turning over certain of his property to us, and everything that he has told me about has been credited to his account, but I have been unable to get any understanding as to whether he has any other charges or not. I have repeatedly asked him about it. I have been very busy with other matters within the last two months, and Mr. Belt knows more about it than I do.

Mr. LARSON. I would like to ask you when you had these agreements with reference to McCall paying rent for the use of those tents.

Mr. BRANIFF. That was an understanding which originated about the time we began to give him the tents.

Mr. LARSON. Was anything said about that at the time you went to his camp and asked him to come down and board those men?

Mr. BRANIFF. It was very shortly after that, but I do know this, that he agreed to the arrangement.

Senator LA FOLLETTE. Was that before he got into them?

Mr. BRANIFF. That was about the time the tents were being constructed and the lumber going in.

Senator LA FOLLETTE. May I ask you whether there was any lumber here when those floors were being provided for those tents that might have been utilized for that purpose without buying lumber and charging it up to Mr. McCall?

Mr. BRANIFF. No; I do not think so.

Senator LA FOLLETTE. There was no lumber here at all?

Mr. BRANIFF. I do not remember any.

Mr. LARSON. Was all your lumber being shipped at that time?

Mr. BRANIFF. We were using lumber all the time for our own purposes.

Mr. LARSON. And buying that lumber?

Mr. BRANIFF. Yes, sir.

Mr. LARSON. Was this lumber used, in fact, afterwards at the mill here, or the operations of the mill?

Mr. BRANIFF. It was used in operations and was credited to McCall at half price.

Mr. LARSON. Do you think it was fair to Mr. McCall to charge him half the value of that lumber?

Mr. BRANIFF. Yes, sir.

Mr. LARSON. When he was boarding these men as an accommodation to you and at your request?

Mr. BRANIFF. He was boarding the men as a financial proposition for himself. It was a good thing for both of us.

Mr. LARSON. As soon as you completed the hotel here at Kashena or Neopit he was let out of it, with the lumber on his hands and with half the value of the lumber charged up to him.

Mr. BRANIFF. He was told several months in advance what our plans were; that that was the arrangement.

Senator LA FOLLETTE. He was charged with half the value of that lumber for the use of it six months.

Mr. BRANIFF. We agreed to that.

Mr. LA FOLLETTE. After he had discontinued his logging operations he came here at your request, did he not?

Mr. BRANIFF. We tried to come to some agreement with regard to the matter. I discussed it fully with him several times and told him the figure at which we thought the rent ought to be, and that in settling for the timber we believed he ought to pay half the value of it. Of course a great deal of that lumber was destroyed; it was cut up and made into short pieces by the carpenters, and we really could not use the amount that we put into those floors. The statement has been put to McCall a number of times, and I have it right here, and Mr. Belt, who knows more about these things than I do, has turned in this statement, which he says he recently handed to McCall.

Senator LA FOLLETTE. Was there any memorandum made of this agreement at the time it was first entered into with Mr. McCall?

Mr. BRANIFF. I never made any memorandum. It was an arrangement partly made by me and partly made by Lafountain, the logging superintendent.

Mr. LARSON. When was Mr. McCall notified that he could no longer board the men here?

Mr. BRANIFF. He was notified before the hotel began being constructed, and it was a number of months before the hotel was ready to do business.

Mr. LARSON. Was it not a fact that you told him just a few weeks before he was ordered to discontinue boarding the men here?

Mr. BRANIFF. No; I know that that is not a fact. It was a long time.

Mr. LARSON. Is it not a fact that during the latter part of October you told him he could no longer board the men after the 1st of November; and then about the 1st of November you asked him to again make arrangements to board the men for another month as an accommodation to you, because the hotel was not ready?

Mr. BRANIFF. I remember that I asked him to continue to board the men for a certain time after we took the hotel on account of our failure to get the furnishings for your hotel, but I do know this, that McCall perfectly well knew as soon as we began constructing our hotel that we had to have some permanent quarters for the men. It was getting cold and he only had tents there, and we had to have a permanent boarding house.

Mr. LARSON. Do you think, Mr. McCall being an Indian and a member of the tribe and having come here to board the men at your request, that it was quite treating him fairly to charge him up with $25 a month for the use of those tents and also charge him half the value of that lumber? Do you think that was the proper way to encourage industry?

Mr. BRANIFF. It was an agreement, and it was a perfectly fair one, I think.

Mr. LARSON. Do you think it was the right kind of a bargain to drive with a member of this tribe?

Mr. BRANIFF. Yes, sir; I do. I think it was a fair agreement.

Mr. LARSON. I would also like to ask you, Mr. Braniff, if it is true that you have limited the issue of lumber to Indians to 4,000 feet in the erection of these buildings around here?

Mr. BRANIFF. No, sir; that is not true. Mr. Belt has an invoice showing a much larger amount sold to an Indian.

Senator LA FOLLETTE. Is Mr. Belt going to give any testimony with reference to this matter? If so, it would be a good time to take his testimony now before going into some other matter.

Senator PAGE. Was there any complaint made to you that you ought not to have this boarding house discontinued; that you ought to have permitted the Indians or the workmen to board with him, if they wished to board there?

Mr. BRANIFF. No; I do not remember any such complaint, because that would be an impossibility. They had only tents, and it was cold weather, and they were much inconvenienced by having to live in tents in very cold weather. It was not until in November that we moved the men into the hotel.

Mr. LARSON. Was any effort made by you to assist Mr. McCall in collecting the outstanding accounts for board?

Mr. BRANIFF. Mr. Larson, that is a matter with which I have nothing to do. Mr. Everest has all the money here; he disburses it and has his time clerks and his own financial clerks, and I keep hands off those matters.

Senator LA FOLLETTE. I would like to ask one question of Mr. McCall. Mr. McCall, did you know from the character of the structure which you had there in which to board the men that it had to be a temporary arrangement and that it could not be carried on when it got into the very severe cold weather; that they would have to live in something besides tents; did you know that at the time that you went into it?

Mr. MCCALL. Yes, sir; I did not suppose I was going to stay there long.

Senator LA FOLLETTE. You thought the arrangement would be terminated even before November?

Mr. MCCALL. Yes, sir.

Mr. LARSON. Did you understand that you were to pay anything for the lumber for the use of the tents?

Mr. MCCALL. No, sir; or putting them up.

Mr. LARSON. Did he want more than $25 a month at any time? Was there not some claim that he wanted $80?

Mr. MCCALL. No, sir; the first time I found that out was when I paid the rent in August. He said I had to pay $50 a month.

Mr. BRANIFF. I would like to say this right now: I have been after McCall now for more than a month to get this claim settled. If he will come here to this office as soon as this committee has gone and present his claim and give us all the charges he has against us and let us explain the reason for our charges against his boarding house, that we will adjust the matter in an entirely satisfactory way.

That is what I have been after for months and months, but it has been impossible to bring this thing to an issue. I can not get him to come here and get his claim adjusted. Instead of coming here he goes somewhere else.

Mr. LARSON. To the office at Keshena?

Mr. BRANIFF. He has gone to Keshena and elsewhere. I would like to have McCall come here as soon as the committee has gone, and I will settle it on a satisfactory basis. I would like to have that statement made on the record.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF PETER LAMOTE.

PETER LAMOTE, having been recalled, testified as follows:

Mr. LARSON. Did you have some teams or horses in the employ of the Government at Neopit?

PETER LAMOTE. Yes, sir.

Mr. LARSON. How many?

PETER LAMOTE. One team and two horses.

Mr. LARSON. Who had charge of the horses, driving them and working with them?

PETER LAMOTE. Well, they had them on the tramway. I drove one and had another fellow to drive the other one.

Mr. LARSON. Did anything occur to those horses; were they killed?

PETER LAMOTE. One of them was killed.

Mr. LARSON. How was the horse killed?

PETER LAMOTE. Well, I could not tell. I was driving the other one. It was in that long tramway and it was night; the electric lights did not reach up there; the horses dropped down, and it got so dark that they could not see what they were doing there, I guess. They came down about 20 feet, I guess—something like 18 or 20 feet.

Mr. LARSON. He was killed, was he?

PETER LAMOTE. Yes, sir; he was killed.

Mr. LARSON. What was the value of that horse?

PETER LAMOTE. About $175. There is a man here who offered me $350 for him once.

Mr. LARSON. Three hundred and fifty dollars for the same horse?

PETER LAMOTE. Yes, sir.

Mr. LARSON. How old was the horse?

PETER LAMOTE. I think he was 7 years old.

Mr. LARSON. About what was the weight of the horse?

PETER LAMOTE. He weighed about 1,000 pounds.

Mr. LARSON. Was it a sound horse?

PETER LAMOTE. He was sound everywhere.

Mr. LARSON. Have you made any effort to collect pay for the loss of that horse?

PETER LAMOTE. I told Mr. Braniff about my horse that was killed here. He told me that he would see to it all right.

Mr. LARSON. How long ago was that?

PETER LAMOTE. It was after it was killed, a few days afterwards.

Mr. LARSON. When was it killed?

PETER LAMOTE. I think it was killed the 7th of May.

Mr. LARSON. Of this year?

PETER LAMOTE. Yes, sir.

Mr. LARSON. Have you ever received any pay for that horse?

PETER LAMOTE. No, sir.

Mr. LARSON. No other horse was given you in place of it, was there?

PETER LAMOTE. No, sir.

Mr. LARSON. And you have been trying to collect pay for it, have you?

PETER LAMOTE. I have been trying to get my pay. I wrote him a letter here, and then I got his letter. He offered me $50, but I would not accept it.

The CHAIRMAN. Is the man here who was driving the horse when he was killed?

PETER LAMOTE. Yes, sir.

The CHAIRMAN. What do you know about this matter, Mr. Braniff?

Mr. BRANIFF. I have a record of it right here. I took the matter up very promptly with the Indian Office and wrote them August 17 the following letter——

The CHAIRMAN. What did you find out about how the horse was killed? Who was to blame for it?

Mr. BRANIFF. We are to blame. He is correct. The horse ought to be paid for; two horses ought to be paid for—the one that was killed and the other that was hurt. On August 17 I wrote to the commissioner about this case, and the Indian Office replied that they were sorry to be obliged to reject my recommendation for the reason that it was impossible to pay for those without an act of Congress.

Mr. LARSON. This is a copy of that letter, is it not [exhibiting a letter]?

Mr. BRANIFF. Yes, sir; that is a copy of the letter.

Mr. LARSON. Why the delay from May until August before you took action upon the matter, or did you take action in the matter before?

Mr. BRANIFF. I took action in the matter quite promptly, as I recall. In the first place, this happened while I was in the East. When I got back the matter was called to my attention, and I then investigated the claim. The man in the mill yard, who knew something about it—I knew nothing about it—told me the value was excessive, and I had several letters from the agent calling my attention to the claim, and I decided to compromise by referring it to the Indians over there and let them decide what the horses were worth, and I took their recommendation and sent it to the commissioner with this result.

Mr. LARSON. How long were you in the East?

Mr. BRANIFF. Several days.

Mr. LARSON. When was the first time you took action on this matter after the injury to the horses?

Mr. BRANIFF. I do not remember; it was quite promptly. I did what I could in the matter.

Mr. LARSON. Have you any recollection that will give us anywhere near the date?

Mr. BRANIFF. I will try to look it up, if it is essential.

The CHAIRMAN. I think we have heard enough of this matter.

Mr. LARSON. The only thing the Indian complains of is that he is out his horse, and there has been no action to remedy the wrong.

The CHAIRMAN. This man submitted the matter to the Indian court and they recommended all that the man lost, and you have in your possession a letter from the Indian Office that they could not pay it.

Mr. LARSON. There is no evidence here showing that any action was taken in the matter until August.

The CHAIRMAN. I think the committee is satisfied. You may bring on the next witness.

Mr. LARSON. That is all, so far as the two claims of these two persons are concerned. The other matter pertains to the general management of the reservation, and is in charge of Mr. Dillett.

STATEMENT OF FRANK WAUBANO.

FRANK WAUBANO, after having been first duly sworn and his interpreter, Mr. Tourtillotte having been similarly sworn to correctly and accurately interpret him, testified as follows:

Mr. DILLETT. You have made some complaint about a horse not being properly taken care of; what is it?

FRANK WAUBANO. I want to speak first of when I was working around this building last spring. I was working here with a team of horses, a young team, too. One of the horses was sick. Blindboss, the horse doctor, came to look at the horse. He swelled at the throat and had running at the nostrils; he discharged at the nostrils. The doctor said that the horse should be handled very carefully and should not be worked very hard. It was a young team, that was one reason why they should not be worked hard, and I was doing so; I would make four or five trips and then I would rest the team; I was trying to get them in the shade when I stopped them to rest. There was a man came to me right down the hill here—an old man who had worked around here, I do not know his name—and this old man told me to work the team, to hurry them up and work them hard. This man stated that Mr. Braniff had told him that he did not like the idea of the team standing around here and not working hard.

The CHAIRMAN. Was it your team?

FRANK WAUBANO. Yes, sir; and the government team. I told this old man what the doctor told me—to be careful with the team and not work them hard. That was why I was not working them hard. I said, "Well, if they want me to work the team hard, I can do that, too." I thought I knew more about the way a team ought to be worked than Mr. Braniff did, and I did what I thought was right by the team, being very careful with them. I am still driving the same team. The other man is driving it in my place to-day. Last Saturday was the last oats that they have had, and owing to the fact that they have not had any oats since Saturday, my horses are getting very weak, and one of them fell down this morning. I went to help the horse up.

The CHAIRMAN. Where was it that the horse fell down?

FRANK WAUBANO. At the warehouse on that side this morning.

Mr. DILLETT. Were there any oats in the barn?

FRANK WAUBANO. I saw oats this morning; that was the first time.

Senator LA FOLLETTE. Do you know who is to blame for their not having oats here?

FRANK WAUBANO. I do not know who is to blame. Somebody ought to look after it, anyway.

Senator LA FOLLETTE. I think so, too.

FRANK WAUBANO. If a man wants to keep very many horses, he ought to look out after them.

Senator LA FOLLETTE. Mr. Braniff, what is there about this business of feed for the horses?

Mr. BRANIFF. Mr. Everest orders the oats, and he may be able to explain it. Mr. Everest is responsible for those things.

Senator LA FOLLETTE. Have you authority, Mr. Braniff, to buy feed here?

Mr. BRANIFF. Oh, yes, sir; but Mr. Everest purchases the oats, and he knows more about this matter than I do.

Senator LA FOLLETTE. Who is in authority with respect to that matter?

Mr. BRANIFF. Mr. Everest buys the oats on bids.

Senator LA FOLLETTE. Can you state why you have not gotten the feed for the horses?

Mr. BRANIFF. Mr. Everest can.

Mr. EVEREST. As soon as I received notice that the oats were running low, which was probably ten days or two weeks ago——

Senator LA FOLLETTE. Notice from whom?

Mr. EVEREST. I do not remember whether it came from the warehouse or Mr. Belt.

Mr. BELT. The warehouse called up.

Mr. EVEREST. I placed an order for the delivery of a car of oats immediately with Pere, of Oconto. That was probably ten days or two weeks ago, and I received notice that the oats would be shipped in the usual way and come forward as soon as possible. The oats did not come, and my idea was that they had run out. I telephoned to the warehouse to run over some oats on the morning train. I was informed that the morning train did not carry oats, but that they would be sent as soon as they could do so. They tided it over for a few days. I did not hear anything more, and telephoned to Mr. Pere, at Oconto, and he said, "We are on the track of the oats——

Senator LA FOLLETTE. They had been shipped?

Mr. EVEREST. Yes, sir.

Senator LA FOLLETTE. But had gotten sidetracked?

Mr. EVEREST. Yes, sir. The oats ran short again, and I telephoned to Shawano to ship another load of oats without fail. They shipped over 10 bags and followed that with 30 more on the afternoon train of the same date. I again telephoned Pere, of Oconto, from whom we bought the oats, and asked him if he had looked up the matter, and he said, "I am on the trail of the oats. They ought to be here this morning." I think this was Monday or Tuesday. They ought to have been here yesterday, and will no doubt be here to-day. I telephoned the warehouse yesterday, asking if the carload of oats had arrived, and they said no, but I inferred that the 40 or 50 bags that we bought at Shawano were probably tiding us over at the present time, and I do not suppose that the horses are now out of oats.

Senator LA FOLLETTE. Have you been out of oats for a week? This man says that the horses have not had anything to eat for a week.

FRANK WAUBANO. Since Saturday morning. That was the last they had. They had oats this morning.

The CHAIRMAN. Who is in charge of the barn? Somebody ought to know if there are any oats there or not.

FRANK WAUBANO. None of these horses that were working received any oats during that time, except during Rodman's time I think they had oats.

Senator LA FOLLETTE. You say that none of the work horses have had any oats for a week here, or nearly a week?

FRANK WAUBANO. Yes, sir; the teams working around the mill.

Mr. BRANIFF. I have called for the barn boss, who knows all about these things, and he will be here before the committee. I wish to say that we have a very excellent barn boss, who takes the very best care of our horses, and we have had the very best success in keeping them up. We have a veterinarian who comes here from Shawano every two weeks and looks at our horses, and if any are sick he orders that they be taken out of the work. We pay him $10 a visit to care for the horses.

Senator LA FOLLETTE. What I do not understand is why the oats were permitted to run down in the warehouse here with the large number of horses necessary to be had about such a place as this, so that it has been a sort of hand-to-mouth proposition for some time. The oats were pretty well exhausted before the carload of oats were ordered. Somebody, it would seem, ought to have reported the small supply of oats on hand.

Mr. BRANIFF. I think that is by reason of delay in the carload which Mr. Everest ordered some time ago, and which got sidetracked.

Senator LA FOLLETTE. Did he say when he ordered those oats?

Mr. BRANIFF. I do not think he did. Those matters I do not handle.

Senator LA FOLLETTE. Mr. Everest, just when did you order that carload of oats?

Mr. EVEREST. They were ordered by telephone. I do not recall the exact date. I guess it was at least ten days or possibly two weeks ago. I could not recall the date because it was a hurry order, and I telephoned it, and I have no recollection of the date.

Mr. BRANIFF. Do you remember my turning in a memorandum to you, Mr. Everest, several weeks ago?

Mr. EVEREST. Yes, sir; it is in the basket now.

Senator LA FOLLETTE. What was upon that memorandum?

Mr. EVEREST. I ordered that shipment.

Senator LA FOLLETTE. Mr. Braniff says the memorandum was turned in several weeks ago.

Mr. EVEREST. I do not remember how long ago it was.

Mr. BRANIFF. This is September 20 [examining memorandum]. That is not several weeks ago. There is the memorandum right there. They have been ordered, Mr. Everest, have they not?

Mr. EVEREST. They have; two carloads of oats and a car of hay right afterwards.

Mr. BRANIFF. When was this particular car ordered?

Mr. EVEREST. I think that was ordered just before you ordered this.

Mr. BRANIFF. This is a later order to supply our camps out in the woods.

Senator LA FOLLETTE. Had you turned in a memorandum for feed before this?

Mr. BRANIFF. No; that was turned in by our logging superintendent, Mr. Rossman.

Mr. EVEREST. I should say that the nonarrival of this car of oats is altogether——

The CHAIRMAN. It is not a question of the nonarrival of this carload of oats; it is the question of getting into a condition where a hurry-up order had to be given for a carload of oats where a number of horses had to be fed. That is the matter that we are considering. Now, have you anything more to say?

FRANK WAUBANO. Yes, sir; I have something more to say. I want to speak of the mill here a little. I have worked here eleven months now, and I am going to speak of the work around here. I have worked around a mill ever since I was a little boy, and it appears to me—the thought often occurs to me—that Mr. Braniff knows but very little about such work. I have seen lots of this kind of work ever since I was a small boy. Of course, if a person comes here and just looks in here, it looks very nice; they would think it would be all right; but the way the work is conducted it looks very bad to me. I have worked with some very good and capable men who have run mills and operated lumbering operations. I have worked at most all kinds of work around on the outside and inside of mills, and I have worked on railroads; I have helped build railroads. I worked for a number of years for the Chicago and Northwestern Railroad, and it is owing to that experience that I have oftentimes thought the work was going wrong here. Many times I have worked for the white men; it made no difference where they have placed me, I have been able to do the work, including logging and such work as that, driving on the river and working on the river, handling boats, working in the woods, and on logs. I do not think there is a white man here who can show me anything about that kind of work.

Mr. DILLETT. What particular thing do you see wrong about the work here?

FRANK WAUBANO. Last spring, at the end of the Hot Pond over here, they commenced there last spring blasting the ice; some of them commenced from the other end. They were blasting down the channel and we were carrying up the dynamite for blasting the ice to make a channel in which to float the logs. I did not think that that looked to be the proper thing, as the ice was melting very rapidly at that time, and before we got ready to use this channel the ice had all melted out of the river. I do not know what it cost to blast—what the expenditure for dynamite was to blast that ice with. There were two crews.

Mr. DILLETT. What else do you desire to say, if anything?

FRANK WAUBANO. With regard to the unloading works here next to the Hot Pond, they laid out the plans for the unloading works. After they got them laid out they put logs across there. They were at work at it for some time. Afterwards the railroad was put through there. The railroad went at a different place, too close to the unloading works. They had to tear the unloading works all down. They worked a number of days there, and they also commenced driving piles just outside of that where the planing mill now stands. They worked a number of days there at that. Very re-

cently they have cut all that piling up. They have made a platform there. They tore that up again. That looks like useless work.

Speaking of the lumber that was sawed, when the mill first started, the lumber was very poorly manufactured. There didn't seem to be anybody to pay any attention to it or make any effort to rectify the wrong. That is all.

Mr. BRANIFF. The only thing I can discuss about that or the only thing I recall about these matters is in regard to changing those unloading works at the mill. The track came a little too close to the unloading works and we sent some men with crosscut saws to saw off the timbers. We also switched the track a little.

The CHAIRMAN. He says they took the timbers off.

Mr. BRANIFF. The timbers that were taken off were broken.

FRANK WAUBANO. They weren't broken. I saw them.

Mr. BRANIFF. The ice was dynamited in order to start the mill from the pond instead of railing it in.

Mr. DILLETT. Is it the fact the ice was all out before you started to use the dynamite?

FRANK WAUBANO. Ice on there all the time.

Mr. BRANIFF. Perhaps you would like to hear Mr. Robb, the foreman. I will call him.

Mr. Robb, did you dynamite some ice last spring in order to bring the logs down from the river to the mill?

Mr. ROBB. Yes.

Mr. BRANIFF. What is the reason you dynamited that?

Mr. ROBB. I didn't think it would melt quick enough to get the logs to the mill.

Mr. BRANIFF. Was the ice all out of the river?

Mr. ROBB. No; that made the other ice melt faster. It created a current which melted the ice and enabled us to handle the logs near the pond.

STATEMENT OF CHARLES WYCHESTE.

CHARLES WYCHESTE, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

Mr. DILLETT. You are employed around here, are you?

Mr. WYCHESTE. Yes, sir.

Mr. DILLETT. What are you doing?

Mr. WYCHESTE. I am assistant engineer, running nights.

Mr. DILLETT. What can you tell us about men sleeping during the night around the mill?

Mr. WYCHESTE. Yes, sir.

Mr. DILLETT. Tell what you know about it.

Mr. WYCHESTE. Well, there is quite a few. I don't know really their names. Some have been gone now. I don't see them around.

The CHAIRMAN. When was this?

Mr. WYCHESTE. During this winter and during this summer.

Senator LA FOLLETTE. Of the night crew?

Mr. WYCHESTE. Yes, sir. Also since the planing mill has been built and running they have been in the planing mill asleep.

The CHAIRMAN. Men who were on duty?

Mr. WYCHESTE. On duty; yes, sir. They were working on this sawdust nights.

Senator LA FOLLETTE. Did you report that to somebody?

Mr. WYCHESTE. Yes, sir.

Senator LA FOLLETTE. To whom did you report it?

Mr. WYCHESTE. To Mr. La Bell.

Senator LA FOLLETTE. Did you report it to the foreman or some one in charge of the men, or did you report it to Mr. Braniff?

Mr. WYCHESTE. No, sir.

Senator LA FOLLETTE. Did you tell him about these men not doing their work right?

Mr. WYCHESTE. No, sir.

Senator LA FOLLETTE. Who was the foreman?

Mr. WYCHESTE. Lately?

Senator LA FOLLETTE. At that time when these men were asleep, when they ought to have been at work?

Mr. WYCHESTE. There has been quite a few lately; that is, foremen. I don't recollect their names. One of them is gone; it must be about six weeks.

Senator LA FOLLETTE. Did you tell the night foreman what you saw?

Mr. WYCHESTE. No; I did not.

Senator LA FOLLETTE. How many men did you see asleep?

Mr. WYCHESTE. At one time I saw four, and a number of times I saw one or two or three.

Senator LA FOLLETTE. What class of labor was it; what were they required to do?

Mr. WYCHESTE. I couldn't tell you that. I asked them if they were working. Punched them out and waked them up. "What are you doing here?" "Well," he says, "I am taking a rest." "Are you on duty, working?" "Yes." "Well," says I, "what are you doing?" "I am working upstairs." "Well," says I, "why ain't you upstairs working? You have been here quite a long time now. I have noticed you have been here more than two hours."

Senator LA FOLLETTE. Did you see that more than one night?

Mr. WYCHESTE. Yes, sir; quite a number of nights.

Senator LA FOLLETTE. On several occasions?

Mr. WYCHESTE. Yes, sir. I would go around and sometimes I would catch the men down in the hog feed laying down this way and sleeping. That is why we run out of hog feed and can't keep up steam. That is the way I caught them there some time.

Senator LA FOLLETTE. Why didn't you report that to the foreman so the men could be dismissed?

Mr. WYCHESTE. I thought the foreman was there to do his duty, and it was his business to attend to that.

Senator LA FOLLETTE. Do you know whether he saw them asleep or not?

Mr. WYCHESTE. I couldn't tell you that.

Senator LA FOLLETTE. If he didn't happen to catch them asleep, he wouldn't know about it?

Mr. WYCHESTE. I suppose not.

Senator PAGE. Your duty is a quite important duty, assistant engineer?

Mr. WYCHESTE. Yes, sir.

Senator PAGE. Do you think you are doing your duty to everybody here not to report that?

Mr. WYCHESTE. I did to one foreman here lately.

Senator PAGE. What is the name of the foreman?

Mr. WYCHESTE. He is the foreman at night.

Senator PAGE. Since that report have you discovered any Indians sleeping?

Mr. WYCHESTE. No; I have not.

Mr. DILLETT. How long ago was that report made?

Mr. WYCHESTE. That is about three weeks ago.

Mr. BRANIFF. If you find anybody asleep around here, come around and tell me about it.

Mr. WYCHESTE. If they had told me the likes of that—I don't want to interfere with another man's work. I supposed that man was there to attend to his business; that is why I done that. I have waked them up and asked them questions to go to work.

The CHAIRMAN. Were these men you saw asleep Indians or white men, or both?

Mr. WYCHESTE. Most of them were white men.

Senator LA FOLLETTE. Have you some feeling in that respect, that you do not want to report on a man—that you do not want to tell on a man when he is not doing his duty?

Mr. WYCHESTE. In some way; yes, sir.

Senator LA FOLLETTE. Is there that sort of feeling among the men that they do not want to tell on each other?

Mr. WYCHESTE. On account of the kind of rules in a mill, they suppose when a man is foreman in a mill he should look after it.

Senator LA FOLLETTE. That it is his business to see if men are asleep?

Mr. WYCHESTE. Yes, sir; to see why those men do it.

Senator PAGE. Have you any reason to believe from your observation that the foreman ever saw these men asleep?

Mr. WYCHESTE. I couldn't tell you that. I just tell what I saw.

Mr. BRANIFF. How long have you been working for us over here?

Mr. WYCHESTE. I don't know. Since last fall.

Mr. BRANIFF. You have been pretty steady, haven't you?

Mr. WYCHESTE. Yes, sir; pretty fair.

Mr. BRANIFF. Do you remember how much time you have laid off in the time you have been here with us—do you remember when you laid off, and how long?

Mr. WYCHESTE. Well, sir, I couldn't tell you exactly.

Mr. BRANIFF. It is not very often?

Mr. WYCHESTE. Not very often for my part.

Mr. BRANIFF. Are you satisfied with your work?

Mr. WYCHESTE. So far I am.

Mr. BRANIFF. Are you satisfied with your pay?

Mr. WYCHESTE. Well, I was figuring that I ought to get a little more.

Senator LA FOLLETTE. How much do you get?

Mr. WYCHESTE. I believe—let's see——

Mr. BRANIFF. How much a day?

Mr. WYCHESTE. I believe it is two and a half, ain't it? I think I ought to have more. It is pretty hard at night.

Senator LA FOLLETTE. You have trouble to keep awake, do you?

Mr. WYCHESTE. Yes; it is hard, really.

Senator LA FOLLETTE. You never go to sleep nights, do you?

Mr. WYCHESTE. Not yet. I get pretty dozy sometimes, but I get right up and walk around, and then I am over it again for a while.

Senator LA FOLLETTE. Are you a full-blood Menominee?

Mr. WYCHESTE. My father was supposed to be a Menominee and my mother was a Potawatomie—half Potawatomie and French.

Senator LA FOLLETTE. Then you are three-quarters Indian?

Mr. WYCHESTE. Yes, sir.

Senator LA FOLLETTE. I understand this man is engineer.

Mr. BRANIFF. He is the man who runs the engine at night.

Senator LA FOLLETTE. How long have you been engineer?

Mr. WYCHESTE. Off and on before I came here; maybe, take it altogether, about ten years.

Senator LA FOLLETTE. How old are you?

Mr. WYCHESTE. About 56 years old.

Mr. BRANIFF. You have some property over at Keshena?

Mr. WYCHESTE. Yes, sir.

Mr. BRANIFF. You have got a pretty nice farm, haven't you?

Mr. WYCHESTE. Yes, sir; I have got a nice place.

Mr. BRANIFF. How many acres have you?

Mr. WYCHESTE. Probably 35 acres.

Senator LA FOLLETTE. Cultivated?

Mr. WYCHESTE. Just about; yes, sir.

Mr. DILLETT. Here is a statement by Louis Keshena and Frank S. Gauthier.

The CHAIRMAN. You may read it.

Mr. DILLETT (reading):

STATE OF WISCONSIN, *County of Shawano, ss:*

Louis Keshena and Frank S. Gauthier, each being first duly sworn, on oath depose and say:

That they are 55 and 40 years of age, respectively, and recognized members of the Menominee tribe residing on the reservation. Affiants say that on September 28, 1909, they saw about 100,000 feet of logs on a rough estimate, which were left by the drive on or about 2 miles above the mouth of the West Branch Creek. The object of leaving these logs by Mr. E. A. Braniff is a mystery to said affiants. Affiants say that this drive consists of 2,645,206 feet which reared by Keshena, Wis., on the 27th day of September, 1909. Affiants do not understand why Mr. Braniff or his superintendent should allow such work in leaving such a number of logs, which will cause unnecessary expense in driving them again in the spring. Affiants say that if Mr. Braniff allows such childlike and unbusinesslike management in driving logs and in making such unnecessary expense to the tribe that it is high time that he be removed from his position and a capable man put in charge.

LOUIS KESHENA.
FRANK S. GAUTHIER.

Subscribed and sworn to before me this —— day of September, 1909.

Mr. BRANIFF. I would not answer that because that is a drive which had just been finished by Mr. Rossman. He had to go down to Shawano to look after his logs.

Mr. DILLETT (reading):

DEPARTMENT OF THE INTERIOR, U. S. INDIAN SERVICE,
KESHENA INDIAN SCHOOL,
Keshena, Wis., September 28, 1909.

The COMMITTEE OF THE MENOMINEE TRIBE,
Keshena, Wis.

GENTLEMEN: In compliance with your request I herewith submit a statement from the records of this office in regard to the logs banked on the Menominee Reservation during the season of 1907–1908:

	Feet.
West Branch Creek, tributary to Wolf River	2,645,206
Evergreen, tributary to Wolf River	643,377
South Branch of the Oconto River	1,758,281
Wolf River	1,478,760
Main West Branch of the Wolf River	974,376
Making a total of	7,500,000

From the affidavits of Joseph R. and William H. Farr, who were in charge of the logging business at that time, it appears that on June 4, 1908, a contract was entered into with Hollister, Amos & Co., to run the logs banked on the Wolf River and the Main West Branch, amounting to 2,453,136 feet, to Oshkosh. According to these affidavits only 2,438,136 feet were started in the drive, leaving 15,000 feet where the logs were banked, and that when the logs reached Oshkosh they scaled 2,423,136 feet, which was 15,000 less than the amount started, and which was reported as lost in the drive, and dropped from the property return on the above-stated affidavits. This left on the property return 5,061,864 feet.

I received a circular letter from the Commissioner of Indian Affairs saying that these logs were to be sold to the highest bidder on April 26, 1909, and that the bids should be addressed to Mr. E. A. Braniff, forest supervisor, at Neopit, Wis. The total advertised to be sold was 5,046,864 feet, which was 15,000 feet less than the amount on the property return. I reported this fact to the Commissioner of Indian Affairs, in order that an investigation might be made to account for the 15,000 feet on the property return not advertised for sale.

On May 27 the commissioner notified me that Mr. Braniff had reported to the forester that Hollister, Amos & Co. were paid for driving 2,423,136 feet, which was 30,000 feet less than the amount banked and which were sunk during the drive, and that this was a normal shrinkage and was to be expected considering the length of the drive. I was, therefore, authorized to drop 15,000 feet more from the property return.

On June 16, 1909, I wrote the commissioner that I had made a careful examination of the matter, and found that the statements made in my letter of April 15, 1909, were in accord with the records of the office; that I had met Mr. William H. Farr and he said that after the logs were sold at Oshkosh he went back to where the logs were banked and found 15,000 feet that had not been rolled into the river, and that the statement of Mr. Braniff that the shrinkage of 30,000 feet between the amount scaled and the amount sold, representing the logs sunk in the drive, *was not in accordance with the agency records*, but if the office was willing to accept Mr. Braniff's statement, I would be glad to drop the 15,000 feet from the property return. As no other instructions came from the commissioner, the 15,000 feet was dropped from the property return on June 30, 1909, making a total of 30,000 feet dropped as lost in the drive. Joseph R. and William H. Farr both filed affidavits that there were only 15,000 feet lost in the drive.

Yours, respectfully,

T. B. WILSON, *Superintendent.*

(See copy of affidavit attached.)

Mr. DILLETT. Here is a copy of an affidavit of Mr. Farr attached:

STATE OF WISCONSIN, *Shawano County*, ss:

William H. Farr, being duly sworn, upon oath deposes and says:

During the spring drive of 1908, 2,438,136 feet of dead and down Menominee logs of the season of 1907–8 were started by Messrs. Hollister, Amos & Co.,

under their contract, dated June 4, 1908, from the Menominee Indian Reservation to Bay Boom, Oshkosh, Wis. Of this amount, 2,423,136 feet were sold to W. J. Campbell, Oshkosh, Wis. On the 8th day of August, 1908, the balance, 15,000 feet, was lost en route. This loss was not due to any want of care upon the part of Edgar A. Allen, special agent in charge of Green Bay Agency, Wis., or any other employees of the Government.

WILLIAM H. FARR.

Subscribed and sworn to before me this 7th day of October, 1908.

EDGAR A. ALLEN,
Special Agent in Charge.

I certify that the above is true.

EDGAR A. ALLEN,
Special Agent in Charge.

(Joseph R. Farr made a similar affidavit.)

Mr. BRANIFF. I think that matter is all explained in my correspondence here. I am waiting to get a letter. With the consent of the Indian Office I contracted with Hollister, Amos & Co., of Oshkosh, to take down certain logs on the Wolf River with their drive. They were to get $2 a thousand. Request was made to the Indian Office, and before that request was acted on their drive had passed the rollways of our logs. What they left amounted to about 15,000 feet. The rest of the logs went down and were sold at a profit of about $5,000. So we made about $5,000 by not accepting the bid. They were sold by Mr. Joseph Farr to Campbell, of Oshkosh. The 15,000 feet left on the bank was such a small amount that the expense of handling that 15,000 feet would have been several times the value of the logs. I put the matter up to Washington and secured from the commissioner authority to drop the 15,000 feet. The letter reads:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, August 17, 1909.

E. A. BRANIFF, Esq.,
Forest Supervisor, Neopit, Wis.

SIR: The office has received, through the Forest Service, a copy of your letter of July 22, 1909, in regard to a shortage of 15,000 feet of logs on Wolf River.

You recommend that the superintendent of the Menominee Reservation be instructed to drop these logs from his property return. In view of the explanation made by you, the superintendent is on this day being authorized to take such action.

Very respectfully,

F. H. ABBOTT,
Acting Commissioner.

The CHAIRMAN. Weren't there any other drives to come afterwards that this 15,000 feet could have been put in?

Mr. BRANIFF. Not that I know of.

Mr. DILLETT. The Government drove those logs to Oshkosh?

Mr. BRANIFF. No; we contracted with Hollister to drive them. Hollister's drive had passed certain driveways before authority was given to put those logs in the drive.

Mr. FARR. I would like to explain——

The CHAIRMAN. Is it any different from what he has said?

Mr. FARR. It makes it clear as to the other thing. At Oshkosh when we came to determine the amount to be sold to Mr. Campbell, the first scale disclosed that we were 30,000 feet short, and we spent considerable time over that, and Mr. W. H. Farr said that it was his opinion that a certain amount of the logs in a rollway or two had been passed before the drive started, before we had authority to enter

into the contract, and we allowed Mr. Campbell the logs at what they scaled there, which left a shortage of 15,000 feet, and we had 15,000 feet up here. That is, thirty thousand was the shortage that we allowed, and that is not a normal shrinkage for a drive; but after sorting down there, there was a lot of hemlock, and we, by actual count, had more logs than we originally started with. That is the situation.

Mr. DILLETT. I have here a statement of Moses Kanote, which I would like to read.

The CHAIRMAN. You may proceed.

Thereupon Mr. Dillett read the following:

Moses Kanote, being first duly sworn, on oath deposes and says that he is 26 years of age, a recognized member of the Menominee tribe of Indians residing at Neopit, Wis. Affiant states that in the month of June, 1908, Mr. E. A. Braniff erected the frame of a mill known as "mill site 2" and also cleared on or about 7 acres of land presumably for the purpose of a lumber yard.

Affiant further states that on or about the last of July this framework was torn down and brought down to Neopit and used as bedding for the lumber piles. Affiant says that this same timber was all of the best grade of white pine.

Affiant says that Mr. E. A. Braniff squandered all this money being used to erect this mill. Affiant says that said E. A. Braniff is incompetent for the position or said E. A. Braniff would not have put the tribe to so much unnecessary expense.

MOSES KANOTE.

Subscribed and sworn to before me this 29th day of September, A. D. 1909.

T. B. WILSON,
Superintendent and Special Disbursing Agent.

Mr. BRANIFF. That is all true, except that the timber wasn't pine. I believe it was hemlock.

Senator LA FOLLETTE. You mean the portion of the affidavit which states that you are not competent is true—you say it is all true?

Mr. BRANIFF. I had not thought of that. That has been so common here it escaped my attention. The statement that we put up the frame of a mill and started a small mill at mill site 2 is correct. The circumstances are that we were dickering for a railroad here and thought for a considerable time we were going to get it. The negotiations fell through, and we were told we would not have the railroad. We had approximately 8,000,000 feet of logs at this place known as "mill site 2" which had to be taken care of, and as we were unable to get the railroad to bring this out, then it was necessary to put in a portable small mill to take care of that. Acting on the advice of the Forestry Service, we put in a small mill, and I think spent about $1,000 on the frame. An advertisement had gone out for bids on the machinery for mills at 2 and 3, bids had been received, blueprints had been drawn for the mills, and therefore our action in putting up the mill frame was a necessary one under the circumstances. It was only changed by the fact that the railroad finally agreed to put in a logging road which would make the mill unnecessary.

Senator LA FOLLETTE. What about the waste of material in putting in that construction up there?

Mr. BRANIFF. The timbers had been partly hewn, and those short pieces that could not be used for saw logs were used partly for construction work for the planing mill and as pile bottoms for lumber piles.

Senator LA FOLLETTE. What kind of material was it?

Mr. BRANIFF. My recollection is that it was mostly hemlock. I do not believe they used any pine.

STATEMENT OF MOSES KANOTE.

MOSES KANOTE, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

Mr. KANOTE. He stated that there was more hemlock than pine. We have looked over the timber very carefully, and I think that the majority of it is all pine.

The CHAIRMAN. Is it here in the yard now?

Mr. KANOTE. Yes, sir.

Senator LA FOLLETTE. Where is it?

Mr. KANOTE. It is on that new tramway where that pile driver is. On the new lumber pile next to the planing mill.

The CHAIRMAN. In this connection, Mr. Braniff, I would like to ask you a few questions in regard to the authority here who passed upon the plans of this mill.

Mr. BRANIFF. The mill at Neopit, all drawings were submitted to the Forestry Bureau, who took them in turn to the Commissioner of Indian Affairs, and we were authorized to proceed to build the mill.

The CHAIRMAN. You didn't have authority to approve the plans?

Mr. BRANIFF. Yes; the plans were drawn up in this office.

Senator LA FOLLETTE. Was your authority final?

Mr. BRANIFF. No, it was not. The manner of structure, the probable expense of building the mill, the kind of mill, the whole proposition was thoroughly threshed out in Washington by the Indian Office and the Forestry Service and determined upon there, and authority was issued to pay for machinery for that kind of a mill.

The CHAIRMAN. Then it was not left to your approval as to the capacity of the mill or the kind of mill?

Mr. BRANIFF. No; that was all settled by the Washington officials.

The CHAIRMAN. In regard to other improvements here, take the buildings, is that subject to your approval or somebody else.

Mr. BRANIFF. The office and the four residences over there, the hotel and warehouse, the planing mill, were all submitted to Washington and approved before they were constructed.

The CHAIRMAN. Was the planning of these grounds left to you, or did that have to be submitted to Washington?

Mr. BRANIFF. We were authorized by a fund, called "general improvements," to grade the grounds and fix up around here.

The CHAIRMAN. The buildings that are being put up now, did they have to be submitted to Washington?

Mr. BRANIFF. No; that is general improvements. "General improvements," which I take it to include providing quarters for employees.

The CHAIRMAN. Take the question of the road we had in here yesterday. Was that submitted to Washington or not?

Mr. BRANIFF. That took place a long time ago. I would have to look it up. I don't remember. We have authority to build logging roads and do logging and lumbering.

Mr. HOLOOMBE. This road that is being built now to Keshena, has that been submitted to Washington?

Mr. BRANIFF. No, sir.

Mr. HOLCOMBE. What kind of road is that?

Mr. BRANIFF. That is an improvement of the road in such a way that we can have access to Keshena.

Mr. HOLCOMBE. There is already a road there?

Mr. BRANIFF. Yes.

Mr. HOLCOMBE. You are doing work on that?

Mr. BRANIFF. Yes; clearing up, pulling stumps, and getting rocks out.

Mr. HOLCOMBE. Can you tell how much per mile is being expended on that?

Mr. BRANIFF. I should think it will not fall under the course of building this road, if it is properly graded and drained. We have not gone to the expense of draining or grading it yet.

STATEMENT OF DAVID MYERS.

DAVID MYERS, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

Mr. DILLETT. You have been employed here at the sawmill?

Mr. MYERS. Yes, sir.

Mr. DILLETT. And quit, or were you discharged?

Mr. MYERS. I quit. The wages didn't suit me; the work was a little heavy that I was doing. I struck for higher wages.

Mr. DILLETT. What wages were you getting?

Mr. MYERS. One dollar and sixty cents.

Mr. DILLETT. And you paid how much for board?

Mr. MYERS. Four dollars a week.

Mr. DILLETT. You spoke something about extra men being put to work?

Mr. MYERS. I struck for higher wages and they refused to give it to us—two of us, one night man and a day man.

The CHAIRMAN. What were you doing?

Mr. MYERS. Feeding the resaw. It was a little too heavy and it was dirty work, and I refused to do that work for those wages. I asked Mr. Rice if he would not give us better wages and he said no; so I told him I would not stay.

The CHAIRMAN. Who was Rice?

Mr. MYERS. He was superintendent here. He said, "That is the way with you Indians," and he said, "I will give you $1.75 a day," and I told him that wasn't enough; I told him I wanted $2, and he said before he would give us $2 a day he would put on two men. I was night man, and the day man quit, too, for the same reason, and he has two men in his place at the present time.

The CHAIRMAN. And two men in your place?

Mr. MYERS. At night; yes, sir.

The CHAIRMAN. What degree of Indian are you?

Mr. MYERS. I am a quarter-blood Menominee.

Mr. BRANIFF. I have learned since that the wages for feeding the resaw have been raised to $2. I don't know anything about this particular case.

The CHAIRMAN. Do you know whether there are two men doing the same work that this man did?

Mr. DILLETT (interrupting). Are white men doing that work now?
Mr. BRANIFF. I don't know.
Mr. DILLETT. Do you know?
Mr. MYERS. They were at the time I left.
Mr. DILLETT. How many Indians are employed in and around the mill?
Mr. MYERS. I don't know.
Mr. DILLETT. Approximately?
Mr. MYERS. I don't know.
Mr. DILLETT. Ten or fifteen?
Mr. MYERS. I don't know, sir.
Senator LA FOLLETTE. Would you take that job at $2 a day; would you be willing to work now at that rate?
Mr. MYERS. Yes, sir.
Senator LA FOLLETTE. That is what you are paying there now for that work, is it, Mr. Braniff?
Mr. BRANIFF. Yes; $2 a day. I wish to say we have raised wages here around the mill considerably since Mr. Rice, the mill superintendent, left.
Senator LA FOLLETTE. When did you quit?
Mr. MYERS. I quit here some time in May and left the reservation and went up to Canada.
Senator LA FOLLETTE. How long have you been back?
Mr. MYERS. I have been back here about four weeks.
Senator LA FOLLETTE. You would be willing to take the work now at the wages they are paying now?
Mr. MYERS. Yes, sir.
Mr. BRANIFF. Would you be willing to take other work in case it was inconvenient to put you on the resaw?
Mr. MYERS. Yes, sir; anything reasonable.
Mr. BRANIFF. Are you working now?
Mr. MYERS. Not at the present.
The CHAIRMAN. Have you applied for work since you came back?
Mr. MYERS. No, sir; I have not.
The CHAIRMAN. Haven't gone to them to see if there was work?
Mr. MYERS. No, sir.
Mr. DILLETT. Have you been working since you came back?
Mr. MYERS. No, sir; I was sick when I came back and just really got over it the last week or so.

STATEMENT OF BARTHOLOMEW CHEVALIER.

BARTHOLOMEW CHEVALIER, a Menominee Indian, having been first duly sworn by the chairman, testified as follows:

The CHAIRMAN. Have you worked here at any time?
Mr. CHEVALIER. Yes, sir.
The CHAIRMAN. Are you working now?
Mr. CHEVALIER. No, sir.
The CHAIRMAN. When did you quit?
Mr. CHEVALIER. Quit on the 5th of September.
The CHAIRMAN. Why did you quit?
Mr. CHEVALIER. Because I was sick that day.
The CHAIRMAN. Are you able to work now?

Mr. CHEVALIER. Yes, sir.

The CHAIRMAN. Have you asked them for work since you became able to work again?

Mr. CHEVALIER. Yes, sir.

The CHAIRMAN. Who did you ask?

Mr. CHEVALIER. Mr. Adams.

The CHAIRMAN. What does he do?

Mr. CHEVALIER. He is general superintendent at the present time.

The CHAIRMAN. When did you ask him?

Mr. CHEVALIER. Of that date I ain't certain.

The CHAIRMAN. About when?

Mr. CHEVALIER. About the 7th, I think.

The CHAIRMAN. Of September?

Mr. CHEVALIER. Yes, sir.

The CHAIRMAN. What answer did he give you?

Mr. CHEVALIER. He told me he didn't have no work for me.

The CHAIRMAN. Did he say anything about working later?

Mr. CHEVALIER. No.

Senator LA FOLLETTE. Did he say why he didn't have any work for you?

Mr. CHEVALIER. He said he had a full hand then all over it.

Senator LA FOLLETTE. Did you give him any notice of your quitting work on account of sickness?

Mr. CHEVALIER. No; I did not.

Senator LA FOLLETTE. Did you send any word to him, any explanation as to why you didn't appear that morning at work?

Mr. CHEVALIER. No; I did not.

Senator LA FOLLETTE. Did you explain to him when you went back to get work that you had to quit on account of sickness?

Mr. CHEVALIER. No; he didn't ask me the reason why I laid off.

Senator LA FOLLETTE. During the time you laid off your place had been filled?

Mr. CHEVALIER. Yes, sir.

Senator LA FOLLETTE. What were you doing when you quit work?

Mr. CHEVALIER. I was working at the planing mill.

Mr. BRANIFF. Did you see me—did you complain to me about not being able to find work?

Mr. CHEVALIER. I did before that.

Mr. BRANIFF. Did you this time?

Mr. CHEVALIER. No; I did not.

Senator LA FOLLETTE. Had you had trouble before about getting work?

Mr. CHEVALIER. Yes, sir.

Senator LA FOLLETTE. When?

Mr. CHEVALIER. On the 2d of August.

Senator LA FOLLETTE. Were you working before the 2d of August?

Mr. CHEVALIER. Yes, sir.

Senator LA FOLLETTE. Were you discharged on the 2d of August?

Mr. CHEVALIER. No.

Senator LA FOLLETTE. Did you quit?

Mr. CHEVALIER. No; I came to work on the 2d of August in the morning, and we had nobody to put us to work, so we bummed around the mill all the forenoon; so I finally went toward home, and I saw Mr. Braniff, and I asked him in regard to work, and he told me that

he could give me work down on the road, and I didn't want to go on account of my wife being ill at the time—she didn't feel good—and I told him I could not go down on the road and leave her up here.

Senator LA FOLLETTE. You say there was nobody there to put you to work. Do you mean to say they had stopped the work you had been doing on the 1st of August?

Mr. CHEVALIER. Yes, sir; we had finished the work. We were unloading freight the day before that, and all the freight was unloaded, and we could not see Mr. Rice the next morning to put us to work. We didn't know what to do then.

Senator LA FOLLETTE. There was no more freight to unload?

Mr. CHEVALIER. Yes, sir.

The CHAIRMAN. How did you come out about this road work; did you finally get work?

Mr. CHEVALIER. No; I remained away from work for a number of days, and I finally seen Mr. Rice, and he put me back to work.

Senator LA FOLLETTE. In the planing mill?

Mr. CHEVALIER. Yes, sir.

Senator LA FOLLETTE. Do you want work now?

Mr. CHEVALIER. Yes, sir.

Mr. BRANIFF. Where do you want the work?

Mr. CHEVALIER. Well, I applied for work to go steeling at this fire line. I spoke to Mr. Rossman.

Mr. BRANIFF. We can not give you a steeling job. What other work do you want?

Mr. CHEVALIER. Anything that is here. I also asked Mr. Rice three or four times this summer to go on that boom where there was a little more pay to it. He told me it was all filled up.

The CHAIRMAN. Who was working on the boom, the Indians or white men?

Mr. CHEVALIER. They were mixed. I know a lot of them that didn't get on the roll that worked there.

The CHAIRMAN. That is, the Indians?

Mr. CHEVALIER. Some of them; yes, sir.

Mr. BRANIFF. What kind of work would you prefer to do, in the woods or here in town?

Mr. CHEVALIER. No; I would like to work here in town.

Mr. BRANIFF. I will see that you get it.

The CHAIRMAN. Are there any other Indians here who have tried to get work and could not and who want work now?

STATEMENT OF PETER L. ADAMS.

PETER L. ADAMS, a government employee, having been first duly sworn by the chairman, testified as follows:

Mr. BRANIFF. He said Mr. Adams would not put him to work when he came back.

The CHAIRMAN. What have you to say to that?

Mr. ADAMS. I don't know who the party is.

Senator LA FOLLETTE. Let Mr. Chevalier come in. This is the man, Mr. Adams, who came back. He quit on the 2d of September, on account of sickness, and came back two or three days later, the 7th of September, I think, and wanted work, and was informed that his place was filled and there was nothing for him.

Mr. ADAMS. Can I ask him a question?

Senator LA FOLLETTE. Certainly. Do you recognize him?

Mr. ADAMS. I recognize him. [Addressing Mr. Chevalier:] When did you quit working for me?

Mr. CHEVALIER. The day before that, wasn't it? Two days before that. I laid off one day.

Mr. ADAMS. Were you working for me, or in the planing mill?

Mr. CHEVALIER. I was working for Mr. Bentley; that is, working with him.

The CHAIRMAN. What were you doing?

Mr. CHEVALIER. I was helping the plumber. He is under Mr. Adams, isn't he?

Mr. ADAMS. Yes; he is under me. Were you working in the mill previous to that?

Mr. CHEVALIER. Yes, sir.

Mr. ADAMS. At what job?

Mr. CHEVALIER. Around that resaw.

Mr. ADAMS. Didn't you leave that of your own accord?

Mr. CHEVALIER. Yes, sir.

Mr. ADAMS. And went to work with Mr. Bentley?

Mr. CHEVALIER. Yes, sir.

Mr. ADAMS. That is all the questions I care to ask.

Senator LA FOLLETTE. Why did you leave that resaw work?

Mr. CHEVALIER. There wasn't enough money in it. I could not live on $1.60 a day.

Senator LA FOLLETTE. You were receiving $1.60?

Mr. CHEVALIER. Yes, sir.

Senator LA FOLLETTE. You are now paying, Mr. Adams, $2 a day for that work, are you not?

Mr. ADAMS. No; $1.75.

Mr. BELT. The time clerk who told me must have been mistaken.

The TIME CLERK. What is it, resawyer or resaw helper?

Mr. CHEVALIER. Helper.

The TIME KEEPER. That is $1.75.

Senator LA FOLLETTE. That other man was informed that it was $2 a day on account of some misunderstanding. He ought not to go away from here with the impression that the wages are higher than they really are or he will think somebody has misled him.

The CHAIRMAN. What statement have you to make, if any, in regard to this man coming back?

Mr. ADAMS. I can tell you gentlemen how those things go.

The CHAIRMAN. Do you recall his case?

Mr. ADAMS. Not distinctly; no, sir. Many cases of that kind come up in the course of business. The name or names of those men I don't know.

Mr. BRANIFF. What we have been doing is to put the men to work at whatever they can do or want to do. I am always glad to know when an Indian wants work, and we can find work for him.

Mr. MYERS. At the time I left here they put two men to work, which I thought was poor judgment—to pay two men at $3.20 a day when I was willing to work for $2 a day. He told me right to my face he would put two men to work before he would give me $2 a day. That was Mr. Rice.

The CHAIRMAN. Mr. Braniff, if you have anything you desire to say, you may do so.

Mr. BRANIFF. I was incorrect in saying we would pay you $2 a day. We will pay $1.75, which is the wage now being paid for that particular position. If that is satisfactory, I will give you something to do at that rate. If you are worth more than that, we will pay you to work.

Mr. MYERS. That I am satisfied with.

Mr. ADAMS. Relative to the case of this man Chevalier, my memory fails me, but this custom obtains in mills right along, or any other place where machinery is operated. We have got to have certain men for certain machines, and if they drop out we have got to get others to take their places, and it is the custom of the business to let that new man retain his job as long as he can do the work, and I have observed that custom here so far as possible.

Senator LA FOLLETTE. There is one respect, I want to say, in which I think this plant has to be operated differently from that of an ordinary sawmill run by private capital. The act here which provides for the establishment of this plant and these operations provides specifically and in very strong terms—I drew it myself and remember definitely about it—that the Indians must be given preference in this work. Of course I do not think that would mean that the work should suffer on account of incompetent workmen or workmen who will not stay by their jobs, but, other things being equal, the Indians who are industrious and willing to work should be given the preference. Suppose an Indian drops out on account of sikness or something that is unavoidable and a white man takes his place and that Indian wants to return to his work; I think you would be bound by the terms of that act to set aside the white man.

Mr. ADAMS. I think so myself, and I have acted accordingly.

Senator LA FOLLETTE. You know the terms of the act?

Mr. ADAMS. No, sir; I do not.

Senator LA FOLLETTE. I think it would be well if all those in authority would read the terms of that act.

Mr. BRANIFF. That point has been very thoroughly impressed on all foremen.

Mr. ADAMS. I will say in this connection, gentlemen, I have acted also in that manner with white men that have been injured. As soon as they were able to get around I put them to work.

Mr. BRANIFF. That is also a rule of the sawmill business.

The CHAIRMAN. You evidently do not catch the Senator's point by the way you emphasize the other. The point is that between Indians and white men, more consideration must be shown to the Indians than to the white men.

Senator LA FOLLETTE. That is the point exactly; that the same rule would not apply to white men that would apply to an Indian.

Mr. ADAMS. Do you insist upon that even if it would be impracticable?

Senator LA FOLLETTE. I suppose if the business was to seriously suffer from it——

The CHAIRMAN. You have got to bear in mind in the end whatever embarrassment or loss there is falls upon the Indians themselves, so you have got to keep that in mind.

Senator LA FOLLETTE. I think the act itself says where practicable the Indian shall be given the preference. That invests you with something of discretion, but it should always be tempered, I think, with especial consideration for the Indian, because we are trying to build up habits of industry and teach them this business in every department, as rapidly as possible.

Mr. ADAMS. Many of these cases are emergency cases that have got to be settled on the minute. To stop one side of that mill is an expense of at least 50 cents a minute.

Mr. DILLETT. How many Indians are employed now in and around the mill—how many tribal Indians?

Mr. ADAMS. I have no idea.

Mr. DILLETT. Can you make an estimate—you are around the mill there?

Mr. ADAMS. I don't know how many Indians there are in there.

Mr. DILLETT. How many Indians have you; can't you guess, about?

Mr. ADAMS. Probably 15.

Mr. DILLETT. Out of a crew of how many?

Mr. ADAMS. Out of a crew of 60, maybe more. Most of those Indians in my department are on the pond.

Mr. DILLETT. Have you made any distinction between Menominee Indians and others—have you tried to give Menominee Indians any preference over Stockbridges and Pottawatomies?

Mr. ADAMS. Why, yes. That is the first question I ask an Indian, as a rule, if he is a Menominee.

Senator PAGE. What is your salary?

Mr. ADAMS. My salary is $2,000 and the perquisite of a house.

The CHAIRMAN. That will be all. The committee will take a recess until 1 o'clock.

(Thereupon, at 12 o'clock noon, a recess was taken until 1 o'clock p. m.)

AFTER RECESS.

The committee convened at 1 p. m.

STATEMENT OF JOSEPH R. FARR.

JOSEPH R. FARR resumed the stand and testified as follows:

Mr. HOLCOMBE. You have some figures showing the cost of lumber operations under the contract system with the Indians prior to the inauguration of the present system here?

Mr. FARR. I have.

Mr. HOLCOMBE. I wish you would explain those figures to the committee and show how you got them and whether they are authentic or not; state from what record you got them.

Mr. FARR. When at Keshena the other day I had a copy made showing the logs put in each year and the price per thousand feet paid the Indians, and then figured out what stumpage value would be left. In the season of 1902–3, 14,085,360 feet of pine was banked, 211,740 feet of hemlock, 702,900 feet of Norway, making a total of 15,000,000 feet. The price for logging was $4.80. The entire cost was $71,732. The price received was $244,500, which would leave $11.52 stumpage value for the timber after deducting the cost of log-

ging. Before giving any further figures I will state for the information of the committee that under the plan that prevailed at that time every Indian on the roll participated in the logging, in this manner: If it was 400 or 450 Indians, the amount of logs to be banked in the season would be divided in that many parts and each one of them given a share. Then they would sell their shares to a few of the other Indians, who would actually put the timber in. The prevailing price was $1 a thousand for those contracts, that would be returned to the tribe in the year, to the individuals. The season of 1903–4, pine, 14,417,308; hemlock, 582,692, making 15,000,000 feet. That would be classed as green lumber. The contract price for logging that was $4.70, and the same season 5,000,000 feet of strictly down and dead pine and hemlock was banked and the contract price paid for logging that was $5. After deducting the price of logging per thousand, the stumpage value or price would be $8.08.

The CHAIRMAN. On the total cut for that season?

Mr. FARR. Yes, sir; including the dead and the green.

The CHAIRMAN. How much profit?

Mr. FARR. Eight dollars and eight cents was the stumpage. In 1904–5, pine 11,687,570 feet, hemlock 200,012,300 feet, Norway 1,300,130 feet, making 15,000,000 feet classed as green timber; contract price for logging, $4.70. Five million feet of dead and down was banked that season and the contract price for logging that was $5. Stumpage price after deducting the cost of logging, $10.76.

For the season of 1905–6 there was cut of pine 9,240,346 feet, hemlock 2,327,034, and Norway 32,620 feet, amounting to 12,500,000 feet classed as green timber. Price for logging, $5.65. Five million feet of dead and down was cut, and the price for logging that was $5. The stumpage value remaining was $11.07 a thousand.

There was cut in the season of 1906–7 pine 7,047,602 feet, of hemlock 5,452,398 feet, amounting to 12,500,000 feet. The contract price for logging was $5.65. Dead and down, 5,000,000 feet; contract price $5. Stumpage value, $13.13 a thousand.

The next season includes the logs that have been mentioned here, a portion of that sold. It was dead and down 7,500,000 feet. I can not give that result, for only 2,423,156 feet were sold. Some of the logs were driven to Oshkosh and have been discussed here. The balance of the logs are now being driven to Shawano. That covers that period.

Mr. HOLCOLMBE. This was all done under conditions where it was lumbered clean; there was no effort made to preserve any portion of the timber for future cutting?

Mr. FARR. No; this was supposed to cut the timber entirely clean. There was no hard wood, you understand, included in that operation?

Mr. HOLCOLMBE. Just the pine and hemlock?

Mr. FARR. Yes.

Mr. HOLCOLMBE. Do you think logging can be conducted as cheaply where you log with reference to preserving the young timber as it can where you just fell all the timber that the man wants to take?

Mr. FARR. With the exception of the cost of burning the brush, which is estimated at from 25 to 50 cents a thousand, I should think

under the plan it would be at least as easy, if not more so, but there is a difference in logging hard wood and logging pine.

Senator LA FOLLETTE. The question is not whether it would be as easy but whether it would be more expensive to have a care for the young timber and not take all of the timber that could be cut, but take only the matured trees. That would extend the operation over a much larger area than if you were taking it all, for the same amount of timber.

Mr. FARR. No, sir. The question of the operation extending over a much larger area is not in this because it was a scattered question. Coming to the other question——

Senator LA FOLLETTE. Don't dismiss this so quick. You say the operation where this logging was done extended over a very much larger area than will average on the reservation?

Mr. FARR. For the same amount of timber in this end of the reservation.

Senator LA FOLLETTE. Of course, it is a very different character of timber; there is much more pine there than here.

Mr. FARR. The cut was entirely of pine and hemlock.

Senator LA FOLLETTE. And the majority was pine?

Mr. FARR. Yes.

Senator LA FOLLETTE. And there is very little hard wood in that vicinity?

Mr. FARR. Yes.

Senator LA FOLLETTE. So they were taking, for the most part, all timber suitable for logging at all off this land?

Mr. FARR. Yes.

Senator LA FOLLETTE. They were not under the embarrassment of making a selection of trees, but were making a clean sweep as they went along?

Mr. FARR. It was cutting the timber clean.

Senator LA FOLLETTE. Do I understand you to say that operation requires as much time and is as much expense as it does to run over the area and make selections of only mature trees, and have a care every time a tree is felled in all the operations to not destroy the small growth or injure it?

Mr. FARR. I had not made that statement, but I will be glad to make it. I want to explain that situation. That is what I started to do.

Senator LA FOLLETTE. I understood you to answer the question at the outset.

Mr. FARR. I will give you the facts, and then the conclusion may be drawn.

Senator LA FOLLETTE. I would like to have an answer to the question without any extended statement.

Mr. FARR. Now, what is the point?

Senator LA FOLLETTE. The reporter will read the question.

(The stenographer read as follows:)

Do I understand you to say that operation requires as much time and is as much expense as it does to run over the area and make selections of only mature trees, and have a care every time a tree is felled in all the operations to not destroy the small growth or injure it?

Mr. FARR. That is supposed to be the care of all logging, to be as careful as you can in the felling of trees. We may not understand

the new operations exactly alike, and I wish to explain my understanding of that. They are to cut this winter——

Senator LA FOLLETTE. They were stated in the question. I will ask you if one operation would be performed as cheaply as the other?

Mr. FARR. In the same class of timber?

Senator LA FOLLETTE. Yes.

Mr. FARR. Yes; except the burning of the brush.

Senator LA FOLLETTE. That is all I want to ask on that question.

Mr. FARR. I wish to explain the answer. In the cutting now, under the policy where you take 60 per cent of the stand, that will include naturally the larger and better class of timber, and in going over the hard-wood and hemlock operation that would be about the timber that anyone would desire to cut, and our great difficulty in operating under the other plan as to logging is to get the loggers to take up the small class of timber, and, with the exception of the burning of the brush, I can not see where there would be any material difference in it.

Senator LA FOLLETTE. Were these logging contracts, concerning which you have put into the testimony figures covering a period of seven years—were the earlier contracts the same in form as the contracts concerning which there is question now as to their settlement?

Mr. FARR. Oh, no.

Senator LA FOLLETTE. I understand, excepting in one case, it was blown-down timber and in the other case it was standing timber.

Mr. FARR. That is under the act of June 12, 1890.

Senator LA FOLLETTE. Yes; that is the act under which they were permitted to cut 20,000,000 feet each year. I say were the contracts the same in their general provisions with respect to that cutting as the contract under which the dead and down timber, the blown-down timber, was cut, except in one case it was blown-down timber and in the other it was standing timber?

Mr. FARR. You mean in the same operation?

Senator LA FOLLETTE. Yes.

Mr. FARR. The contract on that was precisely the same, only 5,000,000. We got the rules amended to permit them to go over the territory and take up 5,000,000 of dead and down. Did you refer to the similarity of the contracts—that is where I misunderstood you?

Senator LA FOLLETTE. Were the same class of people employed in carrying out these contracts, the operations for which you have stated the figures which have been put into the record, and the cutting of the 40,000,000 of blown-down timber under the contracts which are unsettled?

Mr. FARR. Some of the same parties likely took part in it. That was a case where only Indians could take contracts. The terms of the contract were different, and in many particulars—I think we have the contracts here.

Senator LA FOLLETTE. White men were permitted to take the contracts under the act of 1890, were they not?

Mr. FARR. No; no white man could take a contract.

Senator LA FOLLETTE. Under the act of 1890 nor under the act under which the blown-down timber was cut?

Mr. FARR. The blown-down timber? Do you mean cut in connection with the green timber?

Senator LA FOLLETTE. No; I mean the 40,000,000 feet.

Mr. FARR. Oh, yes; white men could take contracts. A great majority of the contracts is taken by white men.

Senator LA FOLLETTE. Some of the contracts were taken by Indians?

Mr. FARR. Yes, some; I think perhaps four or five; and then they had partnerships; they had white partners in their contracts. I have the entire total here, I think.

Senator LA FOLLETTE. I don't think it is necessary to go into the contracts in detail. I think that is all.

Senator PAGE. What is the comparative price of hay and grain this year and in the season 1903–4?

Mr. FARR. I would not hardly be able to answer that question. I didn't follow it close enough.

Senator PAGE. Could you in general terms state as to the cost of lumbering in Wisconsin in 1903 and 1909—of logging?

Mr. FARR. I would not state positively. I don't think the difference would be very great. My recollection would be that supplies were cheaper then, but I am inclined to think that salaries were possibly a little better. That is very hard to state.

Senator PAGE. So far as that is concerned, we have come to know that it is much more expensive to cut and to put in logs now than it was six or seven years ago.

Mr. FARR. The supplies, I think, are considerably higher now, but I had the impression that the wages were very good about that time.

Senator PAGE. Haven't the wages of lumbermen been constantly moving upward in the last ten years in your experience?

Mr. FARR. The last two years they have fallen back again. I presume that was the result of the financial stringency and business depression.

Mr. HOLCOMBE. How long have you been actively engaged in lumbering operations among the Indians in Wisconsin?

Mr. FARR. I have been in the service in that capacity for ten years.

Mr. HOLCOMBE. Prior to that time what was your business?

Mr. FARR. Lumber business.

Mr. HOLCOMBE. How many years have you been engaged in the lumbering business?

Mr. FARR. Twenty-seven years.

Mr. HOLCOMBE. Do you know of any reasonable objection that can be consistently urged against the practicability of Indians taking contracts for logging on this reservation under the various rules as they now exist?

Mr. FARR. I do not.

Mr. HOLCOMBE. Do you believe that if the Indians contracted for the logging of the lumber on this reservation that the young growth could be preserved as well as it is now being preserved, with suitable supervision?

Mr. FARR. I think so; but only 1,000,000 feet has been cut here under the new management. You understand in logging operation, whether this timber is cut under the supervision of the foresters on the present plan or by the Indians contracting, the same class of men, both Indians and white, take part in the felling of the timber.

Mr. HOLCOMBE. Isn't it a fact that under the present operations that the timber that is cut must be marketed by the Forestry Service, and that regardless of whether the Indian has a contract for it or not?

Mr. FARR. Yes.

Mr. BRANIFF. You stated a moment ago, if the Indians should take a contract, it would make no material difference in the cutting of the timber, so far as the labor was concerned; that practically the same labor would be employed. Is that correct?

Mr. FARR. This is what I meant—that you would employ white labor and Indians, as you mix your operations now.

Mr. BRANIFF. In case a contract should be let to an Indian logger, then, it is your belief that the same class of labor, whites and Indians, would be employed? Is that your idea?

Mr. FARR. That has always been the result here.

Mr. BRANIFF. Is it correct that under this law under which we are operating now—we are operating under the act of March 28, 1908—if I understand you correctly, your belief is if an Indian contractor should take a logging contract the class of labor employed on that contract would be practically the same class which would be employed if we did the logging? Is that correct?

Mr. FARR. Practically the same; I do not know in regard to the percentage. Over there we employ about 50 per cent Indian labor.

The CHAIRMAN. It seems to me you are dealing with a proposition there which depends upon whether the Indian would hire white men or not.

Mr. BRANIFF. I would like to read you the law on that:

> The Secretary of the Interior, in so far as practicable, shall at all times employ none but Indians upon said reservation in forest protection, logging, driving, sawing, and manufacturing into lumber for the market such timber, and no contract for logging, driving, sawing timber, or conducting any lumber operations upon said reservations shall hereafter be let, sublet, or assigned to white men, nor shall any timber upon any such reservation be disposed of except under the provisions of this act. Whenever any Indian or Indians shall enter into any contract pursuant to this act and shall seek by any agency, copartnership, agreement, or otherwise, to share in the same with any white man, or shall employ in its execution any labor or assistance other than the labor and assistance of Indians, such act or acts shall thereupon terminate such contract, and the same shall be annulled and canceled.

The law distinctly says that if an Indian takes a contract for logging he can not employ any white man; that he shall not go into partnership with a white man nor employ a white man.

Mr. HOLCOMBE. Don't you believe the spirit of that law would prevent you from doing the same thing?

Mr. BRANIFF. No; because we are governed by the words "in so far as practicable."

Mr. FARR. The main objection to that has been the difficulty in getting the Indians to do the work. That has been a very serious obstacle in letting the contracts to the Indians. Mose Tucker had a contract, which we talked over last night. He employed white men in his camps. I had to tell him that he would have to discharge the white men and get Indians in their places.

Mr. LABELL. That is your idea—the law does not say so.

Mr. BRANIFF. That is what I wanted to bring out—that the law is very stringent in that regard.

Mr. FARR. Possibly, taken that way; but from the language which has preceded that reference to the contract there is considerable said in connection with this bill of the difficulty in keeping white men from getting contracts, and I think——

The CHAIRMAN. That is a discussion that neither of you men could finally determine.

Mr. OSHKOSH. Could I introduce a statement?

The CHAIRMAN. What is it about?

Mr. OSHKOSH. I have brought it out and I can read a part of it to you if you wish.

The CHAIRMAN. Is it anything that we have gone over?

Mr. OSHKOSH. It is charges, and I would like to go through the details that we have already discussed the other day.

The CHAIRMAN. Is it anything in addition to what we have got now?

Mr. OSHKOSH. Yes, sir.

The CHAIRMAN. Then we will hear you, of course, if it is anything new.

Mr. OSHKOSH. Shall I read this?

The CHAIRMAN. Yes; you may read that. Is that your statement?

Mr. OSHKOSH. Yes, sir; my statement. I haven't acknowledged it yet [reading]:

STATE OF WISCONSIN, *County of Shawano, ss:*

Reginald Oshkosh, being first duly sworn, deposes and says that he is 41 years of age, and that he is an enrolled member of the Menominee tribe of Indians, and that he resides upon the Menominee Reservation; that he is a member of the committee elected by the Menominee Indians in a general council to meet the Senate committee that is to visit the reservation on the 29th day of September, 1909, and to present such grievances as the tribe may have, if any, and to discuss other matters pertaining to the interests of the tribe and endeavor to better their condition in the future; that he has visited Neopit, Wis., from the 17th to the 21st day of September for the purpose of ascertaining if possible whether or not it is true that the timber operations are now being conducted in a businesslike manner and where the Menominee fund is now being expended to such an extent so as to warrant no benefit or profit to the tribe; that he herewith submits statements in regard to some facts to substantiate the charges preferred against Mr. E. A. Braniff by the Menominee tribe, and says that he has written the statements himself and is an eyewitness to the facts stated, and that they are correct and true to his own knowledge and aimed to establish the fact that Mr. E. A. Braniff is incompetent to manage the lumbering operations upon the reservation; that he is not an expert in this particular line of business, but that he can not understand why Mr. Braniff did not in the first place erect the main sawmill at the Keshena Falls on the Wolf River instead of at Neopit, which is almost at the headwaters of the West Branch River, when he first assumed charge of the lumbering operations upon the reservation in March, 1908; that the Little West Branch and the West Branch Creek empty into the main West Branch River, and the main West Branch River and the Evergreen empty into the Wolf River from the west end of the reservation, and that the Wolf River runs from north to south through the east end of the reservation, thereby affording all the necessary floating of all of the floatable timber on the Menominee Reservation down these streams to the sawmill at Keshena Falls if the sawmill had been erected there; that this would have saved much unnecessary expense in transporting all timber on the railroad to Neopit, as it is now being done under the management of Mr. Braniff; that he believes that Mr. Braniff has a hard proposition ahead of him, for it is impossible to float all this timber upstream to Neopit; that he can only come to one conclusion, and that is that Mr. Braniff has never had the necessary experience, and that he is lacking in business ability.

——— ———.

Subscribed and sworn to before me this —— day of September, 1909.

The CHAIRMAN. Do you declare that the matters contained in that affidavit are true, to the best of your knowledge, information, and belief?

Mr. OSHKOSH. I do. The other day I made a visit to Neopit for the purpose of looking over things in Neopit, and I have here a statement also.

The CHAIRMAN. Is that something that we have not already covered?

Mr. OSHKOSH. Yes, sir.

STATEMENT OF REGINALD OSHKOSH REGARDING MISMANAGEMENT OF THE TIMBER OPERATIONS AT NEOPIT, WIS., BY MR. E. A. BRANIFF.

REGINALD OSHKOSH. On Saturday, September 25, 1909, Thomas La Bell, Moses Tucker, Mose Kanote, and I made a trip northwest from Neopit on the new road leading to Phlox, Wis. After going the distance of 8 miles we cut across country in order to strike the landing at camp 7. There we measured the road from the railroad to where the logs were cut last winter (1908). There was a branch road. One road was 1½ miles from the landing. There has been a great deal of improvement made on the road in digging out stones and grading and a few cuts made. We observed one particular cut that had been made on this road which was 16 feet wide, 4 feet in depth, and 4 rods long. This cut could not have been made without incurring considerable expense. If a detour route had been made at this point, it would have saved much unnecessary expense and loss of time. I estimate that this work could not have been done for any less than $100. This road and the branch road was certainly an expensive one to the tribe. At the end of one of these roads we found five skidways of logs still piled up high. We estimated them to be about 20,000 feet. There seemed to be no effort being made to get these logs down to the mill. We then left the logging road and went on a road that is called a tote road leading to camp 7. I have been a lumberman myself and this is the first time in my life that I ever knew of a tote road being graded so nicely as this one is. The tote road runs from the landing to camp 7 and from there to Neopit, making a total distance of about 8 miles. On the road from camp 7 to Neopit we found a crew of men who were supposed to be still grading the road, but we found them sitting by the side of the road. We obtained the information from them that there was another crew at camp 7 building shanties, but on arriving there my curiosity was aroused on learning that these shanties were built by first-class carpenters out of lumber that was being manufactured at the Neopit mill and which had been transported from the Neopit mill to the landing by rail and from there to camp 7 by wagons. I learned that the first lot of lumber that was shipped to said landing consisted of two carloads, each carload containing 20,000 feet. These buildings were certainly fine.

We then went on our way back to the landing, and on arriving there we found several teams and 7 men unloading cars. This was another lot of lumber, one car containing 30,000 feet and the other containing 20,000 feet.

Another car contained camp equipments, consisting of stoves, iron beds and springs, and I understand that these beds were bought at a cost of about $9 each. This was also a surprise to me, as it is the first time I ever heard of the use of iron beds for logging-camp purposes. I then learned from the foreman that the lumber was being unloaded from the cars to wagons and hauled to camp 7 to be used in completing the "shanties," as they are called; but to us they seemed more like mansions. When these buildings are completed they will consume 90,000 feet of lumber, valued, on the average, at about $25 per thousand feet, making a total cost for lumber alone of $22,500.

I would not have mentioned this but for the fact that there are 45 camps scattered over the part of the forest known as the "blown-down district," which were built by contractors under Mr. John W. Goodfellow, former superintendent of logging, which would have answered their purpose just as well as these expensive buildings. I certainly do believe that this is all unnecessary and extravagant expenditure of money.

The CHAIRMAN. Do you want to ask any questions on that statement, Mr. Braniff?

Mr. BRANIFF. No; I don't think it will be necessary to ask any questions. I would like to explain the misconceptions.

Mr. OSHKOSH. Can I ask a question?

The CHAIRMAN. Of whom?

Mr. OSHKOSH. Mr. Braniff.

The CHAIRMAN. Yes.

Mr. OSHKOSH. Yesterday this camp 7 road was being discussed. What I would like to know about this road—I may have misunderstood it—was this road built by Mr. Braniff, or was it built by one contractor under John W. Goodfellow by the name of Regan?

Mr. BRANIFF. Which road is that?

Mr. OSHKOSH. That is the road leading from the landing into camp 7?

Mr. BRANIFF. The landing at the river?

Mr. OSHKOSH. Both the railroad and the river.

Mr. BRANIFF. We both built the road. There was an old road when we got in there.

Mr. OSHKOSH. Did you build the branch road?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. Wasn't it only one-eighth of a mile?

Mr. BRANIFF. I don't remember about that.

Mr. OSHKOSH. You used John Regan's road, if I am not mistaken, and got the credit for the road.

Mr. BRANIFF. No; I built quite a good deal of road in there; a good deal more than an eighth of a mile. I should say that we built at least a mile and a half of new road and improved the old road.

Mr. OSHKOSH. Did you occupy Mr. Regan's shanties or somebody's else shanties last winter?

Mr. BRANIFF. We repaired Regan's shanties and put a crew in there; yes.

Mr. OSHKOSH. Did you give any credit for the work done by Regan under John W. Goodfellow.

Mr. BRANIFF. For those shanties?

Mr. OSHKOSH. Yes.

Mr. BRANIFF. No.

Mr. OSHKOSH. In your figures you gave yesterday of this work all this work was done as though it had never been done by Regan.

Mr. BRANIFF. It is true we repaired some old camps, fixed them up, spent some little money on them, and moved in.

The CHAIRMAN. I think the committee had better explain that. They did not give any credit, because they could not charge anything. In making up the charges on the cost of logging they would only put in what they had added to those cabins. You say that is the way you did it?

Mr. BRANIFF. Yes.

The CHAIRMAN. And the same is true of the road.

Mr. BRANIFF. Yes.

Mr. HOLCOMBE. The point that Mr. Oshkosh wants to make, if these roads were built by Mr. Braniff and the camps built by him the cost of putting in the logs would have far exceeded the figures given yesterday, and, consequently, in view of getting at what it has cost him to operate this, you have got to get what it would cost originally to build these roads and camps.

The CHAIRMAN. Oshkosh keeps asking if they have had credit. There is no credit; there is nobody to give credit to. They simply charged in what they have paid out.

Mr. OSHKOSH. That was just exactly what I meant. Here is another question. I would like to ask why did Mr. Braniff go away back there to log last winter and cut that pine away down in the basin that could stand there many years—it was away back in the valleys, with the exception of only a few thousand feet of hemlock—when there was any amount of this timber—any kind of timber that would have been cut—nearer to the mill and nearer to the streams, where it would have saved the expense of the hauling of the timber if it had been cut near the river and had been floated down; almost in sight of the mill.

Mr. BRANIFF. The answer is that we had to do it to save the tribe 80,000 feet of logs, which were on skidways in the woods, and which had been left by the contractors. We could not abandon those logs; we had to go after them and get them; and if we had not done so I would have been criticised just as much or more than I am now.

Mr. OSHKOSH. Was that hard wood or pine?

Mr. BRANIFF. That was bass wood.

Mr. OSHKOSH. As I have stated in one of my statements, I found on any one of these roads you were on last winter there are laying yet skidways where no effort has been made to haul these logs in. Why is it no logs were hauled when it was your intention to haul the logs which had been abandoned?

Mr. BRANIFF. The explanation is this, that we could not haul the logs in until the scalers had looked them over carefully to find out what kind of logs they were, and whether they were worth hauling in. In some skidways we would get a very considerable percentage of good logs and in other skidways we found the logs to be practically worthless, so it would not have paid us to get out the logs until they were inspected, and it was found out whether they were sound or not.

Mr. OSHKOSH. Wasn't the same kind of timber on the banks of the river and at the mill sites as was laying there at the skidways?

Mr. BRANIFF. Yes; that had to be handled. That could not be abandoned. That was in the stream and on the ground.

Mr. OSHKOSH. This timber was cut about the same time that same winter. Do you think that the timber back in the skidways is worse than the timber that had been delivered at the mill sites that same winter?

Mr. BRANIFF. The proposition was somewhat different. The timber which we found out on the skidways in the woods was what was known as "Regan logs" and had not been paid for. We had not paid for those logs at all. Therefore the logs which we did not haul off, which were discarded as being worthless, were logs which we believed would not pay for the cost of handling. By abandoning those logs, deciding they were not worth hauling, we saved the tribe $7 a thousand. The logs, however, at mills 2 and 3 had all been paid for, so if we abandoned those logs we abandoned $7 a thousand.

Mr. OSHKOSH. Have you any idea how much it would cost at that distance to cut that hard-wood timber in that vicinity, right from the beginning of the building of the roads and camps?

Mr. BRANIFF. Our figures show what it actually cost us. I am not in position to estimate what the increased cost would have been of putting in the camps. Those camps were very cheap camps.

Mr. OSHKOSH. There is another thing I misunderstood yesterday. Have you ever had any experience in logging?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. The undertaking of this last winter, was it merely an experiment at the expense of the Menominee tribe?

Mr. BRANIFF. No; I do not consider it so.

Mr. OSHKOSH. I will have the right to ask other questions?

The CHAIRMAN. We are about through; you had better ask now.

Mr. OSHKOSH. I will ask you gentlemen to listen to the desire of the tribe to make an effort to establish the fact that Mr. Braniff is incompetent to manage our operations here. Now, what kind of an answer can you gentlemen give us? If it is the desire of the Menominee tribe to remove Mr. Braniff would these grievances and others have to be sent to the Interior Department, or would you people here be able to determine it, or would we have to wait until you make your report?

The CHAIRMAN. So much of this matter as relates to things which are in the jurisdiction of the Interior Department the Interior Department will have the benefit of these facts, and those things that relate to congressional action will of course go to Congress. The committee here, as members of the Senate committee, can not decide who shall be in charge of these properties; that is a matter with the Secretary of the Interior; but you won't have to lay anything more before the Secretary of the Interior, unless it is something different to what you have given us, because this will all go to the Secretary of the Interior.

Mr. OSHKOSH. The time in preparing the evidence to establish our charges against Mr. Braniff has been so short that we have not been able to present even half of the evidence that we wished to offer. Now, could we have the time extended?

The CHAIRMAN. You always have the right to formulate any charges you desire to in addition to these that have been filed. Any other charges you have should be sent to the Secretary of the Interior.

Mr. OSHKOSH. The Menominees do not object to the enterprise here, only to the management.

The CHAIRMAN. The committee wants to understand that. Now, the Menominees are in favor, if the business can be conducted in a manner fairly and satisfactory to them, they are in favor of this reservation being cut over in the way provided for, and are in favor of preserving the timber, is that so?

Mr. OSHKOSH. Yes, sir; and another thing—that is, just a new thing—which has come into my mind. Mr. Braniff suggested a plan under the forestry rules which I do not agree with. In order to preserve the young growth it wants the roots covered, its natural covering, the carpet of the earth, to preserve the growth of the tree. Now, as the rule is modified, I understand it is to pile the brush and burn over that area. Now, after a piece of ground has been burnt over once—we are brought up in the forest here; these are my observations, that about 50 per cent of the young growth dies by having the brush fired. If it does not reach the roots from which the young growth gets its nourishment, it injures the tree. He has been working at a great expense to the tribe in sending out crews both of Indians and white men to fight fire and prevent the running of fire, and has gone to some expense also in building fire breaks. Now, in a fire break, I will tell you one of my experiences. We had a fire once in Crow settlement, and there was a little stream on the edge of the forest; the field was green with meadow, and on the west side from where the fire was coming there was a green field of about 40 rods wide—of course, the field was something like 80 rods; the east side of the field was dry brush fence, the whole east side of the field, and when the fire arrived at a distance of about 160 rods the green grain field did not protect the man's house, which was on the other side, but it leaped over the meadow that was in between and set fire to the whole fence that was on the east side at about that same moment. Now, I do not see why Mr. Braniff built that fire break on the south side of the reservation. I do not think that that would have prevented a fire running. Another thing—he stated yesterday that last year was a very bad year for fire. Now, I have received various information from Indians and whites and people that were employed as fire fighters that whenever they put one fire out they were out of a job, and that some of those crews would set a fire somewhere else on the reservation, where they could have a job right along. In that way we had a lot of trouble, I think, if I am not mistaken, and that is why Mr. Braniff had to spend quite a bit of money in fighting fires last year.

The CHAIRMAN. I notice that the Indians more and more are objecting to burning what we call the débris. Not only in this State but in other States. At the same time, after you have cut timber and the tops are there it increases the risk of fire and the intensity of fire if fire does get in. Now, do you understand? If you understand I want to ask you, Do you think it is worse to take a chance of increased danger if a fire gets in where the tops are there, where the fire would be more intense from the presence of that brush, than if the brush was burned out as the cutting was done?

Mr. OSHKOSH. We would rather risk the fire and leave the brush right where it is, and run a chance.

Mr. Cox. I think he misunderstands what is intended to be done. Do you understand that Mr. Braniff intends to burn the brush piles only or to burn all of the ground including the brush piles?

Mr. OSHKOSH. What is that?

Mr. Cox. Which do you think Mr. Braniff intends to do, to burn just the brush piles after they are piled up or to burn over all the grounds together with the brush piles?

Mr. OSHKOSH. I understood he was going to burn just the brush. Is that what your intention is?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. How can you burn just the brush in the territory where you cut the pine last winter. I was over that country not very long ago and the old territory where you have been last winter is all covered with brush that is not piled. Suppose that was ignited.

Mr. BRANIFF. That cutting last winter was an experiment in which we tried to save the necessity of burning the hard-wood brush, as that is quite expensive. We tried the experiment on a small area of leaving the tops and the brush and scattering them over the ground to see how that would work out. I am sorry to say it did not work out well. We will not repeat it. The effect of that is not only to increase the fire hazard, but it is also to smother the undergrowth and prevent new seedlings coming up. We had hoped the hard-wood brush would disappear by coming in contact with the soil, especially in these cold regions where we have heavy snows, which press the brush and sticks down close to the ground; but after looking at the matter we have come to the conclusion that it is better to burn the brush.

Mr. OSHKOSH. You say you were just experimenting on that method?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. Did you think it would rot in coming down to the ground—that you have not ascertained yet——

Mr. BRANIFF. It will rot in the course of years, but it will take longer than we judged that it would.

Mr. OSHKOSH. I do know that it will go down and rot. It is better left there to fertilize the ground.

The CHAIRMAN. Well, is there anything else?

Mr. BRANIFF. I just wanted to clear away the misconceptions about these matters.

The CHAIRMAN. I thought we would let him get through, and then you could take up so much of these matters as you cared to take up.

Mr. OSHKOSH. About this logging, I would like to discuss this with Mr. Braniff. Why is it he does not want the logging done by the Indians, or any other work? It seems as though Mr. Braniff wants to confine us altogether to common laborers. Our people are here making an effort to make themselves professionals on certain lines of business, not only common laborers. I applied here for a position and the only engagement I got was as a common laborer.

Mr. BRANIFF. What position did you apply for?

Mr. OSHKOSH. I would like to have a position I could do, running a crew of men. I have been accustomed to running a crew of men for some years. Or take a contract of some kind for grading roads at so much per mile.

Mr. BRANIFF. You know we have an Indian foreman, don't you?

Mr. OSHKOSH. What is that?

Mr. BRANIFF. Do you know of any Indian foreman that we have?

Mr. OSHKOSH. Not at present.

Mr. BRANIFF. Do you know Charley Foshet?

Mr. OSHKOSH. Yes.

Mr. BRANIFF. Do you know whether he has been foreman or not?

Mr. OSHKOSH. I never knew. You have Mr. Pritchet as foreman.

Mr. BRANIFF. Charley Foshet is foreman.

Mr. OSHKOSH. Camp 7 is where Mr. Pritchet is foreman.

Mr. BRANIFF. He is doing a little work; he has a small crew out there.

Mr. OSHKOSH. Why do you take him? Do you think he is an experienced and successful lumberman?

Mr. BRANIFF. My logging superintendent seems to think he has been doing pretty well.

Mr. OSHKOSH. In the past he has been superintendent for some of the Indian loggers and other loggers he has superintended work for. You have him there as an experienced lumberman.

Mr. BRANIFF. Charley Foshet is a foreman and has been foreman for about eight or ten months. Tom Pritchet has a very small crew of eight or ten men clearing up some ground at that camp. Mose Lamote, I believe he is a Menominee Indian, has been all summer Mr. Rothman's foreman of the driving crew, and Mr. Rothman is well satisfied with him, and he is going to give him foreman work this winter. I want to make it clear that we are very glad, indeed, when we find that Indians can be taken as foremen, and we are gladly giving the Indians any responsible positions in the woods and in the mill when we find that they are capable of performing the work. I believe, Mr. Oshkosh, in the entire history of this reservation there has never been so much done for the Menominee Indians as has been done in the eighteen months I have been here. I believe there have never been so many Indians occupying positions of responsibility as there are right now, and our plans are laid to rapidly advance the Indians who are capable of holding these responsible positions. We can not do this all in eighteen months; it has got to be done gradually, and whenever we find there are Indians who are capable of performing this work we are only too glad to employ them.

Mr. OSHKOSH. I appreciate your intentions, Mr. Braniff. But, as we have said, all of your methods for bettering our conditions are rather experiments. We have been saving and we have been economical in the past, and we have shown our ability to do our own work in the past, and all we ask is that our ability be tested. If we were not able to conduct our own affairs ourselves on our reservation—that is, if we made a failure of it—do you think we would have accumulated the money that is in the Treasury to-day to our credit? We criticise your methods for this reason, that we are deprived of all privileges that we have enjoyed in the past.

Mr. DILLETT. I want to ask you what you think of the use you make here of the Indians, with a crew of men employed around the mill and the yard where you only have 15 Indians—Menominees, Stockbridges, and members of other tribes. Don't you think that after this mill has been in operation this length of time you ought to have more Indians

than are employed here at the present time? There is a whole lot of work in the yard, piling lumber, and so forth, that any of these Indians can do.

Mr. BRANIFF. Well, sir, if you can prove a case where we have ever denied an Indian an opportunity to do that work, I would like to have you do so.

Mr. DILLETT. Have you ever taken any steps to induce them to come in here to work?

Mr. BRANIFF. Everything that was possible.

Mr. DILLETT. What did you do by way of persuading the Indians to come here?

Mr. BRANIFF. By correspondence with the Indians, by posting notices, by personal contact with the Indians, by speaking to Indians whom I met on the road and asking them whether they were at work; by instructing my foremen to take the same course; by offering extra inducements in the way of buying provender, potatoes, and anything that they could raise; induce them to start farms and to raise these supplies.

Mr. DILLETT. And you have succeeded in getting only a very few to come in here, comparatively?

Mr. BRANIFF. That is not true. Our statements from month to month show that we began with 68 and have had over 300.

Mr. DILLETT. How many have you now in your employ?

Mr. BRANIFF. I can tell you for the last month. I wish to state that the small number of Indians employed at present in the mill is hardly a gauge for the number employed on the works. Indians do not like to work indoors. They are not accustomed to working in a sawmill and only a limited number can be persuaded to work indoors. Most of our Indians enjoy working on the rivers; they like to work out in the woods, they like to drive a team, they like to work about town where they have a team to drive, and it is hard to get Indians to accept indoor work. In the second place, the employment of Indians in a sawmill is fraught with great difficulties. Men who work in a sawmill and who work on the machines in a mill must necessarily be steady men. That is the first qualification, because if we should start our men in the morning and find that we had two Indians who were supposed to work on the machinery and who had gone home to Keshena, we would be in a very difficult position. Steadiness is the first essential in sawmill employees. Then within the last few months there has been turmoil and agitation here and a great deal of politics; there has been so much of that that the men have been drawn away from the mill and have gone to Keshena and other places on the reservation preparing for the coming of this committee to investigate the conditions on the reservation. All of those things have tended to reduce the number of Indians that we have had on the work.

Mr. DILLETT. Let me ask you just there, if you will excuse me for interrupting, do you think that is any indication of your inability to cope with this situation, the very fact that the Indians are up in arms?

Mr. BRANIFF. I take it as an indication of one thing more than anything else, and that is the presence of outside influences among men who do not desire this work to continue. I take it as the effect of evil influences from the outside by outside people, by influences

which do not desire this work to continue for the reason that the success of this work means financial losses to certain interests on the outside.

Mr. DILLETT. Have you some evidence of outside interference?

Mr. BRANIFF. No definite evidence; no. I believe, also, that it is due to the evil influence of contractors who have attempted to despoil this tribe of certain funds I saved for the tribe. The influence of these conditions upon the Indians is very marked. You asked me a moment ago how many Indians were employed. We employed last month 329.

Senator LA FOLLETTE. Upon that point, if you have any facts, I think the committee would be very glad to have them incorporated into the record; I mean in respect to the effect of the influences about which you have just spoken.

Mr. BRANIFF. I have no definite facts except the presence of these men upon the reservation and their mingling with the Indians and the fact that those men had partnerships with the Indians.

Mr. DILLETT. Do you remember the case of Paul Peters, who got hurt riding on the carriage?

Mr. BRANIFF. Yes.

Mr. DILLETT. Isn't it the fact that after he got well he tried to get a job and failed?

Mr. BRANIFF. Yes—no; wait a moment. No; I don't know that is the fact.

Mr. LIKENS. I do.

Mr. DILLETT. I am informed by Mr. Likens that is the fact. He has had personal charge of it.

Mr. BRANIFF. Mr. Adams, the mill foreman, knows more about that than I do. The fact, as I recall, is that he was riding the carriage here last spring and some minor accident happened—I do not recall what it was—and it laid him up for a few days. It occurred somewhere about April, and he came back to me a week or two ago and asked to be put back in the same position, after having been gone some six or eight or ten months, and I told him that I would give him a position at an equal wage, but it would be rather embarrassing to have to throw a white man out and put him back in that same position after he had been gone that length of time, but that he would be paid the same wages at something else.

The CHAIRMAN. You speak of outside influences; you only gathered that from the presence of men on the reservation, as I understand. Are there any concrete cases that you know of from which you draw those conclusions?

Mr. BRANIFF. Yes.

The CHAIRMAN. You may state them.

Mr. BRANIFF. When I arrived here in March and when Mr. Farr and I refused to approve these logging contracts, there was a great deal of agitation among the Indians and among the whites as well.

The CHAIRMAN. That is when you first came here?

Mr. BRANIFF. It dates from then.

The CHAIRMAN. Right there, what information have you or what fair inference have you, and the facts from which the inference can be deduced, as to the interest of others than Indians in these contracts?

Mr. BRANIFF. The white men were partners in most of the contracts; there were 38 contracts, and perhaps not to exceed half a dozen were exclusively with Indians. The rest were where whites had an interest.

The CHAIRMAN. Go on.

Senator LA FOLLETTE. Did the terms of that law require that the contracts should be taken by the Indians alone?

Mr. BRANIFF. I don't remember about that. Both Indians and white men, I think. A great deal of agitation arose on account of my being unable to approve those contracts, and there were councils in Keshena, several of them, a number of them, and I attended one of them in company with Commissioner Valentine. The contractors were among the Indians, a number of them. The superintendents of logging were among the Indians and a man whom I had discharged for bad conduct.

The CHAIRMAN. What was his name?

Mr. BRANIFF. John W. Goodfellow. He attended their councils and consulted with them. Several contractors attended their councils and consulted with them.

The CHAIRMAN. What contractors?

Mr. BRANIFF. I recall Mr. W. P. Cook, who is present here to-day, who consulted with the Indians and was present on the reservation during this agitation, made frequent visits here. And from the presence of these men there and from the agitation I drew the inference that these men were largely responsible for the bad feeling and the misconception of the situation which the Indians now entertain.

The CHAIRMAN. These contracts in which there were white partners—you may state whether or not the fact of outsiders, white men, having an interest had any bearing on the introduction of liquor on the reservation; whether the fact that white men were interested in these contracts and consequently had access to the reservation and certain rights here, whether that had any bearing on the introduction of liquor.

Mr. BRANIFF. I don't know.

Mr. DILLETT. I might state that white loggers or any other loggers are required to keep liquor away from their camps.

Mr. BRANIFF. I will relate one incident. On my first day here I met an Indian coming along the road with a saloon keeper from Shawano, who offered me whisky on the open road. Liquor was in the logging camp of Peter Lamote, and Mr. Farr reported that Lamote and the whole crew were drunk.

The CHAIRMAN. Was there a white partner in that operation?

Mr. BRANIFF. I believe a man named Anderson was a partner.

Mr. LAMOTE. What do you believe, that I was in partnership with Anderson?

Mr. BRANIFF. My records show Anderson was a partner.

Mr. LAMOTE. I signed that contract.

Mr. BRANIFF. My records show Lamote & Anderson. I don't know anything further than that.

The CHAIRMAN. Are there any more questions you want to ask, Oshkosh?

Mr. OSHKOSH. Yes, sir; I want to ask some questions about some items I have in here that are in the nature of extravagances of Mr.

Braniff. I want to ask him first when he built this road to Phlox. Isn't there a better way and a shorter cut than the road we take?

Mr. BRANIFF. It has never been called to my attention. I always thought that was the best road to get there.

Mr. OSHKOSH. You never had any knowledge in building roads?

Mr. BRANIFF. No; I never built roads before.

Mr. OSHKOSH. And you thought that road was being built right when it was built in that direction?

Mr. BRANIFF. Well, we followed the old road, which in most parts, with a very few changes, it is the old road.

Mr. OSHKOSH. Don't you think it would have saved the tribe some few dollars by cutting across, which would have made only a cut of a mile and a half, instead of going parallel with the stream and then crossing at the spur of the railroad and then running up the river after crossing the river and running down the steam in almost the same direction you came from, only on the opposite side of the river? Don't you think you would have saved the tribe some expense if you had cut across?

Mr. BRANIFF. I am not able to answer that, because I have never been over that road you speak of.

Mr. OSHKOSH. Haven't you ever been on this road to Phlox?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. That is the road I have reference to. That runs along upstream, don't it, on the branch leading west?

Mr. BRANIFF. I don't know. I have never been on that road. I was thinking you meant this road.

Mr. OSHKOSH. This is the road I have reference to. Within about a mile and a half it turns west.

Mr. BRANIFF. I don't know it at all.

Mr. OSHKOSH. And then it crosses the West Branch and then it turns immediately east.

Mr. BRANIFF. My attention has never been called to that road. I know nothing about it.

Mr. OSHKOSH. There is another question I wanted to ask. What was your object in cutting that railroad right of way along the river front and on that same road that I have described?

Mr. BRANIFF. The necessity of having the railroad bring out these logs. At that time the Wisconsin and Northern had decided against the proposition of building a road.

Mr. OSHKOSH. How far did you cut that right of way in that way?

Mr. BRANIFF. A very short distance. We had an engineer here who was surveying around there.

Mr. OSHKOSH. An experienced surveyor?

Mr. BRANIFF. He was sent out here by the Forestry Service. I believe so; yes.

Mr. OSHKOSH. Are all these men under the Forestry Service called experienced men—are they all like that?

Mr. BRANIFF. All pretty good men; yes. My experience has been that they are pretty good men.

Mr. OSHKOSH. Isn't there about 3½ miles of that winding road that you cut?

Mr. BRANIFF. No; there was only a short space where we cut any timber.

Mr. OSHKOSH. Just before you come to the river don't you come to some heavy timber in there?

Mr. BRANIFF. Just a little curve in the road.

Mr. OSHKOSH. How many curves is that up to that place?

Mr. BRANIFF. Not very many; it is reasonably straight.

Mr. OSHKOSH. You can not give exactly the figures?

Mr. BRANIFF. No.

Mr. OSHKOSH. Are there many curves above?

Mr. BRANIFF. Well, I don't remember very much about that. We did very little work on that.

Mr. OSHKOSH. From camp 2, did you build another road? Did you cut another road right of way toward camp 3?

Mr. BRANIFF. A railroad right of way?

Mr. OSHKOSH. Yes.

Mr. BRANIFF. Never cut a railroad right of way.

Mr. OSHKOSH. But I was there——

Mr. BRANIFF. We may have cleaned up some trail or something of that sort, but we never attempted to build a road, as I remember.

Mr. OSHKOSH. You didn't cut down any trees with the intention of building a railroad or cutting through a road and leaving the timber?

Mr. BRANIFF. Not to camp 3.

Mr. OSHKOSH. Not to camp 3, toward mill site 3?

Mr. BRANIFF. We started a wagon road to run out a few rods. There was very little timber.

Mr. OSHKOSH. What has been done with the timber?

Mr. BRANIFF. I believe it was put into the river.

Mr. OSHKOSH. Isn't it all left laying there?

Mr. BRANIFF. Possibly a few logs. We have until this winter, and we can snake them in this winter.

Mr. OSHKOSH. What did the cutting of this road to the highway cost you?

Mr. BRANIFF. Probably $200 or $300.

Mr. OSKHOSH. Did it yield any profit to the tribe?

Mr. BRANIFF. No.

Mr. OSHKOSH. No?

Mr. COX. Isn't it so that the man in charge of the construction of the road was a civil engineer who has had a good deal of experience in road construction?

Mr. BRANIFF. Yes, I believe so.

Mr. COX. And wasn't the road laid out with a view to serving both streams for toting supplies up to the camps on both streams?

Mr. BRANIFF. Yes; that was the purpose of it.

Mr. OSHKOSH. Here is another thing I want to ask you, Mr. Braniff. Last February I paid you a visit here, and it seemed that you had some prejudice against me from the result of the council that was held in Keshena at the graveyards, where Mr. Allen and Commissioner Valentine were present, and I came in here on business matters and you showed some spirit of being prejudiced toward me. The questions that I put to you, you gave me quick answers. I asked the privilege of being allowed to cut some timber for my own use from lands that I have selected as a farm, to clear that land, adapting it for agricultural purposes, that I have been for some years in the process of doing, and when I put those questions to you, you answered me "No,"

and would not do any such thing. That is the answer you gave me. Now again, I made arrangements with the coal and fuel company in Logan for wood. They looked over the burnt-down district and saw there was a lot of tops laying there deteriorating and no particular use being made of that wood, and I thought of saving some of this wood, and could have made a pretty fair living, making arrangements with these people, and I came and asked you, and you denied me the right to cut that wood, and that wood is still laying there deteriorating.

Mr. BRANIFF. I believe you are mistaken, Reginald. Far from denying any Indian the right to go out and cut firewood and sell it to somebody, we are very anxious to get somebody to do that. I think you misunderstood my answer or my attitude in the matter. I will say that any Indian who desires to make a business of picking up wood and making a living at it, if the department does not object, they have the privilege by applying to me. I can not recall ever having said anything else, except that I may have said that there were a number of Indians who were going out into the woods and making a business of cutting down the best trees for cord wood. I remember sending an invitation over to several Indians in the west end of the reservation when Mr. W. H. Farr was here, and among them was Mr. Kakak, and one or two others whose names I don't recall, asking them to come over here and see if they could not get out some of that wood and make a profit on it, but I was not successful in interesting them in it at all.

Mr. OSHKOSH. I wanted to bring that up. That is what I am leading up to. When I stopped in here you made an effort to scare me, which I think you had a habit of doing with other Indians. Now, we have other Indians that we would like to bring before this committee to testify to things that they are dissatisfied with the affairs here, and who will say that you must have scared them at the same time, and we are unable to get the witnesses in here because they are now in your employment and if they testify against you or anything that they are dissatisfied with they fear that they will be fired.

Mr. BRANIFF. No; I have never discharged anyone for testifying against me. I have no feeling of antagonism toward anyone in this matter, never had and never said so. I have a feeling of antagonism toward the chronic loafer and the man who will not work. I am very desirous of getting the Indians to work, and when they do not work my opinion of them is not so high as it is of the steady men who will work. I have tried, Mr. Oshkosh, to get the Indians like you and like other men on the other end of the reservation to come here and go to work and stop agitating and stop trying to find fault with the work and get into the spirit of the work and do something, and I have used a great deal of time and effort to induce you Indians to stop this agitation and try to realize that we are working for your interests, and I am only trying to make this work successful. It is not my success, it does not mean a dollar to me. It means money to you, it means money to the tribe, it means having a large profitable enterprise at Neopit which you yourselves own and the profits of which would accrue to you. It belongs to you, and I believe you ought to realize that fact and stop this agitation and stop the criticism.

Mr. OSHKOSH. Do you think a person is an agitator who knows that his property is being squandered here and that there are extravagances?

Mr. BRANIFF. I don't agree that your property is being squandered.

Mr. OSHKOSH. You ask us to submit to all of this mismanagement, and we have submitted to it for the last eighteen months.

Mr. BRANIFF. Your property has not been mismanaged. Your property has been well administered.

Mr. OSHKOSH. We claim it has been.

Mr. BRANIFF. Have you ever done any work yourself?

Mr. OSHKOSH. No, sir.

Mr. BRANIFF. Has your name ever been on the time roll in the eighteen or twenty months that I have been here?

Mr. OSHKOSH. Yes, sir.

Mr. BRANIFF. Where?

Mr. OSHKOSH. I think on the fire.

Mr. BRANIFF. How many days did you work?

Mr. OSHKOSH. I worked seven hours. That is the longest I have ever worked.

Mr. BRANIFF. We have been here something like twenty months. I should be glad to give you a job at anything you are capable of doing. I will give you the best-paying job you are capable of filling. I will welcome you to the pay roll and put you at work which you can do. I will encourage you in every way to make a living and better your condition, and I will see that you get a lot free on which to build your house, if you desire, and I will help you or any other Indian who desires to come here and go to work, and I believe that will eliminate a great deal of this trouble that you fellows have been causing if you can come here and go to work, and I will give you the best treatment possible.

Mr. OSHKOSH. In fact, we believe that this is being mismanaged, and it is my aim to defeat it, and I do not think I could be bought with a lot, a city lot, or with a house.

Mr. BRANIFF. Suppose I put it this way, then.

The CHAIRMAN. It seems to me you are engaged in a discussion that is not throwing any light on this subject. We necessarily give a great deal of latitude in these matters, but I can not see that that will afford the committee any light in determining this question.

Mr. DILLETT. Allow me to ask a question: You have made a financial report of the expenditures here, of all expenditures in connection with this proposition?

Mr. BRANIFF. Yes.

Mr. DILLETT. Was that put into the record yesterday?

Mr. BRANIFF. I believe so.

Mr. DILLETT. I would like to have it put into the record if it was not.

The CHAIRMAN. It was intended to be inserted.

Mr. OSHKOSH. I have a question yet to ask. Have you purchased some harness this year since you have been here, Mr. Braniff?

Mr. BRANIFF. Yes; we have purchased some harness.

Mr. OSHKOSH. What prices have you paid for single harness, just half a set?

Mr. BRANIFF. Twenty-eight dollars and $32 for single sets, for one horse.

Mr. OSHKOSH. Was that harness accepted or sent back?

Mr. BRANIFF. The $28 harness was bought in Duluth. The $32 harness was purchased and kept and paid for at $32.

Mr. BELT. Only one, I think.

Mr. OSHKOSH. Do you really think it was necessary to buy this expensive harness?

Mr. BRANIFF. There was only one bought at that price, $32.

Mr. OSHKOSH. Only one?

Mr. BRANIFF. Yes; that, I believe, is on the delivery horse here in town.

Mr. OSHKOSH. I mean, do you think it was really necessary?

Mr. BRANIFF. Yes; we had to have the harness for the horse.

Mr. OSHKOSH. But at that price?

Mr. BRANIFF. Oh, I don't think that is a high price.

Mr. OSHKOSH. Is the house you occupy furnished?

Mr. BRANIFF. Is it furnished?

Mr. OSHKOSH. Yes.

Mr. BRANIFF. Yes; it is furnished.

Mr. OSHKOSH. What kind of furniture is it furnished with?

Mr. BRANIFF. Wooden furniture and willow furniture.

Mr. OSHKOSH. Hasn't this furniture been furnished at an exorbitant price?

Mr. BRANIFF. What?

Mr. OSHKOSH. Very expensive?

Mr. BRANIFF. No; every item of furniture was authorized by the Commissioner of Indian Affairs before it was purchased.

Mr. OSHKOSH. On your recommendation?

Mr. BRANIFF. Yes.

Mr. OSHKOSH. I asked Mr. Carroll some time ago about a desk. I have had various information from them, and I have not ascertained the price of that desk. What price was that desk?

Mr. BRANIFF. Which desk?

Mr. OSHKOSH. The writing desk.

Mr. BRANIFF. Which desk?

Mr. OSHKOSH. Your office desk.

Mr. BRANIFF. The one which I occupy cost $95 delivered.

The CHAIRMAN. Is there anything more?

Mr. OSHKOSH. I think that is all.

The CHAIRMAN. Do you want to ask some questions, Mr. Braniff? Do you want to take up some further matter?

Mr. BRANIFF. No; I have no further questions.

ARGUMENT OF M. J. WALLRIGH.

Mr. WALLRIGH. I appear here, Mr. Chairman——

The CHAIRMAN. It is the wish of the committee that the Indian committee here be ready to make their statements on this contract matter after Mr. Wallrigh makes his.

Mr. WALLRIGH. Do you desire to swear me?

The CHAIRMAN. No; we will take your statement as attorney for these people, and then we will take the statement of the others with reference to the idea of proposing legislation in regard to it.

Mr. WALLRIGH. I wish only to answer Mr. Braniff in this matter so far as he has brought into his testimony reference either to the

contractors or the representatives of the contractors in this question. Anything else I have nothing to deal with or to do with, excepting of course the claim that these contractors were instrumental in starting any agitation here. At the time of the meetings of the council at Keshena at which the commissioner, Mr. Valentine, was present, I happened to be there also. Mr. Braniff was kind enough to leave my name out. I was present at the request of a great many Indians, not the contractors, and it was to represent the Indians; but after talking the matter over with Mr. Valentine I thought it was discourteous to Mr. Valentine, who had come here as the representative of the Indians, really for me to appear there, as he was there to protect the Indians' rights, and I told the Indians under those conditions that I would not have anything to say, and I withdrew. That is the reason I was present at that council. Now, we feel that we will be obliged to ask for legislation at the coming session of Congress, and we want to put the facts before this committee in order that they may see the necessity of such legislation in case we fail to get a settlement.

During the fall of 1907 and winter of 1908 certain logging contracts were executed by the business committee of the Menominee tribe of Indians, approved by the logging superintendent and the Secretary of the Interior in accordance with the act of Congress of June 28, 1906, and in compliance with the rules and regulations of the Interior Department approved December 5, 1906, as amended and changed April 7, 1907. There were 38 contracts executed in all. The object of entering into these contracts was for the purpose of logging what is known as the "blown-down" timber on said reservation.

The act above cited provided for a logging superintendent, assistant superintendent, and scalers, each of whom was to be sworn to faithfully discharge his duties, and each appointment was to be approved by the Secretary of the Interior.

These contractors entered upon their work as soon as the contracts were executed. In nearly all cases the contract was taken in the name of one or more Indians and one or more white men, as it was instantly ascertained that Indians were unable to handle these logging operations without taking in white partners. The price to be paid for cutting and delivering the logs, either to mill sites or on streams, as might be designated by the superintendent, was from $6.75 to $7 per thousand feet.

Rules under the foregoing act for the cutting and delivery of these logs were formulated by the Interior Department and made a part of the contract. The act itself and the rules vested large discretionary powers in the logging superintendent. During the logging operations John W. Goodfellow was superintendent, Joseph R. Farr general logging superintendent, and Shepard Freeman superintendent of the agency. The Forest Service of the Government was, from January 22, 1908, theoretically, in law at least, in charge of these operations. The state forester of Wisconsin also had men upon the reservation, by special agreement with the Commissioner of Indian Affairs, looking after this work. Mr. Farr was upon the works for considerable time at two different periods during the logging operations. National foresters were upon the reservation from the fore

part of March until the end of the logging operations some time in the middle of April.

On April 15 and 17 John W. Goodfellow, superintendent, accepted, under the rules, many of these contracts as having been completed in compliance with the terms of said contracts. At that time many of the contractors had moved out and were transporting their logging devices to their respective homes, and each demanded a settlement before leaving. Many of the contractors did not have money enough to pay for the supplies which they had secured during the logging season nor pay their labor bills. Consequently the laborers were obliged to shave their labor orders from 5 to 15 per cent. About the middle of April, I am creditably informed, there were labor orders standing out and held by different banks in Langlade, Shawano, and Oconto counties approximately to the amount of $75,000, and there were outstanding supply bills of over $100,000. These contractors were unable to get any settlement. The new department, coming in possession full of enthusiasm to do what they considered the right thing, were desirous of making an investigation and an examination of everything done, notwithstanding the Government, as stated above, had officials upon the ground sworn to perform their duties during all the time while these operations were being carried on.

These contractors and supply men have been paid in installments from time to time, but there still remains a large balance unpaid. The supply men and contractors having still large amounts coming for their work and supplies reside in three different counties and they have been put to a great deal of expense and annoyance in going at various times to this reservation to collect small amounts of the balance due them. The reasoning upon which the forest department has refused to recommend the payment of these supply bills and the balance due these contractors is found in a schedule of charges against the contractors, which charges are (1) that the contractors cut green timber in violation of the terms of the contract, (2) that logs were left in the woods, (3) that there was a failure to cut the butts close enough to the ground and leaving the tops, and (4) a failure to drive the logs. I wish to take up these charges in the order above specified.

Now, if it pleases the committee, I had intended to take up these separate charges. If it is the wish of the committee that they wish to have nothing to do with it, I will not take them up or read it into the record.

Senator LA FOLLETTE. If you have some brief statement there with respect to it, I do not see any objection to its going into the record.

The CHAIRMAN. No; I do not either.

Mr. WALLRIGH (continuing). The contractors maintain that there has been no green timber cut, except such as was permissible under the contract and the rules in logging the timber specified in the various contracts.

Rule 8 specifies that "no 'dead and down' trees, as herein defined, containing merchantable timber shall be left lodged in the woods." Now, in not leaving timber of that character lodged it might often become absolutely necesary to cut down green timber to get out the lodged timber. This blown-down green timber was tangled up and often lodged into green trees. Several blown-down trees would be apt to be lodged in different directions in the same trees still appar-

ently green, but when the lodged trees were cut out it would so injure the trees against which they were lodged that it would be impracticable and unwise to leave such trees standing, and to have left them standing the contractors would have violated the terms of their contracts.

Rule 9 specifies:

Each contractor will be held to reasonable care in his logging operations to prevent injuries or damage to the live timber in the area logged by him, and no young timber shall be cut or injured in any manner unless absolutely necessary.

Any person conversant with logging timber of this character must concede that it often becomes necessary to cut green trees to get out all the lodged and down trees. Then, again, the contracts provide:

Clear all landings, rollways, and skidways of trees, * * * and to land the logs at the places designated so that they will be of easy access to scalers and others having rightful access thereto.

Mill sites were also necessary to be cleared of all timber. Roads had to be built upon which to haul these logs to the streams and to the mill sites. Thus in clearing mill sites, landing places, building roads, etc., some green trees might have been necessarily cut, and if cut, were cut with the knowledge of the superintendent in charge as an absolute necessity to carry on these logging operations. It seems practically impossible for a set of men to go upon that ground at this time and say that green trees were cut, the cutting of which was not absolutely necessary to carry on the work on that reservation. If there were any green trees cut, what were the government employees doing from November, 1907, to May, 1908? Why did not these employees and officials inform the contractors while they were cutting this timber that it was not permissible under the rules and the contract to do so? The contract provides—

That no timber other than dead and down timber, as defined by the rules of the Interior Department, shall be cut under this contract, and that a violation of this latter provision shall be regarded as sufficient for the annulment of this contract by the superintendent of logging.

From January 27 to February 1, 1908, there was distributed and circulated a letter in every logging camp on the reservation by Mr. James A. Howarth, jr., representing the state forester of Wisconsin, which, among other things, contained this language:

I am instructed by the state forester to notify all contractors that I must report to him as follows:

1. Whenever any green timber is being cut contrary to the contract and regulations * * * and that he (the said state forester) will take steps immediately through the Indian office to have the contracts taken away from such contractors.

The superintendent of logging was upon this reservation all winter, being the representative of the Interior Department. The superintendent of the reservation was requested to cooperate with the superintendent of logging in every practical way. The general logging superintendent was also upon the ground from time to time. Mr. Howarth, representing the state forester, was there distributing letters personally among the contractors. It would seem strange if any violations of the rule preventing the cutting of green timber had been made that these men should not have exercised their authority

either in annulling the contracts or recommending to the Secretary of the Interior the annulment of the same.

Rule 14 provides:

The violation of any of the above rules, if persisted in by the contractor, shall be deemed sufficient cause for annulling his contract by the Secretary of the Interior, on the recommendation of the superintendent of logging.

No word ever came to these contractors that they were cutting timber contrary to the rules and contract until they had left the reservation and demanded a settlement. The contractors having been permitted without protest to go ahead with their work in carrying out the terms of the contract, as directed by the superintendent of logging and under the rules and regulations furnished by the Interior Department, it seems a harsh proceeding now to have a different department of the Government step in after the work has been done and say that according to their ideas and their theories trees were cut that ought not to have been cut.

Weigle, La Fountaine, and Assistant Forester Braniff were all upon the reservation for a considerable time before these contractors moved out, and approximately 10,000,000 feet were cut and delivered after some of these men came upon the reservation.

The Secretary of the Interior, as well as the logging superintendent, had a right to annul these contracts if green timber was cut. When the general logging superintendent, Mr. Farr, was upon the reservation in February, 1908, if green timber was cut, as he reports to the Interior Department, he should have demanded an annulment of these contracts. If these violations took place and green timber was cut, it seems it would have been the best kind of business to have annulled all these contracts, as most of the contractors would have been pleased to have quit, as the schedule above referred to shows that only very few of them made money, and most of them run behind, besides ruining their credit.

Senator LA FOLLETTE. You have referred to Mr. Farr. Which Farr was that?

Mr. WALLRIGH. Mr. Joseph Farr.

The CHAIRMAN. When was that report made?

Mr. WALLRIGH. March 3, 1908. Now, I shall not bother the committee with the further details in this matter unless the committee desires it.

Senator LA FOLLETTE. There seem to be only one or two more pages. You might as well continue, I think.

Mr. WALLRIGH (continuing). I do not think under present conditions this title needs any argument. The superintendent could see that the Indians could never get their money out of logs of a dozy, wormeaten, and crooked character put into streams that were not improved, or at mill sites where there was little chance of getting a mill to cut such timber. Every log of that character delivered either at the stream or at the mill site would cost $7 for logging and delivery. They were not worth it. It does not seem reasonable that either department of the Government should now complain that there were logs left in the woods and not delivered, for the reason that I think everybody is satisfied by this time that if the timber in the "blown-down district" had been left in the woods the tribal fund would be in a much healthier condition than it is at present.

Had these logs, which the superintendent undoubtedly considered as not containing sufficient merchantable timber to justify them being put in, been delivered, then the loss to the Indians would have been so much the greater.

The waste of timber is charged up against the contractors at the rate of $3 per thousand feet. I suppose what is meant by waste is leaving tops and cutting the butts higher above the ground than the contract specified. The same argument used with reference to logs left in the woods also applies to this waste under present conditions. Would the superintendent of logging have been justified in causing the tops of these trees to be delivered to mill sites or streams when, in his judgment, there was not sufficient merchantable timber in such tops to justify the expense? Whenever the tops were so rotten, dozy, or crooked that there was not sufficient merchantable timber in the same to pay for the logging or the sawing, they should not have been cut and put in. If these tops were good for anything, they should have been utilized for bolts for various purposes, and then the Indians would realize something out of them; but had they been put into logs, the Indians would never have realized 1 cent after paying the expenses of marketing them.

With reference to the tops being cut too high, any practical man must concede that it was no easy task, while the snow was on the ground and the logs frozen in and often embedded into the soil, to know just how high to cut the stumps. In many cases trees were tipped over by their own weight and embedded in the soil. In other cases they were held down by the weight of other trees and were frozen into the soil, especially on side hills. Consequently, by reason of these trees being lodged into the frozen earth, it would often happen that they could not be cut off 18 inches above the surface. However, when these trees were cut and the frost went out of the ground and they were no longer held down by the weight of the tops or the weight of other trees the stump would often go back into its natural condition, and if an examination were made thereafter it might appear as if such a tree could have been cut closer to the ground, when, in fact, at the time it was cut it was practically impossible to do so.

I am satisfied that, under the existing conditions, while these logs were being cut they were cut as close to the ground as conditions would permit. Most of the butts, cut higher than specified by rule, were so embedded in the earth and were so defective that there was not sufficient merchantable timber in the same to justify cutting them any closer than they were cut without loss to the tribe instead of a benefit. As a matter of fact, the hemlock was cut too close. If these butts had been cut any closer many of the butt logs would not have made good lumber, for the reason that the butt would have been shaky, rotten, or dozy, and thus would have materially depreciated the remainder of the first log of the tree.

There is not a word in the contract providing for the driving of these logs by any contractor, but there is a special provision in the contract which provides that the logs shall be delivered to the mill or stream as may be designated by the superintendent. The superintendent in each of these cases has designated the place where these logs should be delivered. The only ground for holding that these logs should be driven is a designation upon the back of some of the

contracts showing the mill that the logs were intended for. At the time of the cutting there was no mill and not for nearly a year thereafter. To do that which the Government contends for was a physical impossibility, because there were nearly 25,000,000 feet of logs on streams, which would have filled up the streams from mill site No. 1 to the end where logs were located with several layers of logs. That statement on the back of the contract is nothing more than a memorandum to indicate to the department a ready reference for examination. The same memorandum on the back of the contract contains these designations:

Distance to mill.
Class of timber.
Estimated number of logs per thousand feet.
Condition of road.

All these notations clearly show that they were not intended to be embodied as part of the contract. The last memorandum on the back of the contract is "Remarks." The superintendent might write anything in there that would give information to the department concerning the contract in question. Conceding for the sake of the argument that the notation on the back of the contract was intended to be embodied as part of the contract, still the Government has placed it beyond the power of these individual contractors to carry out that part of the contract, for the reason that the Government has failed to clear out the streams so as to make the same navigable at the time these logs were to be delivered to mill No. 1. The Government failed to build the necessary dams to hold the necessary water to float these logs. The Government has spent, as writer is informed, from $25,000 to $30,000 to build dams and clear out streams since the date when the conditions of these contracts were to be completed to drive these very logs. No one would maintain that these contractors each separately had undertaken to build dams, blow out rocks and ledges in the stream, etc., in order to make these streams drivable. The fact is the superintendent of logging made application to the Indian Office during the fall of 1907 and during the winter of 1908 for funds to build these dams and clear out these streams, but no funds were furnished for that purpose until after the Forest Service came in charge of the work.

Many of the contractors in the "blown-down district" received their supplies from storekeepers at Phlox, Shawano, Cecil, and Oconto, and from other points on the representation of the logging superintendent that a weekly scale would be made for each contractor's logs delivered, from which each supplyman could ascertain what amount the contractor had coming for work done. These supplymen also relied upon the terms of the contract that the contractor was to be paid "at the rate of $2.50 per thousand feet for all logs on skids every thirty days as shown by the scale books." The remainder was to be paid in full when all logs under the contract were delivered at the mill or stream designated by the superintendent. These various supplymen were urged to serve these contractors, many of whom were and are insolvent. These logs were scaled by government scalers, approved by the Secretary of the Interior, sworn employees of the Government, and now their work is repudiated as unreliable and dishonest and the good faith of the Government that these supplymen would be paid on the basis of that

scale has not been kept. The supplymen had a right under the rules and the contract and the representations made by the logging superintendent to rely upon the scale so made in furnishing supplies and had a right to expect payment for their supplies not later than May 1, 1908. What have the supplymen to do with any waste or any green timber cut, providing the contractor according to the scale had a balance in his favor at the time the supplies were furnished? Many of these contractors could not have got credit for supplies had it not been for these representations to the supplymen that they would be protected by the Government.

In a letter of the Hon. Gifford Pinchot, dated May 28, 1908, addressed to a party representing these supplymen, he uses the following language:

> I am exceedingly anxious that no injustice be done anyone interested in the logging operations on the Menominee Reservation, and especially that the supplymen should not suffer by delay in payments, since they are in no way responsible.

In an interview with Assistant Forester Carter and in an interview with Acting Commissioner Larrabee, with the writer, the same honorable sentiments were expressed by each of them with reference to the supplymen.

There are still large amounts of supply bills unpaid and an itemized statement of the same will be furnished this committee if requested.

These contractors are charged with violating the terms of the contracts and therefore we are justified in making countercharges against the Government in that the Government has breached the contracts in the following manner:

1. By failure to pay the $2.50 per thousand feet every thirty days as provided in the contracts for all logs on skids as shown by the scale books, which failure compelled many contractors to take in new partners at a sacrifice and others to abandon their contract for want of funds to carry on the work and compelled the laborers to shave their labor orders from 5 to 15 per cent.

2. The Government has failed to pay the supply bills, as clearly intended both by the contract and the rules.

3. If driving was intended to be done by the contractors, then the Government has failed to build the necessary reservoir dams and clear out the streams in time to enable these contractors to drive their logs.

4. The only penalty provided in the contract for a violation of the conditions thereof in cutting green timber, or wasting timber, is the annulment of the contract. The government officials, being in charge, have failed to exercise that option.

Now, the only thing that Mr. Farr has suggested is that, so far as his recommendation would have any weight with the Indian Office, he would recommend that these matters unadjusted should be reopened to see whether we could get together with a settlement to pay these contractors and supply men.

In connection with that, these whole blown-down district logging operations have not been a paying proposition. Now, as to that fault, I do not intend to lay the blame to any one individual or set of individuals, because I think that neither the Indian Office can put all the blame on the Forest Service nor can the Forest Service put

all the blame on the Indian Office. Neither can we put it on Senator La Follette for introducing that original bill, because I believe that the intention was good at the time to make the Indian work, although the Senator remembers that I wrote him against the measure—that is, that the Indians would not carry it out—but both the Senators here will remember that the Senate of the United States passed an act last winter whereby all this might have been changed if that act had been passed soon enough by the House. Then these mills might have been put up during the winter had Congress enacted legislation sooner, as Mr. Braniff attempted to do, and subsequently dropped the proposition for one central mill, and portable mills could have been got on the reservation and some of this timber saved.

Now, all we ask from this committee is, if we can not come to a settlement—which we will make every effort possible to do—and stop finding fault and criticising and see whether we can not make this matter a success up here. Of course Mr. Braniff has said that some of these contractors and others from the outside had tried to stir up strife. So far as I am personally concerned, I do not think that there is anybody who has been more anxious to cooperate with Mr. Braniff to make this a success than I have been, and will continue to do, although I have considerable timber holdings myself; but we want this plant to be a success, if it can possibly be made so, because I feel that I am going to be a gainer by it if it is a success, if they can demonstrate that those forests can be reproduced in twenty or twenty-five years.

I have several witnesses here who can be sworn as to this fact, but I am in hopes that we can fix it up without going into the courts. That would mean twenty-eight or thirty different suits, and any good business man can see that the Indians are not going to be the gainers, and many of those Indians are the ones who have large sums coming from these contracts, as well as white parties; and while Mr. Braniff says he has saved the tribe money, we claim that it has been an injury to the tribe, because there would have been a great deal better feeling here on the part of these Indians, such as La Motte and others, if those claims had been paid. They want to be paid when they get through with their work.

STATEMENT OF J. R. FARR.

The CHAIRMAN. Mr. Farr, do you want to make a statement with regard to these contracts? Mr. Wallrich has made a certain statement here and we want the statement of the department in opposition to that, whatever it may be. I do not know who has it in hand or in whose knowledge it may be.

Mr. FARR. I presume that Mr. Braniff has the records, and while he is looking them over I will make a statement with regard to the reference that Mr. Wallrich has made to me. He has stated that I was willing to have the matter reopened. That came about in this way: He desired to present it to the committee, and for me to furnish the evidence in contradiction of the statement he has made here would, in my opinion, take at least a day, and I said for that reason it would be better, perhaps, to select some official and Mr. Braniff and myself and the contractors could appear before that official and thrash it out. On the other hand, the matter and the evidence has been pre-

sented by both sides and passed on by the Forester and the commissioner; I am not certain but what it went to the Secretary, and, notwithstanding that they decided in favor of our position—that is, the position taken finally by Mr. Braniff and myself—I would be glad to have the facts gone over again if by doing so it might avoid the expense of suit. If it can not, I am entirely willing that the contractors be provided with ways and means by Congress to try the issue. I believe Mr. Braniff must have statements here showing our side of the position. I have with me several papers in the case, and I might be able to look up——

Senator LA FOLLETTE. If you have some paper in the nature of a summary that will cover the case in a somewhat brief way, you might present it.

Mr. FARR. I want to make the record as the facts are with reference to myself. I was general superintendent of logging at that time, as I am now. I visited the operations first in November.

Senator LA FOLLETTE. Of what year?

Mr. FARR. The fall that they started, 1907, and they were not satisfied at that time, but it was early in the operation. I immediately notified the Indian Office and took it up with the local superintendent of logging.

Senator LA FOLLETTE. Did you also notify the contractors?

Mr. FARR. No, sir; I only talked with them. It was very early; the cutting was very slight at that time. On my next visit I found the conditions that were complained of.

Senator LA FOLLETTE. How soon was that after your visit in November?

Mr. FARR. That was in February.

Senator LA FOLLETTE. In 1908?

Mr. FARR. Yes, sir; and I reported the matter to Washington and urged immediate action.

Senator LA FOLLETTE. Did you also inform the contractors that the work was not being carried on in compliance with the contract?

Mr. FARR. I might have in a few cases, but I did not follow the usual custom there for the reason that I was instructed by a letter that the state forester would cooperate in all such matters, and Mr. Goodfellow had been placed in local charge, just the same as Mr. Braniff or any other person here. Such notice as that to an examining officer or general superintendent extends to the contractor through the man in charge, not to impair his usefulness or authority, and I discussed it thoroughly with Mr. Goodfellow. I simply make that explanation so that the situation will appear as the facts are on the record.

Senator LA FOLLETTE. Did Mr. Goodfellow agree with you that the contracts were not being complied with?

Mr. FARR. Mr. Goodfellow's position was that I had no official rights there.

Senator LA FOLLETTE. Without respect to your position or your authority, did he agree with you that the contracts were not being complied with, or did he dispute that?

Mr. FARR. Well, I think his position was that the contracts were all right; that the contractors were complying with them.

Senator LA FOLLETTE. Then he naturally would not notify them, no matter how flagrant the violation was, as you called it.

Mr. FARR. As to some of the violations, the question of how much is one to be determined. Notice would not be necessary to get the information to anyone——

Senator LA FOLLETTE. I spoke of that because they complain that the work went on without any objection on the part of the Government and that the Government is now estopped from making complaint by reason of that fact.

Mr. FARR. There is some merit in that position. I think myself that action should have been taken, but I do not know that the failure on the part of an official to issue such orders or instructions would relieve the contractor from the terms of his contract. But that is a question as to which perhaps there is a good deal to be said about on both sides. There may be many things in it if it is reopened to avoid a lawsuit that might be to the interests of all parties.

STATEMENT OF E. A. BRANIFF—Continued.

The CHAIRMAN. Have you any statement to make in regard to this matter, Mr. Braniff?

Mr. BRANIFF. No, sir; except——

Senator LA FOLLETTE. Have you any record, Mr. Braniff, that will make a succinct statement of the department's position with respect to those contracts?

Mr. BRANIFF. Yes, sir; I think I have. I have the joint recommendation.

Senator LA FOLLETTE. Perhaps you had better read that.

Mr. BRANIFF. On August 25, 1908, Mr. J. R. Farr and I made certain recommendations on the basis of which we believed the contracts would be settled. We made certain charges against almost all the contractors which we believed should be deducted before final settlement was made. Our recommendations are as follows:

Joint recommendations of E. A. Braniff and J. R. Farr for the closing of 38 contracts on the blown-down district of the Menominee Reservation, executed during the logging season of 1907–8.

Contract 1, La Bell, sr., Grignon, Meles, and Parker:	
Green timber cut, at $3 per M	$25.00
Logs left, at $7 per M	94.50
Waste, at $3 per M	100.00
Drive, 1,804,300 feet, at 35 cents per M	631.50
Total charges	851.00
Contract 2, La Bell, jr., and J. J. Ragen:	
Green timber cut, at $3 per M	25.00
Logs left and waste committed	50.00
Drive, 2,275,150 feet, at 30 cents	682.54
Total charges	757.54
Contract 3, Lawe and Whiting:	
Green timber cut, at $6 per M	100.00
Logs left, at $7 per M	420.00
Waste, at $3 per M	90.00
No drive.	
Total charges	610.00

Contract 4, A. Fredenburg:	
Green timber cut, at $3 per M	$110.00
Logs left, at $6.75 per M	297.00
Waste, at $3 per M	50.00
Drive, at 40 cents per M	170.41
Total charges	627.41
Contract 5, William Tucker, sr.:	
Green timber cut, at $3 per M	75.00
Logs left, at $7 per M	210.00
Waste, at $3	50.00
Drive, at 30 cents	347.51
Total charges	682.51
Contract 6, Stick and Pecore:	
Green timber cut, at $3 per M	75.00
Waste, at $3	45.00
Drive, at 40 cents	386.04
Total charges	506.04
Contract 7, Joe Dear:	
Green timber cut, at $3	50.00
Logs left, at $7	84.00
Waste, at $3	80.00
Drive, at 15 cents	175.15
Total charges	389.15
Contract 8, Cota and Rabe:	
Green timber cut, at $3	75.00
Waste and logs left	30.00
Total charges	105.00
Contract 9, Peter Lamote:	
Green timber cut, 117,100 feet, at $3	351.30
Logs left, 101,680 feet, at $6.75	686.34
Waste, 56,730 feet, at $3	170.19
Cost of scaling trespass	116.67
No drive.	
Total charges	1,324.50
Contract 10, Cota, Rabe, and Keshena:	
Green timber cut, at $3	50.00
Logs left, at $7	70.00
Waste, at $3	25.00
Total charges	145.00
Contract 11, Oshkenanlew, Kaquotosh, and Whiting:	
Green timber cut, at $3	350.00
Logs left, at $7	450.00
Waste, at $3	100.00
No drive.	
Total charges	900.00
Contract 12, M. Tucker and Goodyear:	
Green timber cut, at $3	180.00
Logs left, at $7	28.00
Waste, at $3	100.00
Drive, at 30 cents	201.81
Total charges	509.81

Contract 13, La May and Smith:	
Green timber cut, at $3	$65.00
Logs left, at $7	20.00
Waste, at $3	50.00
Drive, at 40 cents	430.33
Total charges	565.33
Contract 14, La May, L. Tucker, and P. Tucker:	
Green timber cut, at $3	30.00
Waste, at $7	50.00
Drive, at 40 cents	513.20
Total charges	593.20
Contract 15, Lang and Mayanon:	
Green timber cut, at $3	25.00
Waste, at $3	25.00
No drive.	
Total charges	50.00
Contracts 16 and 17, Cook and Gauthier and Cook and Chickeney:	
Green timber cut, 497,660 feet, at $3	1,433.98
Logs left, 80,190, at $7	561.33
Waste, 111,660, at $3	334.98
Shortage of 7,425 logs averaging 80 feet each, 594,000 feet, at $7	4,038.00
Drive, 5,145,870 feet, at 60 cents	3,087.52
Cost of scaling trespass	349.52
	9,860.33
Deduct drive at 60 cents on 594,000 shortage	356.40
Total charges	9,503.93
Contract 18, Van Cleve and Tucker:	
Green timber cut, at $3	25.00
Logs left, at $7	35.00
Waste, at $3	50.00
Drive, at 30 cents	209.90
Total charges	369.90
Contract 19, Lefevre and La Motte:	
Green timber cut, at $3	20.00
Logs left, at $7, and waste, at $3	60.00
Drive, at 25 cents	217.82
Total charges	297.82
Contract 20, Ragen and Corn:	
Green timber cut, at $3	300.00
Waste, at $3	50.00
Logs left, at $7	250.00
Drive, at 40 cents	375.69
Total charges	975.69
Contract 21, J. Pecore:	
Green timber cut, at $3	50.00
Logs left, 50 M, at $7	350.00
Waste, at $3	40.00
No drive.	
Total charges	440.00

Contract 22, H. Lookaround and H. Fredenberg:	
Green timber cut, at $6	$100.00
Logs left, at $7	25.00
Waste, at $3	50.00
Drive, at 40 cents	250.83
Total charges	425.83
Contract 23, Pecore and Dieck:	
Green timber cut, at $3	100.00
Logs left and waste	100.00
No drive.	
Total charges	200.00
Contract 24, Moses Tucker:	
Waste, at $3	50.00
Green timber, at $3	100.00
Drive, at 25 cents	384.75
Total charges	534.75
Contract 25, Menting and Whitney:	
Waste and logs left	25.00
Contract 26, Joe Grignon:	
Green timber cut, at $3	25.00
Waste, at $3	25.00
Logs left, at $7	112.00
Drive, at 30 cents	158.67
Total charges	320.67
Contract 27, Moon and Deer:	
Green timber cut, at $3	100.00
Waste, at $3	50.00
Logs left, at $7	60.00
No drive.	
Total charges	210.00
Contract 28, Peter Konaha:	
Green timber cut, at $6	50.00
Logs left, at $7	100.00
Waste, at $3	60.00
No drive.	
Total charges	210.00
Contract 29, Mose Kanote:	
Green timber cut, at $3	75.00
Logs left, at $7	70.00
Waste, at $3	30.00
Drive, at 10 cents	75.47
Total charges	250.47
Contract 30, Moshart and Caldwell:	
Green timber, at $3	50.00
Logs left, at $7	55.00
Waste, at $3	45.00
Drive, at 30 cents	294.98
Total charges	444.98

Contract 31, McMall and McIntee:	
Green timber cut, at $3	$60.00
Waste, at $3	25.00
Logs left, at $0.75	150.00
Drive, at 40 cents	621.20
Total charges	856.20
Contract 32, Irving and Debroux:	
Green timber, waste and logs left	50.00
Drive, at 40 cents	401.20
Total charges	451.20
Contracts 33 and 34, Keshena, Matteson and Bowman:	
Green timber cut, at $3	50.00
Waste, at $3	75.00
Logs left, at $7	75.00
No drive.	
Total charges	200.00
Contract 35, Chas. Warrington and Mose Warrington:	
Green timber cut, at $3	75.00
Waste and logs left	50.00
Drive, at 80 cents	186.89
Total charges	311.89
Contract 37, Okomow, Oketchium and Dodge:	
Green timber cut, at $3	100.00
Logs left, at $7	210.00
Waste, at $3	50.00
Drive, at 60 cents	879.70
Total charges	1,239.70
Contract 38, Tucker and Brooks:	
Green timber cut, at $3	75.00
Waste, at $3	75.00
Logs left, at $7	56.00
Drive, at 40 cents	165.27
Total charges	371.27
Contract 39, George Neconish:	
Green timber, at $3	75.00
Logs left, at $7	150.00
Waste, at $3	75.00
No drive.	
Total charges	300.00

The above schedule is respectfully submitted with the object of bringing about a prompt settlement of the blown-down logging accounts. We recommend that the superintendent of the Green Bay Agency be instructed to submit this schedule to the contractors concerned, and that those contractors who agree to settlement on the above terms be paid by the superintendent of the Green Bay Agency what is due them, after deducting the charges contained in the above schedule.

Very respectfully,

_____,
Forest Assistant.

_____,
General Superintendent of Logging.

AUGUST 25, 1908.

I will say that those recommendations were accepted with this exception: That the department, instead of compelling the contractors to accept that as the final settlement, decided not to compel them to take that stand, but paid them what balance was due without requiring them to accept those conditions, that it was the final settlement. They left the matter open. That was accompanied by this letter:

NEOPIT, WIS., *August 25, 1908.*

The FORESTER,
Forest Service, Washington, D. C.

DEAR SIR: In compliance with your instructions I submit herewith joint recommendations signed by Mr. J. R. Farr, general superintendent of logging, and myself for final settlement of all contracts on the blown-down district of the Menominee Reservation for the logging season 1907-8. It should clearly be understood that the recommendations are in the nature of a compromise—that the amount which might properly be charged against all of these contracts is greatly in excess of the amount herewith recommended for acceptance. On all of these contracts the scale given the contractors by the scalers employed by John W. Goodfellow, superintendent of logging, was greatly in excess of the scale which should properly have been given. This was determined by Mr. Uhler and his check scalers, who have spent about two and one-half months in check scaling these contracts. The overscale varied from about 7 to about 33 per cent. You are respectfully referred to my last report on John W. Goodfellow for information as to the overscale.

With reference to the cutting of green timber: There was not a contractor on the blown-down district last winter who did not cut more or less green timber, although the contracts clearly and explicitly forbade it. A wide difference exists, however, in the amount of green timber cut by the various contractors. Some cut only a limited amount. Others, concerning whose operations you will find a full account in my last report on Goodfellow, cut a very large amount, and did so with the deliberate purpose of getting out green timber in preference to dead and down. By cutting green timber, such contractors were obliged to leave uncut a large amount of dead and down which they had contracted to get out. It seems equitable to charge for green timber at the rate of $3 per M feet, a price about equal to the stumpage value of the dead and down timber left on the ground, and which, in consequence, must go to waste. The fact should also be kept in mind that by cutting green timber the contractor has inflicted a damage to the Government by reason of the deterioration of such timber before it can be manufactured. This deterioration will amount to at least $3 per thousand.

With reference to waste in cutting, the contract requires each contractor to clean up his area of all dead and down timber. No contractor has done this. Some have cut over not more than one-fifth of their areas; others have gone over all their areas, but have not taken all the dead and down. The damage done the Government in this respect is a heavy one, since the timber they failed to take out is practically a dead loss. The price, $6.75 and $7, which was paid for logging this dead and down timber was exceptionally high; it was made so for the reason that the expense of logging dead and down timber would be heavier than that of logging green standing timber. The Government, it would seem, is entitled to the damage sustained by the failure of the contractors to clean up their areas. Nevertheless, after due consideration, Mr. Farr and I have decided not to advocate a charge for dead and down timber left in the woods which has not been cut into. The waste charged for has been waste in long stumps, long tops, and logs left; but in estimating the amount, we have taken only a fraction of the amount we feel a careful scale would disclose. The rate charged, namely, $3 per thousand, represents a very low stumpage price, approximately $2 less than the price the timber would bring if it were sold as stumpage.

With reference to the drive, we have taken a very liberal view of the liability of the contractor for driving his logs. In this matter the Government, as well as the contractor, was blamable, since it was understood at the time these contracts were entered into that the Government would build dams and improve the streams and that the contractor would merely drive the logs. The Government failed to build sufficient dams and to improve the streams. The contractor, on his part, failed to drive the logs. Under these

circumstances, I believe it fair to charge the contractor a price for the drive not more than enough to pay the expense of driving the logs in an improved stream. In fixing this price we have taken into consideration the condition of each contractor's landings and their distance from mill No. 1, the point of delivery.

In the case of contracts 16 and 17, a careful count was made at the landings of the logs with which the contractor was credited, and a shortage of 7,425 logs was disclosed. The contractor was invited to go over his logs with Mr. Uhler and explain the shortage. He came out with his foreman and the scaler who had scaled most of his logs, but refused to make any count; and his explanations of the shortage were afterwards found on inquiry to be untrue. In order to make sure that this shortage was as great as was found on the river Mr. Uhler and his scalers went over the entire cutting area of this contractor. He counted stumps and estimated all the logs which had been removed from the cutting area. This investigation proved, I believe, conclusively that an attempt has been made to defraud the Government on these two contracts of no less than 7,425 logs. I have therefore charged on contracts 16 and 17 for 7,425 logs at the average scale per log as shown in the rest of the logs in this contract and at the rate of $7 per thousand feet, this being the contract price.

On contracts 9, 16, and 17 the cutting area was gone over very carefully by Mr. Uhler and his scalers, and a scale was made of the green timber cut and the waste committed. These particular contracts were selected for the reason that these contractors were among the worst offenders. The amount of timber which they delivered was large, and the amount of waste committed and of green timber cut was exceptionally heavy. The expense of going over the cut-over areas was so considerable that I did not consider it advisable to extend this work to the rest of the contracts. An additional reason was that many of the other contracts are small, and the contractors have so little coming to them that it would have been unfair to charge them with this additional expense.

In making our recommendations for settlement, Mr. Farr and I have been guided by an earnest desire to close up these contracts. Most of the contractors are men of little means. It would not be advisable, in our judgment, to hold such men to too strict account. In fact, full recovery for the damage done the Government could not be obtained.

The Forest Service is now engaged in a piece of work on the Menominee Reservation against which there is a widespread and bitter opposition. It would be far better to clean up the work of last winter, even at a heavy sacrifice, rather than enter into prolonged controversy and possible litigation with the 88 contractors. I hope that if these contractors are dealt with on the basis recommended, most of them will accept these estimates for closing their contracts, and that there will be a better feeling in this community toward the work the Government is now engaged in on the Menominee Reservation.

Very respectfully,

EDWARD A. BRANIFF,
Forest Assistant.

The CHAIRMAN. Where is that understanding expressed?

Mr. BRANIFF. It is the understanding derived from the contract.

The CHAIRMAN. From the reading of the contract—the interpretation of it?

Mr. BRANIFF. From the reading of the contract. I believe that is a fair interpretation of it, and I believe in that connection that Mr. Wallrich's statement is a very fair one as to the partial liability of the Government in failing to improve those streams. You will note in my letter which I have just read that I state as follows:

The Government failed to build sufficient dams and to improve the streams. The contractor, on his part, failed to drive the logs. Under those circumstances, I believe it fair to charge the contractor a price for the drive not more than enough to pay the expenses of driving the logs in an improved stream.

That is, we have taken this position, that the Government failed to improve the streams; at the same time, we believe that that should not relieve the contractor of the expense of driving those streams

had they been improved, and we charge a figure varying for the different contracts, which we felt was certainly low enough—which we thought was the lowest figure at which the contractors could drive had the streams been improved.

The letter just read continues as follows:

In fixing this price, we have taken into consideration the condition of each contractor's landing, and the distance from mill No. 1, the point of delivery—

That is this mill at Neopit—

In the case of contracts 16 and 17, a careful count was made at the landing of the logs with which the contractor was credited, and a shortage of 7,425 logs was disclosed——

Senator LA FOLLETTE. In that connection I will say that the complaint against the contractor is that he did not drive the logs.

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. But before he could drive the logs, was it not necessary that the improvement of the streams should be made?

Mr. BRANIFF. Yes, sir.

Senator LA FOLLETTE. Well, until the department authorized that improvement of the streams, how was it possible for the contractor to drive the logs?

Mr. BRANIFF. It was not possible.

Senator LA FOLLETTE. If it was not possible for him to drive the logs, why should he be charged with not driving them?

Mr. BRANIFF. We believe that, inasmuch as he guaranteed to deliver the logs at the mill, he should be charged with the expense necessary to get the logs down, which we had to incur ourselves after the streams were improved. We believe that the failure of ourselves to improve those streams did not relieve the contractor of the entire expense of delivering his logs at mill No. 1.

Senator LA FOLLETTE. Do you not think it would relieve him of liability under his contract to drive the logs?

Mr. BRANIFF. That was the proposition which we put up to the department to settle for us.

The CHAIRMAN. Does the department take the position that the interpretation of that contract is that the Government should prepare that stream for that driving?

Mr. BRANIFF. Apparently so.

The CHAIRMAN. It seems to me that that ends that proposition.

Mr. BRANIFF. At least, I have never had anything to the contrary.

Mr. FARR. I am not certain that Mr. Braniff is entirely correct about that matter. There is a question about what that contract provides as to driving. There was no question as to the intention; the contractor was to drive those logs.

The CHAIRMAN. Was it intended that the Government should prepare the streams for it?

Mr. FARR. I do not think that is in the contract, but there is a clause in it—it was not well drawn—which is subject, I think, to two constructions.

Senator LA FOLLETTE. If the contractor made a contract to deliver the logs and there is nothing in the contract providing for the Government to prepare the streams for the delivery of the logs, that is one proposition.

Mr. BRANIFF. The Government undertook to improve the streams, which would leave one to assume that it intended to improve the streams clear through. It only made a little stab at the work and did a little work on the streams; it did build a couple of brush dams and did not finish them.

Senator LA FOLLETTE. Was that in connection with the carrying out of this contract?

Mr. BRANIFF. It was begun about the time logging began, and the Government started the work and dropped it; it did not finish it. It built one little brush dam, and the other was partly built and was then abandoned.

Senator LA FOLLETTE. And you have taken that to mean that the Government recognized, even if it were not distinctly expressed in the contract, an implied obligation to put that stream in condition to prepare it for the drive?

Mr. BRANIFF. That was one of the reasons, but the one understanding which existed was that the stream must be improved to a certain extent before these logs could be driven.

Senator LA FOLLETTE. And improved by the Government?

Mr. BRANIFF. And improved by the Government. That is what we assumed.

The letter which I have already read concludes as follows:

In the case of contracts 16 and 17, a careful count was made at the landings of the logs with which the contractor was credited, and a shortage of 7,425 logs was disclosed. The contractor was invited to go over his logs with Mr. Uhler and explain the shortage. He came out with his foreman and the scaler who had scaled most of his logs, but refused to make any count, and his explanations of the shortage were afterwards found on inquiry to be untrue. In order to make sure that this shortage was as great as was found on the river, Mr. Uhler and his scalers went over the entire cutting area of this contractor. He counted stumps and estimated all the logs that had been removed from the cutting area. The investigation proved, I believe conclusively, that an attempt had been made to defraud the Government on these two contracts of no less than 7,425 logs. I have therefore charged on contracts 16 and 17 for 7,425 logs at the average scale per log as shown in the rest of the logs in this contract and at the rate of $7 per 1,000 feet, this being the contract price.

On contracts 9, 16, and 17 the cutting area was gone over very carefully by Mr. Uhler and his scalers and a scale was made of the green timber cut and the waste committed. These particular contracts were selected for the reason that these contractors were among the worst offenders. The amount of timber which they delivered was large and the amount of waste committed and of green timber cut was exceptionally heavy. The expense of going over the cut-over areas was so considerable that I did not consider it advisable to extend this work to the rest of the contracts. An additional reason was that many of the other contracts are small and the contractors have so little coming to them that it would have been unfair to charge them with this additional expense.

In making our recommendations for settlement, Mr. Farr and I have been guided by an earnest desire to close up these contracts. Most of the contractors are men of little means. It would not be advisable, in our judgment, to hold such men to too strict account. In fact, full recovery for the damage done the Government could not be obtained.

The Forest Service is now engaged in a piece of work on the Menominee Reservation against which there is a widespread and bitter opposition. It would be far better to clean up the work of last winter, even at a heavy sacrifice, rather than enter into prolonged controversy and possible litigation with the 38 contractors. I hope that if these contractors are dealt with on the basis recommended, most of them will accept these estimates for closing their contracts, and that there will be a better feeling in this community toward the work the Government is now engaged in on the Menominee Reservation.

The CHAIRMAN. That is all on that point.

Mr. WALLRICH. If the committee please, I would like to have this question and answer in the record. Mr. Braniff, will you state how many contractors accepted your and Farr's compromise?

Mr. BRANIFF. The matter was then turned over to the agent and machine man; I had nothing to do with the settlement, and have no record of what was done. I only know that the department waived that provision requiring the contractor to accept settlement on that basis rather than to accept what was coming to them in this statement, and reserved their right to place the matter again before the department.

(Mr. Braniff was thereupon temporarily excused.)

The CHAIRMAN. These letters from the general superintendent of logging and the reply of the Commissioner of Indian Affairs, relative to logging operations on the Menominee Reservation, will be inserted in the record.

(The letters are as follows:)

PHILLIPS, WIS., *November 5, 1907.*

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

SIR: I have just finished an examination of the logging operations on the Windfall District of the Menominee Reservation, and beg leave to submit the following report:

Logging operations have been going on for over four weeks. The amount of timber cut and skidded to date is nearly 2,000,000 feet. Most of this has been cut by six or seven contractors; the others are just getting started, are completing the building of their logging camps.

Considerable good green timber not covered by contracts have been cut at some of the camps, and especially by contractors Jerry Ragen and Cota & Raba. At these camps fully one-third of the timber cut has been in violation of contract, for it is strictly green timber. At these camps, and several others, considerable good timber has been left in the tops and other parts of the trees, and certain strictly dead and down timber has been left which should have been cut first.

At the camp of one Pete Lamote, an Indian, and a member of the business committee, only a small amount of timber has been cut and skidded, although this camp has been established over a month. Considerable liquor has been drunk at this camp, and over three weeks ago Mr. Lamote and the entire crew got beastly drunk and it was necessary for the two women cooks to leave for safety, and they have not returned. Mr. Lamote has several times since been under the influence of liquor, and more or less drinking has taken place at the camp. Recently he engaged a white foreman, and now has only 3 Indian laborers, and conditions are much improved.

The cuttings at several other camps, while not in the best of shape, are about as good as can be expected on the start. When I arrived the timber at every camp was being scaled together without regard to the kind; that is, the amount of all the logs was shown by the scale but not the amount of hemlock, birch, maple, basswood, elm, pine, and other species of timber, separately.

The logs were being marked with a stamp hammer, but contractors would have several different hammers, some of which were being used by other contractors. The superintendent of logging did not consider it necessary to mark the logs and suggested that it be not required.

I discussed with the superintendent of logging certain changes which should be made and certain things which he should require in order to improve conditions and bring about a full compliance with the contract and rules and regulations, and I feel reasonably certain he will soon have the situation in better shape, for he appeared anxious and willing to follow my suggestions. I also feel very sure that if he could start over again, commencing at the time he made the first logging contract, he would have much less connection with the business committee and certain of its members, and would make entirely different arrangements on certain matters, to which it is my duty to invite attention before closing this report.

I suggested and instructed the superintendent of logging that the different species of timber be scaled separate; this is the usual way and can be followed in this case without increasing the expense. It makes more work for the scalers, but the scalers and the tallymen get the same wages (which is not right), and two scalers, instead of a scaler and a tallyman, can be engaged, if necessary, but it will not be necessary.

It is very important to know the amount of each kind of timber, for it is more expensive to log and manufacture certain kinds, and there is a great difference in the value of the lumber. This information will assist in determining the prices for sawing in the different mills and will be a check on the mill scales, and in cases where the logs are banked in the river will show the amount of logs of each variety that will float, and many other things. This statement, in connection with the copy of my letter to the superintendent of logging, which is herewith inclosed, will give the office a general idea of the works.

Mr. Peter Lamote and three other Indians are the only Indians who even pretend to take part in the logging operations, and if they continue in charge, which is very doubtful, the work will be managed by white men. Mr. Lamote is not responsible and known to be drunk most of the time, when he has money, and should not be given a contract. But the fact seems to be that he and certain other members of the business committee have been able to get most anything they desire. The contract of Mr. Lamote covers the timber on section 31. The mill site is located near the corner. His camp is on a good road, within 2 miles of Phlox, where there are several saloons. He gets $6.75 for banking the timber, and his haul will not average over one-half mile. If given a contract at all, he should have been located as far from liquor as possible.

The superintendent of logging estimates the number of men in all the camps at 250, and that 1 out of every 10 are Indians, making the entire number of Indian laborers 25, and he said he expected they would soon go. From my examination, I think his statement is about right, although I did not find that many.

This leaves the Indian question as follows: Indian laborers, 25; liable to leave at any time; Indian contractors taking part in the works, 4. One has frequently violated his contract by getting drunk, and on one occasion the entire crew were intoxicated, and the logging is now in charge of a white foreman. The other three have not finished building their camps, and the logging in two of these cases will be in charge of white men.

Relative to driving the logs, I must repeat what I have frequently said in former reports, which was that all this timber will not float and can not be successfully driven any great distance. The only hopes of avoiding a great loss in driving this timber is that the distance to the mill is very short, the water rapid and not deep, and that the drive may be made in a few days. This, however, can not be accomplished under present conditions, for the contracts provide that every contractor will deliver his logs at the mill. Several of the contractors are banking the logs in the same stream. If each contractor should undertake to deliver his own logs, the result would be that a large part of the timber would never reach the mill, as it would sink before it got there. Some arrangement must be made so one or two will be able to drive all the logs on each stream, and I will gladly assist in bringing this about. The driving of this timber is now a very important and serious matter. The contracts require that the logs be delivered at a certain mill, and also provide that the contractors will haul the logs to the mill or stream designated by the superintendent of logging. The superintendent of logging has instructed every contractor where to bank his logs on the stream, and the contract calls for their delivery at the mill. What if part of the logs will not float?

Another feature worthy of consideration, based on the estimate of the superintendent of logging that there will be delivered by water this season at the big mill fifteen or twenty million feet of logs, is that this amount of timber will fill the river and flowage for 2 or 3 miles back from the mill, and no argument will be offered that most of the hard-wood timber will not sink while waiting to be sawed.

The rules and regulations provide that contracts may be entered into with any Menominee Indian or white man who may be properly qualified and equipped to carry out such an agreement, and that every contractor must guarantee to deliver to the mill or stream the amount of logs specified in the contract, etc. Under these regulations contracts can only be entered into with qualified and responsible persons. And even without this requirement, it would be improper and unfair to act otherwise.

The regulations also provide that the price to be paid for cutting and hauling this timber shall not exceed $7, and that the distance to be hauled, etc., will be considered in determining the price in each contract. I assisted in drafting the rules and regulations, and the limit price was fixed at $7, with the understanding that all the blown-down timber on the district would be taken, which would make it necessary to haul some of the timber 5 and 6 miles to the mills; and it would be worth $7 to haul this distance, as it is very expensive making and keeping up the logging roads through a thickly covered hard-wood country. But the haul for the balance of the timber would be very short and would cost much less than $7, and the average price for all should not exceed $6. It was not the intention at that time to undertake to drive the timber.

This plan has now been changed, and over one-half of the timber will be banked on the streams and the balance at the two mills, and not to exceed two-thirds of the blown-down district will be covered. All this greatly reduced the distance the timber is to be hauled. The contracts will show that the distance the timber must be hauled will not average over 1 mile, and the prices are fixed at $6.75 and $7; and the cost will be $7 a thousand when the sum advanced for improving the stream, etc., is charged to the logging, which it should be; and before all the logs are driven and sawed there will be a considerable loss by logs sinking, which can be figured later on.

A fair price for logging this timber would be $5.50 and not to exceed $6. Every white man in order to get a contract is required to take one, two, or three Indians as partners. These Indians are not qualified or responsible and do not pretend to be, and no such claim will be advanced by anyone. They do not furnish any money, supplies, or equipment, and do not take part in the management or even stay or work in the camps.

No responsible white man would think of taking a contract to bank about 1,000,000 feet without feeling almost certain that he could clear at least $1 a thousand, for otherwise he could not furnish equipment and spend from four to six months in the woods for less, and they usually expect to make considerable more. If the contractor is forced to take an Indian partner or partners who do not assist in any way and only take part to the extent of taking one-half of the profit, the contractor must have the contract price increased enough above what it should be to pay his Indian partners what is necessary for doing nothing. And this must come out of the tribe.

To make this clear, and to show just what it means, I will say that if 25,000,000 feet is banked this winter the tribe will have to pay these Indians for nothing, who appear on the contracts with white men, about $18,750, being 75 cents per thousand.

I did not find a white contractor who did not say that he would take the contract for 75 cents to $1 less per thousand without the Indian partners. I will take the case of L. F. La May; his contract covers the north half of section 10, price $6.75 per thousand; Indian partners, Louis and Peter Tucker. This contract will cut out over a million feet. The Tuckers do not furnish anything or take part whatever. This timber should be banked at a cost of less than $5 per thousand. This will give the Tuckers about $1,000, which will come out of the tribe. Mr. La May said he would prefer to take the contract alone at $6, or even less, and would have done so if he did not have to take Indian partners. This case is a fair sample of all the others.

I will mention the circumstances connected with entering into a contract, when I was there, which will assist in getting the practices and conditions clearly before the office. The contract had been signed in blank by Mose Tucker, president of the business committee. A white man from Antigo came to get a contract; the price was fixed at $7 per thousand; he was required to take two Indians as partners; they could not speak English or write, and do not know as much about logging as I do about running an airship. This white man did not know me or my business. I asked him in the presence of the government clerk, who was drawing up the contract, why he took the two Indians as partners. He replied that he had to in order to get a contract. I asked him if they would help furnish the supplies, equipment, etc., and take part in the management or work at the camp. He said they would not, and that he would like very much to get the contract at $6 a thousand without them.

In three or four cases Indians have contracts alone. In two of these cases white men have arranged to do the logging, and it is safe to say that the others will be handled in the same manner, and the Indians will be settled with on the partnership plan.

Nine or ten members of the business committee have contracts or partnerships in them. Mose Tucker, president of the business committee, and "party of the first part" in all contracts, has one himself, and three of his relatives are partners in the others. Pete Lamote, a member of the committee, has a contract, and his relative has a partnership in another. Tom La Belle and Louis Keshena, members of the business committee, occupy exactly the same position.

Before closing I desire to say that the price for logging will average at least $1 per thousand more than it should; that it is a grave question whether members of the business committee have a right to enter into contracts with themselves; that in my opinion it is contrary to the act, rules, and regulations, and justice to require the Menominee tribe of Indians to pay from 75 cents to $1 per thousand more for banking this timber than is reasonable or necessary under any conditions, and for the sole purpose of donating this sum to a few individual Indians for nothing. This condition simply means that if 20,000,000 feet is banked this season at least $15 must be given to a few Indians without any consideration in return, and the same percentage will apply if the amount is larger.

The law, rules and regulations and authority and instructions, as far as I know, do not permit the payment of a single dollar to any Indian or white man on a logging contract who is not properly equipped and qualified, and certainly not where they do not have anything to do with the logging whatever.

No more contracts should be approved under present conditions, and, further, it will be too late to saw and skid the strictly down timber before the snow and frost, and it is not practicable to do this work after.

The policy of having the responsible persons take an Indian partner to get contracts will cost the tribe not less than fifteen to twenty thousand dollars this season, estimating the amount to be banked at $20,000,000. It will also cause an unlimited amount of trouble in settling the contracts. The white man will be entitled to wages for himself and teams, and pay for the use of his equipment, and will naturally place the value as high as possible, in order to reduce the profits which he must divide with his partner, who has not taken any part whatever. If, in dividing the profits, these Indians get considerable money, the tribe will be ugly, and will make trouble about it; if the settlements are figured out so that they do not get what they expect they will make trouble.

It must be known to the office that the business committee is not reliable, and in most cases does not stand for the interest of the tribe, and is controlled by three or four of the most undesirable Indians on the reservation. The office will remember that the Indians favored the Brown bill, but that these certain members of the committee succeeded in getting a resolution, and appeared before Senator La Follette and got the Brown bill changed and the cutting of the green timber stricken out. And after the bill became a law these same members drafted rules and regulations calling for the cutting of all the timber, and placed the price for logging at $9 and the amount that one contractor could get at 4,000,000 feet. They did this for the sole purpose of taking contracts themselves for eight or nine dollars, and subcontracting with white men at about $5, thereby realizing ten or twelve thousand dollars, without doing anything. Failing in this, the partnership plan was created as the next best thing.

In this they have been partly successful, and a few other Indians have taken advantage of the conditions. In my opinion the superintendent of logging has not been as firm as he should be, but I appreciate the fact that the operations were somewhat large and complicated for a man of his experience, and that certain members of the committee were able to convince him that they could secure, through the committee, certain things that he desired, which he had a perfect right to make an effort to get. However, I feel entirely satisfied that he has a better understanding of the business committee and the situation, and I know he appears very willing and anxious to have my advice and assistance, which I will gladly give him.

Within a day or two I will furnish a report relative to logging operations on this reservation under the act of June 12, 1890, and will inclose a map covering all operations on this reservation.

All of which is respectfully submitted. I have the honor to remain,

Yours, truly,

General Superintendent of Logging.

PHILLIPS, WIS., *March 3, 1908.*

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

SIR: Relative to logging operations on the blown-down district of the Menominee Reservation, I beg leave to submit the following report: I have just finished a six days' examination of the work. Four days of this time I had a team and driver, which saved considerable time.

Taking the operations as a whole, they are the worst I have examined since my investigation in Minnesota in 1901. The contract, rules, and regulations have been violated in many respects. In many instances only the best of the blown-down timber has been cut and then only one or two logs taken from a tree. Fully one-half of the blown-down timber has been left in trees undisturbed and parts of trees. The rule requiring that all merchantable timber be taken down to 6 inches at the top has been entirely ignored. The diameter at the top will run from 10 to 12 inches and upward and average about 12 inches. A large amount of live timber which was standing has been taken, and with a few exceptions considerable of this class of timber has been cut by every contractor. The cutting of this class of timber will account for a considerable portion of the increase in the blown-down timber over the amount shown by the estimate of the superintendent of logging made during the time he was government cruiser.

The blown-down timber on the lands actually cut over has not been properly cleaned up and a great waste will result. Nearly every contractor has extended operations over the entire areas covered by his contract instead of being required to clean up the parts cut over and leave the balance unmolested for a future operation. A considerable portion of the timber which should have been cut has been left for the reason that it died at the time of the storm or shortly before and is more defective and expensive to log than the timber that has recently died or is still living. In other words, the defective portions of the blown-down timber has largely been left, notwithstanding that this is the class of timber specifically covered by the law, rules, and contract and considered at the time of making the estimate.

The blown-down timber which should have been cut and has been left on the parts of the operations which are claimed to be cut clean and the live timber cut in violation of the law and contract is not a question of a few thousand feet or even a few hundred feet, but will amount to several millions. I stand ready to substantiate this statement, and as an instance of the conditions, I can in a very short time and within a short distance from the government office show anyone several hundred live trees which have been openly cut in violation of contract, and on the same ground a large amount of blown-down timber remains which should have been cut; also hundreds of trees can be found cut at a diameter of 12 inches at the top and upward, leaving parts of the tree which should have been taken ranging from 4 to 30 feet and over in length. The maple and birch is naturally the more expensive class of timber to log and naturally more rough and defective than the other timber, and only a small portion of these two varieties have been taken and the balance has been left and will be a total loss.

At some of the works I found the sawyers actually engaged in cutting live timber. This will indicate the true situation, for anyone must admit they were not cutting this timber for my special benefit. This cutting of live timber, in violation of contract, has been going on in most of the operations. I do not mean a tree now and then in a secret way, but openly, and this condition is well known, for it is impossible to reach some of the camps by logging roads or otherwise or to drive over the reservation on the regular road without seeing where considerable live timber has been cut in violation of contract. In some of the cuttings the percentage is so large and the evidence so plain that the contractors will not even pretend that they have not cut live timber, but in a few cases they say that they supposed they had a right to cut live trees which had been injured and were defective, and that no objections had been made.

The blown-down timber covered by contract which has been left on the lands actually cut over in parts of trees and trees not touched will amount to not less than 5,000,000 feet and may reach 10,000,000. The amount of live timber cut will be very large. As an instance of this, I found on one contract, in less than a day's examinations, about 400 live trees which had been cut. If the live timber cut in violation of contract is honestly scaled up and the blown-down timber left on the lands cut over is measured up as close as the scaled

made on the "Contreray" two years ago under Mr. Griffith, state forester, I will place the amount at not less than 12,000,000 feet, and, in my judgment, it will be considerably more. The estimates I am giving are, in my judgment, very low, but the amounts of timber as shown by them are sufficiently large to justify action. I stand ready to prove these estimates, but I want it understood that it is my judgment that the amount of timber in question will greatly exceed the estimates given. In this connection I desire to say that if the conditions of these operations, as shown by this and my former reports, are to be determined and decided on the representations of the superintendent of logging, the contractors, and business committee, all interested parties, I prefer that no action be taken based on this report, for the reason that, if conditions are about as I say, the superintendent of logging has failed to perform his duty, if not worse. The business committee occupy about the same position. It is party of the first part in all contracts, and certain of its members and their relatives are party of the second part in some of them. The other contractors are all interested and will naturally join with the business committee and superintendent of logging in representing that the contract has been fully complied with. Contractors can always be relied upon in violations of this kind to insist that the work has been properly performed; that the contract is difficult to carry out and the price is too low, no matter how high it may be.

It is the intention of this report to inform the office as nearly as possible of the true condition of logging operations, and it is made because it is my official duty; otherwise I would prefer not to make such reports, for it is very disagreeable to me to displease and antagonize the members of the business committee, the numerous contractors, some of whom I have been on friendly terms with for many years, and the local manager, if nothing is to be accomplished and such open violation of contracts and waste of timber, by leaving and improperly cutting the blown-down timber and cutting live timber in violation of contract, is to be permitted, if the parties interested and responsible will defend the conditions by misrepresentations. This is why earlier in this report I request that no action be taken unless it is along the lines that will be effective and result in justice being accorded the Government and Menominee tribe of Indians. If the office desires to select the same parties who made the scale under Mr. Griffith, the "Contreray" reservation, located east of Hayward, Wis., two years ago—they are competent men and have worked on the reservation for years—I will deposit a sum sufficient to pay the expense if conditions are not substantially as set forth in this report.

In considering this question reference should be made to the contract, law, rules, and regulations. The contract provides, and also the law, that only the dead and down timber shall be cut, and that all of this class of timber shall be cut clean and that precautions must be taken to not even damage the live timber; that at the conclusion of the contract all dead and down merchantable logs left in the woods shall be scaled and their contents deducted from the total amount delivered. The contract also provides that on the failure on the part of any contractor to fully comply with the contract the superintendent may make any arrangements he deems necessary to bank the timber covered by the contract.

The superintendent of logging, by the contract and rules, is vested with full power to limit the amount any contractor shall cut to the amount specified in the contract. The rules provide that the down timber shall be cut down to a diameter of 6 inches at the small end. Under the law and contract, no live timber can be cut. Rule 8 of the rules and regulations, which require that lodged trees shall be cut, makes it necessary at times to cut live trees in order to fell the lodged ones. This is the only case where the cutting of a live tree is allowable, and this is not in strict harmony with the law.

In my examination I find a large amount of logs scaled on the skids in the woods located from a half a mile to a mile and a half from the landings, and in many cases they will have to pass over logging roads which have not been properly graded, and in many cases the chances are more than even that a portion of these logs will never be delivered, as two or three warm days will make the roads impassible; and, in fact, that they are passable at the present time is entirely due to the unusual continuance of the snow and cold weather. The contractors should have been required to stop cutting and deliver these logs several weeks ago. It is difficult for the office to determine what portion of the logs still remain in the woods. The scale reports show about 35,000,000 feet, but the logs having been scaled on the skids in the woods, there is no accuracy to determine what amount has actually been delivered. In my examination I

found in most cases the amount still on the skids to range from one-fourth to one-half. The contracts should not be settled until it is known that all the logs have been banked and, if not, arrange to determine what amount remains in the woods. This will make it necessary to rescale all logs not delivered and deduct this amount from the total scale of the contract. I earnestly urge that this feature of the report be kept in mind, otherwise it may be recalled when too late.

As stated in my report of November 5, 1907, the law and rules were violated in letting the contracts. The rules provide that any Menominee Indian or white man, who may be properly qualified and equipped, may be given a contract. Contracts were entered into with irresponsible and not qualified and equipped persons, both white and Indian. Any responsible white man desiring a contract was required to take one or two Indian partners; who would not take any part or furnish any supplies nor assume any responsibilities, but in a case of profit would get their full share. This requirement on the start made it almost impossible to secure responsible white men. Prior to my report of November 5 certain Indians were given contracts with the understanding that the logs would be banked by white men; later on an effort was made to change this, and apparently for the purpose of contradicting my report. Since the time I was there, prior to November 5, certain Indians have undertaken to bank their own logs. In most cases this plan has been a failure. Indian contract No. 29 to A. Stick and M. Pecore, the timber is being banked by Herman Fredenberg. Contract No. 22, to M. Tucker and J. A. Goodyear, is being carried on by C. Anderson, and also contract No. 37, to Mose Tucker and J. Brooks.

Contract No. 24, to George Neocish, covers only one state forty. I believe the Indian is banking the timber himself; I did not visit the works. Contract No. 7, to Pete Lamote, has been turned over to August Anderson, of Shawano. This is the man who purchased the logs cut with the pulp wood near Keshena. Indian contract No. 5, to Joe Deere, has been managed by him through his foreman, and I believe has been fairly successful. Mr. Deere and his foreman have been considered competent loggers for several years. Indian contract No. 11, Peter Konahs, has been in charge of this Indian until during the time of my investigation, when a white foreman took charge. The amount of work accomplished up to that time was very small; the conditions of the operation bad. It is difficult to understand why the superintendent failed to change the contract or put some proper person in charge. Indian contract No. 30, J. Moon and J. Deere, has been conducted by Indians up until a short time ago, when the foreman finished the work at the other Deere camp and took charge. This operation is in bad shape, and very little has been accomplished for the number of men employed. More or less liquor has been used at the camp, and the work is way behind, conditions of the operation in bad shape, and it is a grave question if the new foreman can straighten matters out. Indian contract No. 15, to Joe Pecore, has been managed by him, and the work is way behind and the conditions of the operations about the same as the others mentioned. Four Indians hold two contracts covering three quarters of section 14. The amount of timber scaled is not large. I am informed that they all take part in the work, but I did not have time to make an examination. This leaves the Indian as contractors about as follows: Joe Deere and one or two other contractors may be considered reasonably successful. In all other cases the timber covered by the Indian contracts is being banked by white men, except in the two or three cases specifically mentioned, and the same arrangement should have been made in these cases.

On the subject of what is a fair price for this logging, I will call attention to the fact that Joe Deere, an Indian, has banked the timber covered by contract No. 4 at less than $4 per thousand. J. J. Ragen will bank his timber at a cost of considerable less than $4. Mr. Crooke, who assumed the contract for banking the timber on two sections covered by the contract given Mr. Cary, will bank the timber at a cost of not to exceed $4, notwithstanding that he did not start in until December 1 and has one of the hardest contracts on the district. The contractors mentioned and others are equipped and qualified as required by the rule, and this is about what it costs to bank the timber where the rules have been followed.

The amount of timber estimated on the two sections being banked by Mr. Crooke was a million and a half, more or less. Mr. Crooke has already banked over 3,000,000, and informs me that he expects to increase the amount to 6,000,000. This will be an increase of three-fourths over the estimate and the amount specified in the contract. Other contracts are very similar in this

regard, which will fully explain why the stream is not large enough to handle the timber being banked in it.

That contracts were not entered into with responsible persons, in accordance with the rules and regulations, must be evident to anyone. It has been necessary to have the Pete Lamote contract taken away, for he was in no sense qualified and equipped, and was in other ways entirely unfit to be given a contract, and this was well known to the business committee and superintendent of logging. The contract being banked by Mr. Crooke was originally entered with Mr. Cary, who was without equipment, money, or credit. Several of the other small contractors are in exactly the same condition and besides with very little experience, as will be clearly evident to anyone making examination of the work, and may result in a great loss to the tribe and Government for logs left on the skids in the woods and timber left and wasted, as they are not financially responsible, and, owing to their lack of equipments, money, credit, and experience, may not have anything coming on the contract to pay for the damage and timber in question.

I have endeavored to cover the more important features of this operation, which the office should be familiar with in considering the entire subject and what action should be taken. I inclose herewith on separate sheet copy of memorandum made at the time of my examination of operations at the different works.

All of which is respectfully submitted.

I have the honor to remain, yours, truly,

———— ————,
General Superintendent of Logging.

DEPARTMENT OF THE INTERIOR,
OFFICE COMMISSIONER OF INDIAN AFFAIRS,
Washington, September 10, 1909.

MY DEAR MR. BRANIFF: I have come to the conclusion that we must no longer have divided authority of any kind on the Menominee Reservation. We must have a superintendent in general charge of both lumbering and all other functions; but I do not care to make any permanent move until after the Senate committee has been at Menominee and I have the advantage of their findings.

This is no reflection, in any sense, on either you or Mr. Wilson. But the moment I recognize that I am involved in an administrative impossibility I move; consequently I am sending Mr. James A. Carroll to Menominee to take general supervisory charge of all the work there temporarily, both of yours and Mr. Wilson's.

All matters, both from Neopit and Keshena, are to pass through Mr. Carroll's hands, beginning with the hour of his arrival.

Sincerely, yours,

———— ————,
Commissioner.

E. A. BRANIFF, Esq.,
Forest Supervisor, Neopit, Wis.

STATEMENT OF SAMUEL MILLER.

SAMUEL MILLER, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. MILLER. I live at Red Springs, on the Stockbridge Reservation.

The CHAIRMAN. In the State of Wisconsin?

Mr. MILLER. In the State of Wisconsin.

The CHAIRMAN. What is the nature of your appearance here?

Mr. MILLER. The nature of my appearance is to protest against the acts of 1893 and 1906, and to protest against the payment of back annuities to Daniel Davids and John Davids and their children from 1874 to 1893.

The CHAIRMAN. Are you a Stockbridge Indian?

Mr. MILLER. Yes, sir.

The CHAIRMAN. Of what degree?

Mr. MILLER. The degree is about three-quarters, as near as I can ascertain. I have never followed it up closely.

The CHAIRMAN. Have these payments been made?

Mr. MILLER. They have not been made yet, but the application has been approved by the Secretary of the Interior and the Commissioner of Indian Affairs, and it is now before the Secretary of the Treasury awaiting payment.

Mr. LARSON. I think there is no dispute on the part of the members of the tribe as to the inadvisability, Mr. Miller, of doing that. As I called the committee's attention the other night to the fact, this fight against the enrollment has been a fight covering a period of over fifty years—seventy or eighty years, probably—and it has been repeatedly passed upon. I believe Acting First Assistant Secretary Simms of the Interior Department went over the enrollment. Dudley and Michener and myself appeared on opposite sides of the question of the enrollment, and it was passed upon in the Attorney-General's Office at Washington. It afterwards came up before this committee in the United States Senate. Mr. Wullrich appeared for one side and Dudley and Michener appeared on the other side, and the question of the enrollment was again gone over. It was again gone over here by Mr. Bede and sustained by Mr. Miller. As I informed the committee the other night, in 1871 about 40 members were excluded from enrollment. They and other members were restored in 1893. Those persons were deprived of annuity from 1871 to 1893, and one of those members, whom I spoke to you, Mr. Holcombe, about the other day, has since made application to the Indian Department for the annuities which he failed to receive on account of being excluded from the enrollment from 1871 to 1893. I understand that some young lady in charge of that branch of the work at the Indian Office recommended the payment of that back annuity and so wrote to Mr. Wilson, and Mr. Wilson, the Indian agent here, had written to the department and recommended that the annuity be withheld. I agree with Mr. Miller on that. I think we agree that no new issue ought to be brought up of that nature now. Of course, both parties are sufferers, but in order to get them to their homes and go to their farms they are willing to drop that and let bygones be bygones.

Mr. MILLER. That part is all right, and I am glad Mr. Larson is here; but if it is right, it is right, and if it is wrong, it is wrong. The fact is the citizen party outnumbers us, and every fact that we have brought before this body has gone against us, because they are in the majority and we are in the minority. If there is anything that the citizen party brings up to you, or any other party, we will go down again because we are outnumbered. But that does not make it right. The act of 1871, I think, is sufficient.

The CHAIRMAN. You may state your case to the committee.

Mr. MILLER. It is contained in this letter, which I will read:

GRESHAM, WIS., *September 30, 1909.*

UNITED STATES SENATE COMMITTEE,
Washington, D. C.

GENTLEMEN: We the undersigned members of the Stockbridge and Munsee tribe of Indians, known as the "Indian party," do hereby, with the greatest of respect, ask you to hear our cause.

Having learned through Supt. T. B. Wilson that you requested our matters referred to you in writing, we present our petition to you accordingly.

We firmly believe that the act of 1893 and 1906 is a great wrong brought to bear upon the "Indian party," as it is in direct opposition to the intent and purpose of article 6 of the act of 1871 and the treaty of 1856.

We refer you to the treaties of 1842, 1846, 1848, 1856, and the act of 1871, and to the reports of commissioners on the matter.

We hold all allotments under the acts of 1856 and 1871 as valid.

We ask the suspension of the payments of back annuities from 1874 to 1893 to Daniel Davids and children and John Davids and children, as Darius Davids and Debry Baldwin drew their rights out in 1856 and were not entitled to sign the act of 1871, as they were citizens of the United States. (Refer to Supt. T. B. Wilson.)

An attorney and delegate will be appointed to meet and confer with you on the matters at an early date. You will be duly informed who they are as soon as we are able to complete and get our reports in form.

Trusting this will be given a careful consideration, we are,

Very respectfully,

Samuel Miller, Frederick Miller, Alfred Miller, Auburn Miller, Webb Miller, Jamerson Quinney, Lloyd Charles, Abram Miller, William Davids, Lucius Miller, H. Florence Jourdan, Edwin Miller, Emerson Miller, Florence Martin, Almyra Miller, Olive Jacobs, Zachariah Miller, Frank Jourdan, Louise I. Doxtator, Peter Miller, William Miller.

The CHAIRMAN. There is a representative of the Indian Office here with us, Mr. Holcombe. Mr. Holcombe, do you know anything about this matter?

Mr. HOLCOMBE. No, sir. I would like Mr. Miller to make a statement as to what he knows to the committee.

Senator LA FOLLETTE. Mr. Miller, have you anything to add to what you have already stated to the committee?

Mr. MILLER. I just wish to make my statement here a little broad. Of course it would take a long time to bring these treaties and acts up before you, but to sustain my position, I will read a short article—article 6 of the act of 1871.

Mr. LARSON. It was modified by the act of 1893 providing for the reenrollment.

Mr. MILLER. That would be all right, according to your point, but we do not claim that the act of 1893 is right. It was forced upon us. We were in the minority and they were in the majority, and it was forced upon us.

Senator LA FOLLETTE. That which you wish to read is part of the treaty, is it?

Mr. MILLER. It is part of the act of 1871. Section 6 reads as follows:

SEC. 6. *And be it further enacted*, That for the purpose of determining the persons who are members of said tribes and the future relation of each to the Government of the United States, there shall be prepared, under the direction of the Commissioner of Indian Affairs, or such person as may be selected by him to superintend the same, two rolls, one to be denominated the citizen roll, to embrace the names of all such persons of full age, and their families, as signify their desire to separate their relations with said tribe, and to become citizens of the United States; the other to be denominated the Indian roll, and to embrace the names of all such as desire to retain their tribal character and continue under the care and guardianship of the United States; which said rolls shall be signed by the sachem and councillors of said tribe, certified by the person superintending the same, and returned to the Commissioner of Indian Affairs, but no person of full age shall be entered upon said citizen roll without his or her full and free consent, personally given to the person superintending such enrollment; nor shall any person, or his or

ler descendants, be entered upon either of said rolls who may have heretofore separated from said tribe and received allotment of lands under the act of Congress for the relief of the Stockbridge tribe of Indians, of March 3, 1848, and amendment of August 6, 1846, or under the treaty of February 5, 1856, or who shall not be of Stockbridge or Munsee descent. After the said rolls shall be made and returned as herein provided the same shall be held as full surrender and relinquishment on the part of the citizen party, each and every one of them, of all claims to be thereafter known or considered as members of said tribe, or in any manner interested in any provision heretofore or hereafter to be made by any treaty or law of the United States for the benefit of said tribes, and they and their descendants shall thenceforth be admitted to all the rights and privileges of citizens of the United States.

Section 7 is short, so I will just read that:

SEC. 7. *And be it further enacted*, That after the said rolls shall have been made and returned, the said Indian party shall thenceforth be known as the "Sockbridge tribe of Indians," and may be located upon lands reserved by the second section of this act, or such other reservation as may be procured for them, with the assent of the council of said tribe, and their adoption among them of any individual not of Indian descent shall be null and void.

In referring to this second section, it provides for the 18 sections that the Stockbridge Indians now hold. According to this act it belongs to the Indian party, and in the report of Commissioner Wells it will show you who the citizen party is. There are 112 souls. This is all pertaining to the Stockbridge matter. For further reference I will merely bring up the fact that there were a lot of them who would not remove from the reservation. The way those people came to claim that they had rights here on this reservation, that they had always lived here and had not separated from the tribe, the fact is that a good many did not leave; they still stay here; they became citizens of the United States and refused to move. I can prove that to you.

In the report of Commissioner Thomas M. Nicholl of February 22, 1881, it is stated:

After the provisions of the act of 1871 had thus far been carried out, and the 18 sections of land reserved by the act had been practically prepared for the sole occupation of the Indian party, a number of persons belonging to the citizen party, as designated on the citizen roll, and also to what was known as the "old citizen party," refused to remove from the reservation, the latter claiming that they occupied land secured to them by treaty; that the provisions of the act of 1871 had not been legally carried out; that fraud and injustice had been practiced by the enrolling officer; and that they could not be rightfully dispossessed.

Thereupon, on the 25th of January, 1875, the honorable Secretary issued an order declaring all such persons trespassers, and directing the agent to remove them from the reservation.

I have only read a small portion of it.

Now, it would take too much of the committee's time if I should attempt to present all of our arguments, but we will appoint some one, if you feel so disposed, to meet you and present all these arguments in proper form.

The CHAIRMAN. I do not know just where you can meet us.

Mr. MILLER. We can reach you at some later date, can we not?

The CHAIRMAN. We shall get through with this matter next week.

Mr. LARSON. I think Mr. Miller and I can get together and thrash the whole thing out.

The other evening when I met you gentlemen, I had a stack of reports that was very large, and I realized the amount of work that

you had to do here, and therefore did not go into the matter in detail. You seemed disposed to hurry me, and I appreciated the fact that the importance of your work warranted your doing so. I am not so thin-skinned as to be unable to yield to your desires, but you will recall that I had a large number of documents, hearings before the United States Senate committee and reports of the different Indian agents and special inspector sent on here to investigate the matter, bearing on that particular report, and bearing upon the correctness of the enrollments under the act of 1893. There have been no less than a thousand hearings on this matter. There have been several hearings before the United States Senate Committee on Indian Affairs, in which the Indian party, consisting of, I think, some sixteen or seventeen members, were represented by the most competent attorneys, and at the time that this particular bill, the act of 1906, was introduced, the United States Senate committee then took up the question of the correctness of this enrollment before passing that act, and there is a voluminous record of the proceedings before the United States Senate committee involving that inquiry at that time, going fully into the history of this enrollment and the correctness of the enrollment, which resulted in the enrollment being sustained. The different Commissioners of Indian Affairs have always said that as long as there are any tribal properties there will be dissension among the members of the tribe. Mr. Miller is, I think, related to Albert Miller, who was the leader of the so-called Indian factions—a small faction. At the time Mr. Cyrus Bede was sent up there to formulate a plan that would be satisfactory to the Indians for the allotment of their lands, and the settlement of their tribal affairs, the plan submitted by the Indian party, which is now represented by Mr. Miller, was signed, I think, by sixteen persons, while the plan that was recommended by Mr. Bede, and is partly represented by the act of Congress of 1906, was signed by eighty some male adult members of the tribe and another small minority faction. That agreement was signed by three or four and the other was signed by sixteen, as against the agreement embodied in the act of 1906, which was signed by eighty adult members of the tribe.

These matters have all been gone into. It is simply the old fight that has necessitated litigation and has encouraged these Indians to squander their property in paying attorneys' fees and sending delegations down to Washington, and that has retarded their progress and has caused them to hesitate in making improvements upon their farms. It is simply a renewal of the old factional strife that has been going on before the department, as I say, for the last thirty years, and has been heard again and again, and both sides have been represented by attorneys and the matter has been fully thrashed out. It is a renewal of that old story which should have long since been dead and buried for the very interest of the protesting parties themselves.

The CHAIRMAN. Are these people who protest against the annuities citizens?

Mr. LARSON. Yes, sir. You are all citizens, are you not?

Mr. MILLER. I am not a citizen.

Mr. LARSON. But you are a member of the Indian party?

Mr. MILLER. Yes, sir.

Mr. LARSON. You all claim to be citizens.

The CHAIRMAN. What I mean is, Are they members of what is known as the "citizens' body?"

Mr. MILLER. Yes, sir; the citizens' party. Now, Mr. Larson, of course, is a man who is versed in such business; he has practiced law, and is able to make a great deal better plea than I can. I am only a common laborer, as you might say, among the people. Mr. Larson has made the assertion, in order to make it strong, that he had a stack of documents that high [indicating]. He has not got them here to prove it. I might make the statement that I had a stack of authorities that high [indicating], and I would beat him out. What I want to get at is the facts. I do not care for anything else.

The CHAIRMAN. Mr. Holcombe, do you know whether they are going to pay these annuities now?

Mr. HOLCOMBE. I do not know anything about that. I believe it has been passed upon. It is my understanding that it has been recommended both by the commissioner and the Secretary of the Interior. I do not know whether it has been paid or not; I do not know the present status of the matter.

Mr. WILSON. There was no notice of its being paid. There was a notice from the Indian Office that it had been allowed.

Mr. LARSON. I agree with Mr. Miller that this question ought not to be opened up and that this whole matter ought to be closed.

The CHAIRMAN. How much would be involved in this payment?

Mr. WILSON. About $500 for each one.

The CHAIRMAN. How many parties are here?

Mr. LARSON. There are only John Davids and his two children and Daniel Davids and his two children who have made application. There are about 250 added to the roll by the enrollment of 1893 under the act of 1893, and they all claim that Daniel Davids and his brother are entitled to back annuities, as the balance of those who were put on the rolls at that time would be.

The CHAIRMAN. But it does not interfere at all with this allotment business?

Mr. WILSON. No; I do not think it does.

Mr. HOLCOMBE. It would amount to about $98,000.

Mr. WILSON. It would take about all the money in the Treasury to the credit of the Indians.

Mr. MILLER. I do not believe they could touch the $75,000 (they might take the interest on it), because it would require an act of Congress before they could draw any of that $75,000; yet they might take the interest until the back annuity was satisfied.

The CHAIRMAN. It has been suggested that you prepare a brief in this matter and send it to the committee, Mr. Miller.

Mr. MILLER. Yes, sir. Now, there is just one thing about the back annuity. I think it would be well to take action upon that at once to avoid that payment.

The CHAIRMAN. Well, that is a matter that probably will be considered.

Mr. LARSON. I think the Commissioner has already sent in a recommendation in opposition to the payment of that annuity.

Mr. WILSON. No; he recommended that it be paid.

Mr. LARSON. Have you not sent in a letter stating that it would be inadvisable to pay that?

The CHAIRMAN. I think the committee has heard all that it cares to hear on this subject. You may prepare your brief, as suggested, and send it to the committee.

Mr. MILLER. Very well.

STATEMENT OF AUGUST ABRAMS.

AUGUST ABRAMS, having been first duly sworn, testified as follows:

The CHAIRMAN. Where do you live?

Mr. ABRAMS. I live on the Stockbridge Reservation.

The CHAIRMAN. You claim an allotment, do you?

Mr. ABRAMS. Yes, sir.

The CHAIRMAN. And they rejected it?

Mr. ABRAMS. Yes, sir; the business committee has taken it away from me and given it to another party.

The CHAIRMAN. I know; but the department has rejected you, has it?

Mr. ABRAMS. They have been misinformed. You will see by reading their letter that they have been misinformed by the business committee.

The CHAIRMAN. Did they not give you another piece?

Mr. ABRAMS. No, sir; I had both pieces before ever this was done.

The CHAIRMAN. How much land was there in both pieces?

Mr. ABRAMS. There are 40 acres in each piece. I have three minor children, and this party had none. She had married out of the tribe; she had married a white man and had no minor children.

The CHAIRMAN. I do not see how anything can be done with this matter. It was brought to Senator La Follette's attention, and he brought it to the attention of the department and they referred it to the superintendent of the Green Bay school on the 25th of September, and on the 26th of October the Indian Office held that they would take no further action in the matter.

Mr. ABRAMS. On being misinformed, I presume.

The CHAIRMAN. I know; but since this, I understand they have gone on and perfected those allotments, and they are all ready to issue, and I do not think that the department would take this matter up again and delay the issuing of these allotments.

Mr. ABRAMS. It seems as though there was an injustice done there on account of the committee being one of her own sons. They took the land from me and gave it to his mother. Of course, that would be a natural thing for him to do.

The CHAIRMAN. Here is what the department says under date of October 26, 1908:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 26, 1908.

AUGUST ABRAMS, *Oneshum, Wis.*
(Through the superintendent Green Bay Indian School, Keshena, Wis.)

MY FRIEND: The office is in receipt, by departmental reference, of your letter of August 31, 1908, addressed to Hon. Robert M. La Follette, alleging that a former selection assigned to you by the business committee of the Stockbridge and Munsee tribe of Indians was subsequently given to another person by the succeeding business committee and the allotting agent, who made allotments to this tribe of Indians.

In response you are informed that the complaints in your communication have been investigated, and it appears that the selection assigned to you by the former business committee was assigned by a subsequent business committee and the special allotting agent to Mrs. Lucinda Menore, because at the time of allotment you were living in the town of Suring, Wis., some 25 or 30 miles from the reservation; that you never resided on this selection or made any use thereof except to sell the standing timber thereon, which constituted the major part of the value of the allotment, and that you have indicated your willingness to accept another tract of land as your allotment by endeavoring to mortgage it to Mr. Ole Morgan. It appears further that the lands now allotted to you are of equal value to those formerly assigned to you by the business committee. Under the circumstances it does not appear that any great injustice has been done you by reason of the change in your allotment. In fact, it seems that the change has been beneficial rather than detrimental.

Presuming that the schedule of allotments to these Indians is honorable and just, and in view of the facts presented in connection with your complaint, no further action in this matter is deemed necessary.

Very respectfully,

C. F. LABRABEE,
Acting Commissioner.

The CHAIRMAN. That was the decision of the department on the 26th of last October.

Mr. ABRAMS. But they were misinformed. Instead of making the change they never made any change; they simply took one of my forties away from me.

The CHAIRMAN. You have a forty now, have you not?

Mr. ABRAMS. I have one forty now and three minor children; and this party that they gave this forty to has no minor children now; she is dead; she died since this transpired. I think if they would look into it they would see the injustice that has been done in taking this away from me.

The CHAIRMAN. But they sent a special allotting agent up here, did they not?

Mr. ABRAMS. Yes; but I had the land before he came.

The CHAIRMAN. Did he not investigate these things?

Mr. ABRAMS. He did, but I could not get any satisfaction from him.

The CHAIRMAN. Do you know who he was?

Mr. ABRAMS. His name was Waugh; he was special allotting agent. I do not know his first name. As I state in this paper, I can prove that I had this land long before this agent came here—for three years before.

The CHAIRMAN. We will give this paper to Mr. Holcombe, who represents the Indian Office, with the statement that you have made.

(The witness was thereupon excused.)

STATEMENT OF THOMAS PRICKETT.

THOMAS PRICKETT, having been first duly sworn, testified as follows:

The CHAIRMAN. What is your full name?

Mr. PRICKETT. My name is Thomas Prickett.

The CHAIRMAN. You live here, do you?

Mr. PRICKETT. Yes, sir.

The CHAIRMAN. How long have you been here?

Mr. PRICKETT. Pretty nearly a year, or a little over a year.

The CHAIRMAN. In what capacity are you here?

Mr. PRICKETT. I have been a warehouse clerk.

The CHAIRMAN. How long have you been serving in that capacity?

Mr. PRICKETT. I have been there since about a week or two weeks ago.

The CHAIRMAN. Have you any statement that you want to make regarding matters here?

Mr. PRICKETT. No, sir; not in particular.

The CHAIRMAN. Did you ever see any logs down below the dam?

Mr. PRICKETT. Not logs.

The CHAIRMAN. Well, any merchantable timber that ought not to have gone over the dam, or through it?

Mr. PRICKETT. Yes, sir.

The CHAIRMAN. I mean that matter that Senator Brown went down this morning and looked up.

Mr. PRICKETT. Yes, sir. In regard to the statement of Mr. La Belle that I told Mr. Braniff about the stuff going over the dam, it was a mistake. The man that I told was Mr. Rice, and that Mr. Rice saw the foreman and told him not to let any more go through.

(The witness was thereupon excused.)

The CHAIRMAN (to Reginald Oshkosh). Oshkosh, I wish you would say to these people here in Menominee that if there is anyone here who has not been heard, who has anything to bring before the committee, he can do so.

The above was interpreted to the Indians by Reginald Oshkosh.

STATEMENT OF SIMON BEAUPREY.

SIMON BEAUPREY, having been first duly sworn, testified as follows:

The CHAIRMAN. Do you live here at the mill?

SIMON BEAUPREY. Yes, sir.

The CHAIRMAN. Are you a member of the Menominee band?

SIMON BEAUPREY. Yes, sir.

The CHAIRMAN. What degree of Indian are you?

SIMON BEAUPREY. I am French and Menominee.

The CHAIRMAN. How much Menominee are you?

SIMON BEAUPREY. About one-quarter.

The CHAIRMAN. You wish to make a statement here, do you?

SIMON BEAUPREY. Yes, sir.

The CHAIRMAN. You may proceed.

SIMON BEAUPREY. I can not bring out what I want to say without an interpreter.

(Reginald Oshkosh was thereupon duly sworn as interpreter.)

The CHAIRMAN. Now make any statement that you desire to make through Mr. Oshkosh.

SIMON BEAUPREY. I want to inquire about Mr. Prickett giving out hay and oats. He gave some to Jim Malone.

The CHAIRMAN. Mr. Prickett, did you give out any hay or oats to Jim Malone?

Mr. PRICKETT. No, sir; to a fellow named Miller.

The CHAIRMAN. How did you come to do it?

Mr. PRICKETT. I had orders from the office here.

The CHAIRMAN. What was Miller doing?

Mr. PRICKETT. He was blacksmith.

The CHAIRMAN. Did he have a span of horses?

Mr. PRICKETT. No; he hired Jim Malone to plow his ground, and he did not have any oats, and he came and gave me some money to send for hay and oats at Shawano. He told me he could not give him any oats from the warehouse, so he gave me the money to send for the hay and oats for him. In the meantime I asked Mr. Belt if he could give him the oats and hay; he wanted hay and oats to feed his horses, and I did not have any, and Mr. Belt said, "As long as you have the money, you can do so." He told me I could send for the hay and oats to Shawano, and I could have it come in my name and could take the hay out and the oats when they came. So I got permission from Mr. Belt to let him have the oats and hay and take the hay when it came.

Senator LA FOLLETTE. To replace the hay and oats that you had issued?

Mr. PRICKETT. Yes, sir. That is how Jim Malone got the hay.

Senator LA FOLLETTE. You sent for the hay and oats, did you?

Mr. PRICKETT. Yes, sir.

Senator LA FOLLETTE. And when they came you replaced them?

Mr. PRICKETT. Yes, sir.

SIMON BEAUPREY. I want to know why he denied me. I was employed here at that time. I went to Rossman first and asked him if he could loan me some hay. Rossman suggested that I go and see Mr. Prickett. Mr. Rossman asked Mr. Prickett how it would be if somebody would borrow hay and replace it. Prickett said he could not do it. There was no way for them to receive any money from anybody.

The CHAIRMAN. Did you offer him the money?

SIMON BEAUPREY. It was on Sunday and I wanted to replace the hay in a couple of days. I want to know why was it that the colored man could get that hay and we be denied the same privilege.

The CHAIRMAN. Prickett, do you know anything about that?

Mr. PRICKETT. It was because I could not give them the hay and oats unless they had the money, so that I could replace it, without getting authority from this office to do it.

SIMON BEAUPREY. Pat Phelan employed me to haul some wood, and he instructed me to haul that down to the dump and throw it away.

The CHAIRMAN. Who did?

SIMON BEAUPREY. Mr. Phelan.

The CHAIRMAN. What is Mr. Phelan doing?

Mr. BRANIFF. He is no longer in our employ. He was foreman over at the mill.

SIMON BEAUPREY. I want to know why it was that I was instructed, after going through that expense of cutting the wood, then to incur another expense in hauling it to the dump to throw it away.

The CHAIRMAN. Phelan has gone, and we can not ask him about that.

SIMON BEAUPREY. That is all.

The witness was thereupon excused.

Mr. DILLETT. There was a matter of 100,000 feet of logs that Mr. Rossman is going to give some explanation about. That came up when he was absent. Where were those logs, Gauthier?

Mr. GAUTHIER. On the West Branch Creek.

STATEMENT OF A. L. ROSSMAN.

A. L. ROSSMAN, having been recalled, testified as follows:

The CHAIRMAN. What do you know about this matter, Mr. Rossman?

Mr. ROSSMAN. We left them on the West Branch Creek on account of not having any water to drive them.

The CHAIRMAN. When did you leave them there—this year or last, or when?

Mr. ROSSMAN. About a week or ten days ago. We expected to come out of the creek with that drive on the next flood that we were to get at the time, and we were waiting from eight to ten days for a flood. We had a crew of drivers there, and my foreman informs me that he was sure he could get out of the creek in the next flood. So I made arrangements with Mr. Ainsworth, who, I think, is the superintendent of the Keshena Improvement Company. We had to get water from the Wolf River to take the logs out after they got out of the main Wolf to this creek. We were also getting water from Mr. Pendleton, and I had to notify Mr. Ainsworth on the Wolf River about a week or ten days ahead so as to get out of this creek into the main river to get the water up there. It was right about the time to get out on the flood which my foreman informed me we would do. I made all my arrangements, and I think it was eleven days that we figured this flood would come on the West Branch Creek and take our logs out. It miscarried; we had a big jam, and there was not enough water to take them out, so they left this little place about 100 feet, and we took the remainder of the logs to Shawano where they are to-day.

The CHAIRMAN. Are they green logs?

Mr. ROSSMAN. No, sir.

The CHAIRMAN. It is old dead and down timber?

Mr. ROSSMAN. Yes, sir; practically worthless, anyway, and we figure to drive those logs next spring—what was left there—on the spring freshet, to Keshena, to be sawed there—if we can do it—or else down to Shawano. I talked with the foreman and advised with him, and also consulted here at the office with regard to that. If we had not done that, we would have lost the water from the Wolf. It takes a couple of days to get up there from the headwaters of the dam to the Little West. We were not using the Lilly. I was given to understand that we would, but on account of people stacking hay up there we could not do it. We would have to lose all that water on the Wolf, and we had also operated the Lake Dam hoist that is up here some 12 or 15 miles on the river, that had been hoisted, to run down here and meet us at the mouth of the West Branch Creek. Furthermore, we would have had to board the men down there, because it was getting late in the year and was cold, but you could not get the men. I think I did well.

The CHAIRMAN. Is it a fact that you did not lose the logs; you simply did not drive those logs this season, with the expectation of driving them next spring?

Mr. ROSSMAN. We expected to drive them next spring.

The CHAIRMAN. The logs are not lost, are they?

Mr. ROSSMAN. No, sir; they are loose—lying in the branch.

(The witness was thereupon excused.)

STATEMENT OF MANUEL McDONALD.

MANUEL McDONALD, after having been first duly sworn, testified as follows:

The CHAIRMAN. What is your full name?

Mr. McDONALD. Manuel McDonald.

The CHAIRMAN. In what capacity are you serving here?

Mr. McDONALD. I am barn boss.

The CHAIRMAN. There has been some evidence here that there has been no feed for the horses for several days. What do you know about that? Is that a fact?

Mr. McDONALD. Yes, sir.

The CHAIRMAN. How long have they been without oats?

Mr. McDONALD. Since Saturday noon until last night.

The CHAIRMAN. Whose business is it to notify the proper people here to get feed for the horses?

Mr. McDONALD. Well, I was. I notified Mr. Everest and Mr. Rossman.

The CHAIRMAN. How long ago?

Mr. McDONALD. I notified them about three weeks ago last Tuesday.

Senator LA FOLLETTE. What day of the month?

Mr. McDONALD. I do not know the day of the month. It was on Tuesday; three weeks ago last Tuesday.

Senator LA FOLLETTE. Three weeks ago last Tuesday?

Mr. McDONALD. Yes, sir.

Senator LA FOLLETTE. That would be the 7th of September.

Mr. McDONALD. Yes, sir.

Senator LA FOLLETTE. You notified them?

Mr. McDONALD. Yes, sir.

Senator LA FOLLETTE. Whom did you notify?

Mr. McDONALD. Mr. Everest.

Senator LA FOLLETTE. How did you notify him?

Mr. McDONALD. I told him we were out of oats and would need some in a week or ten days.

Senator LA FOLLETTE. Where was he when you notified him?

Mr. McDONALD. Right here in the office.

Senator LA FOLLETTE. Did you come here to do it?

Mr. McDONALD. Yes, sir.

Senator LA FOLLETTE. Was anybody else present?

Mr. McDONALD. No, sir; there was no one else; it was just Mr. Everest talking right here.

Senator LA FOLLETTE. Who else did you notify besides Mr. Everest?

Mr. McDONALD. Mr. Rossman.

Senator LA FOLLETTE. Where was he when you notified him?

Mr. McDONALD. Right at the barn.

Senator LA FOLLETTE. When did you notify him?

Mr. McDONALD. I notified him a week ago last Wednesday, I think, or last Friday, when I got clear out of oats.

Senator LA FOLLETTE. You did not notify him at the same time you did Mr. Everest?

Mr. McDONALD. No, sir.

The CHAIRMAN. Was Mr. Everest the man whom you usually notified?

Mr. McDONALD. No, sir.

The CHAIRMAN. Who do you notify usually?

Mr. McDONALD. Mr. Belt.

Senator LA FOLLETTE. How did it happen that you did not notify Mr. Belt at that time?

Mr. McDONALD. Mr. Belt was not here at that time.

(The witness was thereupon excused.)

The CHAIRMAN. Mr. Dillett and Mr. Larson have appeared here for these people, and it was suggested that if we had time, they would like to make an oral summing up of their matter. I do not know whether there is sufficient time for that or not. The committee will remain here until 20 minutes after 5 o'clock.

FINAL ARGUMENT OF A. S. LARSON, REPRESENTING THE STOCKBRIDGE INDIANS.

Mr. LARSON. Mr. Chairman and gentlemen, as I stated to the committee this morning, the time was not permitted me to gather the facts to present to the committee, and that phase of the work has been in charge of Mr. Dillett. At the request of the Indians, however, I agreed to be present at the hearing and render Mr. Dillett any assistance that he desired or that a proper presentation of the facts in the case demanded.

The complaint of the Indians is directed against Mr. Braniff; it is not directed against the institution and it is not directed against the system. The Indians are satisfied, apparently, with the system that has been instituted here. They are satisfied to have their logs manufactured into lumber. A statement was made—I may have misunderstood it—but as I understood the statement of Mr. Braniff it was to the effect that the institution here was interfering with the progress of other lumbering interests, or other interests at Chicago—that is, other business interests—and that the business interests of Shawano or the surrounding country demanded a cessation of operations here.

I think that the position taken by the Indians refutes that most emphatically, because at no time have they asked a cessation of operations here. All that they have asked at any time is a change in the responsible head.

I think it would be unfair to Mr. Braniff, and no one can afford to be unfair, even if their lack of principle would otherwise prompt them to be so, if we were to say that Mr. Braniff has not tried to carry on this work in a successful manner. He has undertaken that branch of the work; he has undertaken to run a business on a large scale of which he knew nothing when he took charge, except in so far as he may have been in the woods or acted as cruiser on work with others. As a business manager he has had no experience. This is an operation that is a very extensive one, and it is strange, indeed, if there were not a great many small matters that could be pointed to which have not been properly attended to or not attended to in a businesslike way. I believe the evidence shows that there are a great many things here which give the Indians just cause for complaint.

I think the evidence shows that logs have been driven down to Shawano and brought back over here to Neopit at great expense to the Indians—lumber that will not bring a price that will pay for the cost of driving, to say nothing about the cost of manufacturing it.

Mr. Braniff seems to have been unfortunate in antagonizing the Indians. He has not their good will, nor their cooperation, nor their assistance, and the question arises as to whether, as a matter of policy, regardless of whether these complaints are well founded or not, and regardless of whether he has handled the situation properly or not, it is not to the interest of the service to bring about harmony among the Indians, whose funds are being used and whose property is being consumed in these operations, to satisfy them by bringing about a change of management. No man is so great that some other man can not be found to carry on his work. No man has ever died and left a hole in affairs. There may have been a little ripple for a while, but somebody has carried on his work afterwards. We say that the evidence shows in this investigation that Mr. Braniff has not the faculty of conciliating the Indians and carrying on the work agreeably to them. He has not called councils and consulted with them. He has not given them a voice or asked for suggestions to carry out the work consistently with the instructions he has received from the department.

All these things have had a tendency to antagonize the proper working of this plant and has worked to the detriment of operations here. The Indians complain about the way he has conducted his logging operations. They say when they went down there to log the dead and down timber that he charged the men who were associated with them for logs that were left in the woods. The evidence shows that when he undertook to cut roads, particularly the road from here to Phlox, that he ran sound timber on either side of the road. The evidence shows that he ran timber along the roadway; that he cut several miles of right of way for the railroad, and that he ran the timber along that.

The CHAIRMAN. Mr. Braniff, do you desire, before we adjourn, to make a summing up?

Mr. BRANIFF. No; I do not desire to do that. I have talked enough.

The CHAIRMAN. Very well.

Mr. LARSON. The evidence shows that the very thing that he has complained about on the part of these Indians he has been guilty of himself, like Cromwell when he found fault with Charles the First for dismissing Parliament, and when he got into power found that he had to do the very things that he criticised Charles the First for doing, and had to disband the Parliament from time to time in order to carry on the work.

So he is hardly in a position to criticize these Indians for finding fault with him. The evidence, I think, shows that there has been a great deal of extravagance in the equipping of the office. There is here a $95 desk, for one thing, which I think was entirely unwarranted. Also the building of beautiful houses and the furnishing of those houses upon the recommendation of Mr. Braniff at considerable expense to the Indians. Also his failure to interest the Indians—that is one of the things that works to the success of this institution—the ability to interest the Indians in the success of this

plant so that they would come here and go to work and remain at work. On yesterday I noticed—and I was only here during a short time while the evidence was being introduced—that the cost of the logging operations had reduced the amount realized on the stumpage to something like three or four dollars, and yet the cost of building those roads—the original cost of the building of the roads by loggers who had been on the work before Mr. Braniff arrived on the field—had not been taken into consideration. The cost of building camps had not been taken into consideration, and the stumpage value—between three and four dollars' stumpage value that had been netted through his operations—was figured on a basis of $2,000 for the permanent improvement here. When a statement was afterwards called for showing the amount of the permanent improvement, the figure ran up to something like $350,000, although interest at the rate of 3 per cent, I think, was only charged on $200,000.

Mr. BRANIFF. That happened to be only 4 per cent, as I have found out.

Mr. LARSON. I am simply referring to the fact that when the Senator from Vermont (Mr. Page) figured that out it was on the basis of $200,000 for the permanent improvements. I know that the road that was constructed from here to Flox was unwarranted and uncalled for. It is not a good logging road; it is banked up; it is not a road that can be used successfully for toting, and it is not the sort of logging road that they use, and the Indians feel that until the operation here warrants it no such road as that should be built; that this thing is yet in its infancy. We do not know whether it is going to be a success or not. The Indians do not know whether it can be successfully operated. These permanent improvements should be left until the success of the institution has been established.

The Indians also complain about the cost of manufacturing the logs into lumber. I think that the evidence shows—at least it ought to have shown—that at Shawano and the surrounding mills here you can manufacture lumber for something like $3 a thousand. You can bring your logs to the mill, and they will manufacture them for $3 a thousand into lumber and still net them a profit, while here the cost of manufacturing logs into lumber is something in excess of $4. The evidence here shows that the timber is not properly manufactured; it tapers a good deal; it looks a good deal more like a wedge than a board. While Mr. Braniff is not operating the sawmill, yet he is the responsible head.

Mr. BRANIFF. I am plainly responsible.

Mr. LARSON. The Indians have observed these things. They have been a source of irritation to them a long while.

The different things that can be summed up in the few moments that are allowed to me—I want to divide the time with the counsel on the other side—hardly do justice to the facts. There is any amount of extravagance, as I think it can be shown, properly chargeable to Mr. Braniff, which affords cause for complaint. The Indians formerly did all their logging on the reservation. They accumulated a fund of something over $2,000,000; they were successful. The amount paid to them was limited. It does not make any difference whether the cost of logging to-day is greater than it was five or six years ago; the law under which these operations were carried on limited the amount that could be paid to the Indians, I think, to $5

a thousand. Those Indians were able to realize such a profit on that contract of $5 a thousand that many of them sold their shares. I think 15,000,000 were banked each year, and the right to put that in or be paid his proportionate share, and they sold that right to others, who carried on actual logging operations for something like thirty or thirty-five years; still those people made a great profit on their logging operations, and after paying all their logging expenses they saved something like $2,000,000 to the tribe during the time they logged.

Now all that has been taken away from them. The Indians carried on those logging operations successfully. The history of this transaction shows that they were competent to do that work, and that they made money for themselves and all were satisfied; and under the old logging regulations—under the act that enabled them to carry on that logging—no one but Indians could be employed except with the special permission of the department. Whenever it was necessary to do so, permission was obtained from the department to employ white men with teams, but nearly all of that work was done by the Indians. They put in nearly 15,000,000 feet of logs each year and did it successfully and satisfactorily, and the logs were sold and there was a profit to the Indians after the expense of logging had been paid.

Now, those operations have ceased. The Indians, instead of seeing something like from $100,000 to $200,000 added to their fund each year, find that there has been an expenditure—a drain on that fund—of something like $800,000, with little immediate prospect of return or of a profit on those operations. If they had continued their logging operations for ten years more they would have had a fund that would have made them absolutely independent. The interest on the fund which they had when the operations began here enabled the Government to pay the expenses of managing their schools at Keshena, and paying all the employees and still paying them $30 per capita semiannually.

Take a family consisting of four or five, say, and it will sustain them, and yet they do not eat into the principal at all. That was paid out of the interest derived from the principal fund, and had these operations continued ten years more the Indians would have been independent. The operations here have drained the fund, I am informed, at one time to the extent of $1,000,000 and at another time to the extent of $800,000 out of a fund of $2,800,000 or thereabouts, which is a material decrease and is because the Indians' cause is now being understood.

There has been some testimony here as to the value of the different lumber; I do not know about the testimony as to the hard woods, but I know that some pine has been sold here, but whether the value as applied to hard woods is based on actual sales or not, I do not know. I understand that bidders have come up here, but refused to bid on it because of the manner in which it was scaled and the different grades intermingled, whereas the lumber would have brought a fair price had it been properly stored.

Senator PAGE. If that $800,000 deficit is to be reduced, it may be properly reduced by the value of the mill plus the lumber on hand, may it?

Mr. LARSON. That is true, but it will not hardly be reduced over the cost of such permanent improvements as do not yield a return.

Senator PAGE. I am speaking of the mill and the actual valuation of this property.

Mr. LARSON. I think it could be properly reduced by any assets that can be realized on. I do not think that during this investigation we have been able to form even a fair estimate of the value of the lumber that is on hand.

Senator PAGE. I suppose $200,000 is a fair valuation to-day?

Mr. LARSON. The condition of its manufacture and the manner in which it is piled has very much to do with the actual value, and his judgment of what the lumber would bring and the actual experience of the agent, as I understand, in selling it, has not made his judgment as to the value of that timber very valuable.

Senator PAGE. He figures it at $12 per thousand on about 16,000,000 or 17,000,000.

Mr. BRANIFF. And that figure is based on actual sales.

Mr. LARSON. You place the value of the lumber at what?

Senator PAGE. Twelve dollars, and between 16,000,000 and 17,000,000 makes it about $200,000.

Mr. BRANIFF. I would also say that that is fair, as we know from our experience. We have not had to reject any bad cuts.

Senator PAGE. How much, to estimate the value of the logs on hand to-day?

Mr. BRANIFF. One hundred thousand dollars delivered on the land, approximately, in addition to cost of the drive.

Senator PAGE. Estimating the actual value at half a million dollars, it would leave $300,000 deficit, would it not?

Mr. LARSON. Yes, sir; that would be true on the basis of $800,000, if that is the correct figure, and estimating that the lumber would bring what Mr. Braniff says it will.

Mr. BRANIFF. It is based upon sales. Lumber is going up all the time.

Mr. LARSON. Of course, even conceding that to be true, we have no way of estimating what the timber that has entered into the manufacture of that lumber would have brought and what the cost of logging it would have been if it was carried on in the old way. Mr. Dillett, who has been here during all the time that the testimony has been taken, is more conversant with the situation, and as the time is so short I prefer to allow him to take that subject up.

The CHAIRMAN. Each of you may file a brief in addition to your remarks here, if you desire. Of course, we realize that our time is very short.

FINAL ARGUMENT OF C. F. DILLETT, ESQ., ATTORNEY FOR THE INDIANS.

Mr. DILLETT. If the committee please, in the limited time which has been allotted me to address you, I do not intend to go into any details. I simply desire to present as comprehensive a view of the situation as I possibly can.

It seems to me that the question before us, or the question to which I desire to address myself, is whether the present management should

be continued or whether a change should be made, and I shall address myself to that question only.

In my judgment, in order to have a successful carrying out of the purposes that were in view, the man in charge should have two qualifications in particular. He should have actual practical experience. That, I think, is very essential. He should, in addition, be a man who would have some influence for good over the Indians, and be able to reach them, and be able to get hold of them. He should be able to get them actually into this work, which I say has not been done. There are some Indians employed here, but there must be, I think, nearly a couple of hundred white men also employed; I think I saw about that many at breakfast this morning at the boarding house. It can not be far from that number. I did not see an Indian among them, I believe, although there might have been two or three exceptions.

I say that the business has not been a success in that direction. Mr. Braniff may not be to blame for that. Men are not all constituted alike. One man may go into a crowded structure and have friends all around him in a few moments, while another man is harder to get acquainted with and does not make a favorable impression anywhere, even though he may be a good man, until some years of acquaintance develops the fact that he is a good man. We are made up differently.

Now, it seems to me that the results show that Mr. Braniff is not a man who is suited to the position, for the reason that he has been unable to get and keep these Indians at work. It is a very delicate matter, and I think that a change ought to be tried in order to see whether some one else would not do better. The Indians on the reservation, I think, almost to a man, desire this change, and I do not think that this operation can be carried on successfully while the Indians and the employees are dissatisfied, because anything that is undertaken they will try to make a failure of. If it is a project that Mr. Braniff has his heart in, they will oppose him. Not only the Indians, but I think there is some evidence here that the employees, the office help, are mostly disloyal to Mr. Braniff. I believe he testified that he recommended the removal of Mr. Everest. He has also recommended the removal of the physician here. That seems to me to indicate that he not only fails to get the Indians interested and work with and cooperate with them, but also the white employees, and I believe that a man can not run a business successfully under those conditions. The mere statement of the qualifications of Mr. Braniff, as he has related them himself, ought to be sufficient evidence, it seems to me, to warrant his removal. There is not an institution of this magnitude anywhere in Wisconsin, or anywhere else, I dare say, that is being run by a young, inexperienced man. No matter what business you go into to-day, you get into competition with men who have made a life study of that business. Take Shawano, for instance. The general stores there are being run by men who have had from fifteen to fifty years' experience. Go anywhere and you will find that manufacturing institutions, lumbering institutions, and all kinds of business are being run by men who have had years of experience. What would the directors of a banking corporation or a manufacturing corporation say if it was proposed to place a man in charge and at the head of the business who had little or no experience in that particular line of work, especially a business of the magnitude of this? Why, it would simply be absurd. So I say that we ought to expect from the

very fact that such a man was put here just what has come about—dissatisfaction and disloyalty on the part of these Indians.

I think some practical man—and you can find hundreds of them in northern Wisconsin—should be placed in charge. You can not go into a town in northern Wisconsin but you will find from a half a dozen to 25 or 30 old, experienced lumbermen. That has been the business of northern Wisconsin. It should be a man who has made a lifelong study of such an operation. You have a man here—on your invitation—who can step into a mill and take the place of any man, with perhaps one or two exceptions—a man who filed a band saw that was not in use some years ago when he was working up to occupy that position. But, outside of that, you have a man right here who can step in and take the place of any man about the mill. He can walk through the mill, or through the yard, and if there is anything not being done right, he knows it and can correct it. But take an inexperienced man like one of us would be in the lumbering business; we might be ever so willing and faithful and anxious to make the business a success, but we could not compete with that kind of a man. There are very many corners that can be cut in the business where it is absolutely essential that a man should be at the head of the institution who could go anywhere and see that the work is being done as it ought to be, and, if not, correct it.

I do not desire to detain you, gentlemen. I do not care to go into the details. I simply desire to express my opinion that for this position some man should be selected who is practical, and who has had experience back of him, and who has run successfully institutions of this kind in the past for private corporations. Get such a man as that and, as far as the financial end of it is concerned, you will make a success of this business; and not until then. Coupled with that, this man should be a man who sympathizes with the scheme—with this plant—a man who can get hold of those Indians and get the best out of them; and until that kind of a man is procured we will have dissatisfaction on the part of the Indians; and it is their money that is being used in carrying on these operations. It is supposed to be for their benefit; they are supposed to be the beneficiaries, and they ought to be, in a measure, satisfied in some way with the general conduct of this business; and it is safe to say that while the present management remains they will not be satisfied.

Thanking you, gentlemen. [Applause.]

The CHAIRMAN. Now, Mr. Oshkosh, of course, in this hearing, a great many matters have come up, which, in turn, may have suggested other matters that you people have not thought of. If anything of that kind occurs to you hereafter you can put it in the form of a report or a letter, and send it to the committee.

I want to thank you all very much for having come up here and taking part in these proceedings.

The committee will now adjourn.

(At 10 o'clock and 30 minutes p. m. the committee adjourned.)

ONEIDA, WIS., *October 2, 1909.*

The committee convened at the mission hall at 1 o'clock p. m.

Mr. HART (Indian agent). I think while we are not all here we had better go on, because the time is somewhat short. A great many of you know the purpose of the meeting, know that we are gathered

here to meet the committee of the United States Senate, who have more to do with our line of work than any other body, who can do more for us, and who want to know what it is we have done and what we are doing and what we want to do. If there is anything that we are dissatisfied with in our present condition, they want to know it. Senator Clapp will tell you just what his purpose is in coming here. Senator Clapp, the Oneida people.

The CHAIRMAN (through Mr. Dennison Wheelock as interpreter). We are a part of the Senate Committee on Indian Affairs. We have been sent to examine the Indian reservations in the State of Wisconsin, partly to see for ourselves and partly to hear what the Indians have to say in regard to their matters. We have no authority to answer as to what Congress will do about anything, but only to report to Congress what we see and hear. We understand there are two principal questions here. The Indians have a small annuity. Some other Indian tribes also have small annuities, and in some cases we are doing what we call capitalizing the annuities—that is, figuring out what the present value of the annuity is, and, instead of paying a little every year, we are paying it all out in one payment, or putting it to the credit of the Indian; and one thing we want to learn is how the Oneidas feel about having their little annuities capitalized or commuted. The present value of the annuity, if it was commuted and put into one amount, either to be paid over or to be put to your credit, would, I think, amount to about $15 a head. Another thing is the allotment. Under the law as it now stands where allotments were taken before February 26, 1906, the allottee became a citizen of the United States, only the United States retained the title and the Indian could not sell his allotment until authorized to do so by law or by the President. Some years ago we began removing the restrictions in certain cases. A great many of the restrictions have been removed on Oneida allotments, and there is some talk now of removing the restrictions on the other Oneida allotments. We want to hear what you think on that, and then if there is anything else that you people want to lay before the committee, we want to hear that. We have to leave at about 5 o'clock, and if you have any complaints to make, we want to hear them. We are now ready to hear from you people.

STATEMENT OF JACOB HILL.

JACOB HILL, an Oneida Indian, through the interpreter, Mr. Dennison Wheelock, made the following statement:

My remarks will include only a few matters that I desire to bring to the attention of the committee. There are two factions on this reservation, and in speaking I am looking at both sides. I have lived on the reservation about all my life, and we have progressed in our affairs for the last thirty years toward a civilized state. I am authorized to speak by the faction which believes that they have not at the present time the ability to pay taxes on their land. The present conditions demand that instead of limiting the annuity payment those payments ought to be increased. That, according to the older people of the reservation, at the time the treaty was made providing an annuity it was understood that the payments should be perpetual at the rate of $1 per capita. That it is the belief that the

power exists in the Congress of the United States to increase the annuity now paid if it is so desired. The reason that this increase is asked is based upon the fact that in olden times the Oneida Indians assisted materially, lives and their efforts, to promote the prosperity of the people in the East, and in consequence, in part payment, this treaty was entered into.

Another question which we would like to bring to the attention of the committee is the matter of the establishmet of the township form of government on the reservation against the wishes of a large number of Indians who reside on the allotment of said town. The Indians living here and so protesting now deem themselves unable to meet the expenses of a town and to pay the necessary taxes.

So much for the part which relates to the Indian party for whom I am speaking at this time.

Now, I invite the attention of the committee to the part of the Indians who are educated and who desire to be placed on the same footing as white people. Several years ago a general council was called for the very purpose of determining the desire of the tribe as to whether we should commute the annuity that is being paid to the Oneida Indians of Wisconsin. At the time the allotments were made the United States sent Commissioner Lamb to this reservation. It was at a time when the Indians had never thought of receiving the land in severalty. This commissioner persuaded the Indians, by representing to them the desirability of holding their land in severalty and the chances to improve, and so on, so when the vote was taken at that time practically the whole tribe assented to the request of the department to have the land allotted. At that time it was the thought of the tribe in general that the best interests of the whole nation were in the direction of civilization.

I was 1 year old when the Oneida Indians came to the State of Wisconsin. I was in my youth, about 6 years old, when I remember the payments were made upon this very spot to the Oneida Indians, including other payments which resulted from the settlement with New York State. Continuing from that day until I was 30 years old, when I became a member of the tribe, I have observed the progress of the affairs of the nation. I saw the day when they did away with the chiefs and elected sachems and counselors to rule the tribe. The purpose stated was to practice, in a large measure, the white man's way of ruling the people, but certain changes were not satisfactory, and in the course of time the sachems and counselors were discontinued also. The failure was largely due to the fact that these people could not collect any money to pay the expenses of the government. There was no way, because the people differed on many questions as to what the necessary expenses were. When the sachems and counselors were set aside then the tribe tried merely having a business committee. We have at present a number of men who are members of that committee to-day.

A great many changes have occurred since I was a young man, when the Indians lived in log huts, compared to the present time, when they are living in frame houses of all kinds, such as you see at the present time on the reservation. In every home to-day there is an educated boy or girl, who reads and writes, due to the schooling that they have received at the hands of the Government. The year just passed has seen the establishment even of this town which was

mentioned a while ago, and shows improvement because the proper machinery has been started, and in that town to-day you can see the improvement in the roads and bridges having the proper planks on them. I can say that the best interest of the tribe lies in uniting of all the people here in determining to establish towns, so that we can see the law enforced and compel the people to maintain their share of the expenses, and in consequence, our roads in a short while will present a better appearance than they do now. We will see our roads in just as good condition as they are outside the reservation.

It has been said that if the white people got into this reservation that the Indian would be squeezed out; that he would have no existence here, but I believe it would be a good thing if the white people would come in here and mix with us, and show us the proper way to conduct our public affairs. Out here at the station and beyond, northwesterly, there is a big brush there, nothing but brush and swamp, and beyond the white people live. There is absolutely no improvement of any kind in that territory, and the white people living beyond there desiring to go downtown have to go all the way around the reservation to get to it. Knowing the desires of the tribe in general, from casual conversations with them and in living here, knowing that there is a sentiment which justifies me in saying that if there was a greater gathering of the tribe here it could be readily seen that the tribe desires the commutation of the annuity at the earliest possible date and the settlement of all tribal affairs as between the Government and the Indians.

Other farseeing individuals have mentioned that perhaps the Indians have a claim against the Government for the assistance they rendered in the old wars of the United States. That is the only question perhaps that would not require consideration and should go along perhaps with the settlement of the annuity. Then perhaps again a few isolated sales of land in New York and elsewhere, where it is claimed that Indians have not received their entire compensation, perhaps those things should be looked into and considered in connection with this settlement. That is all I have to say. In conclusion, I desire to express my great satisfaction and pleasure in seeing the settlement here so that they can see our settlements and reservation for themselves, knowing that after such sight-seeing they shall be able to determine what are our best interests.

The CHAIRMAN. Is there some one else who wants to speak to the committee?

STATEMENT OF AMOS BEARD.

AMOS BEARD, an Oneida Indian, made the following statement:

Mr. BEARD. Mr. Wheelock invites me to say it in English, and, gentlemen, I will ask you at the first to take good care of my talk. What little English tongue I have got is not what you call educated. I will say this is just why I ask you not to criticise my English tongue, as what little English I have got I picked it up here and there and I kept it.

The CHAIRMAN. I think we would make better time and Mr. Beard would perhaps talk more freely if he spoke in the Indian tongue and had Mr. Wheelock interpret it into English.

Mr. BEARD (through Mr. Wheelock as interpreter). The reason that I attempted to speak in the English language to the committee,

while of course you all understand that I have very little education, I have just explained to the committee that I have secured whatever knowledge I have here and there without any special training, just merely to show that I wanted to do the very best I can anyway. Our friend who has just preceded me in a speech has made some very fine expressions, sufficient to lead us almost to believing that what he states is the truth entirely. What he has stated sounded very well. We are all for progress, we are all for going ahead, but many of us are slow, and I have always thought that in our progress it were better that we were conservative and not going too fast, not like the rabbit who is alarmed and jumps in any direction and any distance. I have stated to you that it is very fine that we go ahead, very nice that we are progressing, but I have stated also that in that progress we want to be careful, because it is when we go too fast that we are liable to get hurt.

Take notice that to-day it is true that in every home there is a young man, perhaps, who is educated, a young man able to read and write; but what of his experience? Has he in his possession the power of mind to gather from past experiences such as a matured man has? I answer no.

We are considering to-day about our land. Much of it has already been sold, and the land is passing away from us. There is a lot of land here that is not of any use to-day, largely because the foresight has not been exercised. We are talking to-day about people being in our midst who are educated, who are people who read and write and talk the English language, but those people have only seen the great light, and beyond that they have not gone. They do not fully understand what that great light means nor its influence. I mean by the great light the civilization of the white man. The sales of land are now being made by just such people as these people we have been speaking about, who have no foresight and use no proper judgment. Their sole desire is to get hold of the money, place it in their pockets, and merely go to the saloon and squander it. Is that what we shall denominate as progress and foresight, wisdom, the proper thing for us to do? I think not. It is a pity that appeals to any man when he sees a country going to ruin. True it is that a few here have properly used the means that they have secured from the sale of their land.

The law requires, as I understand—of course I am unable to read it, and maybe I am mistaken—as I understand, the law says that whenever an Indian shall show that he is able to talk the English language, can count, can read and write, so that a person bringing in papers for him to sign he can understand what he is signing, shall be entitled to receive a patent for his land. I should like to be shown, or I should like to have the opportunity myself to look over the papers, wherein, perhaps, I am mistaken, if it is deemed necessary by the committee.

The CHAIRMAN. Do you mean as to the law?

Mr. BEARD. Yes, sir.

The CHAIRMAN. The law is, whenever they can satisfy the Secretary of the Interior that they are competent to manage their business. It does not necessarily mean that they can read or write or figure, but that they understand the value of property and won't squander it. In other words, that they can keep their property and manage their business. Some men can do that who have very little learning, while other men with a great deal of learning can not

do that. It is not a question of learning, but the ability to keep your property from other people.

Mr. BEARD. I have therefore, according to the gentleman's statement, mistaken the law. I have always thought that the law required as I have stated.

To a large extent, I may say, I am responsible for having this meeting take place, and I have represented matters to the Government at Washington that there were certain disturbing influences in operation on this reservation which affected the minds of all the people in every direction, so that what is told them some will believe and others not believe. It is hard to tell what we would believe. That is the reason why we have called upon our Government to straighten our matters up, because we are unable to do so ourselves, being uneducated. We are not sufficiently informed as to these matters, because everything is new to us at the present time. About all the education we have amounts to now is that we can go with collars on, but what controls the white man we have no knowledge of. For that reason many of us are making mistakes; many of us aren't working our land when we should have stopped right there and improved our own allotment.

The sole reason for that is that every man on this reservation who has asked for a fee-simple patent desires to sell his land. The only reason that I know of why the allotments were made to us was to define what each one owned and to show the boundaries so that no one else would trespass on the property.

I took a party this morning over the reservation and showed them our farms, and the first question that was asked me: "Do all Oneida Indians raise stock?" I replied that a few did, most of them were perhaps in the brush. We are so civilized; that is, the reason they didn't see any domestic animals was because we are voting now to become citizens. Are we equal to the heights of farmer at the present time? It is very good that the Government is solicitous of our interests and our affairs. Thirty years ago schools were started on this reservation. They gave us those schools because the Government wanted us to become educated, but we are too anxious; the Government is not anxious. We must plunge ahead to the condition of the white man, and I say let things remain as they are, increasing the size of our school so that my children and my grandchildren and your children may have school facilities, and then when they have grown up they can see what is best to be done. Increase the size of our schools.

The CHAIRMAN. Mr. Beard, what degree of Indian blood are you?

Mr. BEARD. Delaware and Oneida. I may have other Indian blood.

The CHAIRMAN. I mean what degree of Indian blood—have you any white blood and how much—what degree?

Mr. BEARD. My great-grandfather was a Frenchman.

STATEMENT OF SAMPSON J. CORNELIUS.

SAMPSON J. CORNELIUS, an Oneida Indian, made the following statement through Mr. Wheelock as interpreter:

Mr. CORNELIUS. My children's allotments are encroached upon by the white people. The land lies at the boundary line. It is not only my children's land but the encroachment is all around the reservation.

The CHAIRMAN. On the edges?

Mr. CORNELIUS. On the edges.

The CHAIRMAN. How do they encroach?

Mr. CORNELIUS. They usually build fences inside the reservation line, two or three rods. That is, the adjacent farmers, white farmers.

Senator LA FOLLETTE. Do they clear up the land and appropriate it, crop it?

Mr. CORNELIUS. Yes, sir.

Senator LA FOLLETTE. How are the boundary lines on this reservation marked?

Mr. WHEELOCK. By a government surveyor.

Senator LA FOLLETTE. Are they marked with permanent marks of any kind?

Mr. WHEELOCK. No; I don't think so. It is just a line run.

The CHAIRMAN. The reservation runs diagonally across section lines, doesn't it?

Mr. WHEELOCK. Yes, sir.

Mr. CORNELIUS. The question I want to ask is whether it is my business to bring action against those farmers to eject them from my land, or whether it is the duty of the Government to see that my land is cleared of encroachment?

The CHAIRMAN. Have you got a patent in fee?

Mr. CORNELIUS. No.

The CHAIRMAN. Have your children?

Mr. CORNELIUS. I have got a patent in fee to other land but not on that.

The CHAIRMAN. Where you have not got a patent in fee it would probably be necessary to have a suit brought in the name of the Government as trustee. At least, that would be the better way. If you will make a statement, giving the number of the allotment and the names of the allottees and a statement that others are encroaching upon it, and send it to the Indian Office, then the usual way would be for the Indian Office to apply to what we call the Department of Justice, which is the legal part of the Government—the law part—and they would take the matter of the suit in hand.

Mr. CORNELIUS. In regard to issuing the patent in fee simple. Just as soon as an Indian gets his patent in fee simple there is somebody waiting to get hold of the land by fraud. Take, for instance, this first speaker, Jacob Hill; he has mortgaged all his land, consisting of 90 acres. All along the road that the committee traversed this morning there are nice farms there covered with mortgages. That is the way the land is going on this reservation. In five years there won't be any Indians owning land on this reservation.

Senator LA FOLLETTE. Has the money raised from these mortgages been used to improve the land and build homes and put many other improvements, or has it been squandered?

Mr. CORNELIUS. About half of it has been drunk up.

Senator LA FOLLETTE. I think you might say to Mr. Cornelius that a representative of the Indian Office is here and will remain here for some days, and if he brings to Mr. Davis's attention the trespass made upon these allotments, I think he will investigate the matter for him. The question has been suggested by a member of the committee to inquire whether there is any liquor sold on this reservation.

Mr. CORNELIUS. Yes; there is liquor sold on the reservation. There is one near the Oneida station where liquor is sold freely and openly.

Senator LA FOLLETTE. Openly?

Mr. CORNELIUS. Yes, sir; openly.

Senator LA FOLLETTE. Do you mean there is a saloon established on this reservation where liquor is sold openly?

Mr. CORNELIUS. No; it is just a store, but they drink there. It is in connection with the store, I suppose.

Senator LA FOLLETTE. Has complaint been made of the sale of liquor there to the Indians?

Mr. CORNELIUS. I don't know.

Senator LA FOLLETTE. Do you personally know of cases where liquor has been sold to Indians at that store?

Mr. CORNELIUS. No, sir; I have heard it.

Senator LA FOLLETTE. Could you furnish any witnesses to prove such cases of sales?

Mr. CORNELIUS. Call Isiah Reed as a witness.

Senator LA FOLLETTE. Any others?

Mr. CORNELIUS. That is all I know.

The CHAIRMAN. Is Reed here in the room?

Mr. WHEELOCK. No, sir; I guess not.

STATEMENT OF TRUMAN DOCKSTADTER.

TRUMAN DOCKSTADTER, an Oneida Indian, through Mr. Wheelock as interpreter, made the following statement:

I desire to speak to this congregation so there will be a little understanding. There was a time that our people were sold out in New York, so state the old chiefs; there was an act passed there that went into the headquarters. That act called for these people, when they came up, to be civilized under the laws of the United States; to pay taxes; that they should send a delegate on to the headquarters, five or six men, and bring up their own business. So I say why do we have the laws here that compel us to pay taxes; that the business has not been touched upon in the right way. So I say that that ought to take place and ought to be continued, because it was done with our head chiefs, and we do not want to do our business up without giving credit to the law. That act was passed; that when it came to that day that they should pay taxes the Government should make them a payment of whatever they should ask for, so I think that committee should be looked over in Washington and in this tribe, both together. In the war of 1812 there was a woman by the name of Lucy Trotter, and she was in the battle ground, and when they came to the last day she sold a horse out of the rear and rode 40 miles in the wilderness; when they were just going to lose the day, she fetched them up towards the front and gained the day for the United States. So that was clear back about two hundred years ago, at the time that they fought through the Revolutionary war. It was only these Oneidas that fought to keep the whites from getting lost in the wilderness and kept them together, and they whipped every nation there was, so I think they ought to be looked up by the Government and see that they don't get destroyed here and lose their property. So I think they have the right to look over

these things, so they will always have the matter the way it was passed in Washington.

Mr. WHEELOCK. Mr. Hill wanted to ask what can be done with a married woman who received no allotment at the time the allotments were made in severalty to the Oneida Indians.

The CHAIRMAN. Probably nothing. All the land on the reservation was allotted.

Mr. WHEELOCK. I suppose his idea is what I mentioned this morning to you, if it was possible that this woman could receive an allotment of land on the public domain, and they wanted to know whether a special act of Congress would be necessary to accomplish that.

The CHAIRMAN. Oh, yes; and then the trouble is to get the land. When this land was allotted there was so much land that belonged to the Oneidas, all of them, and it was a question of how that land should be divided, and they arranged to divide it so that the married women, upon the theories that they had husbands as a rule, of course, would get the benefit of what their husbands had instead of dividing it up to each person and giving less land. The way it was divided was the husband got that much and the children got that much, and altogether it took all the land there was in the reservation.

Mr. WHEELOCK. That is the understanding here, but the question is how to accomplish securing any land on the public domain for the benefit of the women. They will run the risk themselves——

The CHAIRMAN. I don't think they could get any.

Mr. WHEELOCK. There is an act now, passed last March, which allows any Indian to take an allotment on the public domain, provided he has received no allotment at all heretofore, and under that act the question in my mind is whether the law, which makes the provision that patents shall be under the provision of the act of February 8, 1897, means they would have to make actual settlement. Under the act of 1887 there is a clause in there permitting Indians outside of reservations to take allotments provided they make actual settlements.

The CHAIRMAN. The Secretary of the Interior has not formulated the regulation. There are a good many cases pending now awaiting his preparation of the regulations, and until they are formulated and prepared, I could not tell you anything about it.

Mr. WHEELOCK. Mr. Hill wants to know more particularly what is the sentiment of this committee in regard to giving these married women any land at all, whether you are in favor of it or against it. That is the question that they would like to know.

The CHAIRMAN. It is doubtful whether the committee, until it gets through with this matter and takes that up for consideration, would be in any position to give its views one way or the other on these matters.

Mr. WHEELOCK. Of course there is this about it: I suppose these matters would have to be taken up in the regular way. There is no doubt about that, and it would have to be submitted to the department and, if necessary to have a special act, it would be referred to the committee through the department.

The CHAIRMAN. It is not claimed by these people, is it, that there is any land—any particular amount of land—that is due the tribe?

Mr. WHEELOCK. No; it is not that. Quite a number of cases here where, after the allotment, perhaps, the husband would kick the wife

out of doors. Lots of them got divorces on various conditions, and it is deemed by the tribe that that was an injustice; that the result has been an injustice upon the women.

The CHAIRMAN. It is an injustice this way, and no further: Here was so much land. Now, whether each individual would get 40 acres or whether the father would get 80 acres and the children 20 acres was a matter to be determined by the action of the Indians. As soon as the Government gave all of the land to the Indians, why it was a question then for the Indians to decide, and I presume they did at the time, by some mutual agreement, determine upon the manner in which the land should be divided.

Mr. WHEELOCK. I understand that part of it. That is all understood well enough; but here is the point that they bring up: When this land was allotted it was allotted to a part of the tribe and left a lot of them out, without any land, and all of them were entitled to an equitable share.

The CHAIRMAN. What ones did it leave out?

Mr. WHEELOCK. The married women.

The CHAIRMAN. That is true, but the husbands got that much more on account of being the heads of families.

Mr. WHEELOCK. That was the idea, but the effect wasn't that, because just as soon as the husbands got that land some of them kicked the wives out of the back door, and so they had no land, do you see? And then he kept the whole business, kept the 90 acres.

The CHAIRMAN. Well, eventually the woman's rights would be determined by her right in the property of the husband. If a man kicks his wife out without any right and she has a lawful right, the courts will give her her share of the property of the husband. Those are matters of individual regulations in families that Congress can not very well deal with, just the same as with the white man. If a white man kicks his wife out she goes to the court and the court will give her her share of the husband's property.

Mr. WHEELOCK. That is where the hitch comes in; they have come into court in such instances and have had a divorce and have tried to have a division of that allotment, but they can not do it.

The CHAIRMAN. Doesn't the court entertain a divorce suit between the parties?

Mr. WHEELOCK. They entertain it just so far as to take them apart, but not the property. They don't touch the land at all.

The CHAIRMAN. I wish you would say this to these Indians: The committee of course realizes that if an Indian who has not had any business experience has his property turned over to him he is liable to lose the property. On the other hand, under our form of government with these States and then the Federal or National Government, it presents a number of very difficult and complicated questions. So long as the Indian holds an allotment it is his, and yet he can not sell it, because the Government is holding the fee during the time of restriction, and it presents a number of questions that are going to be very difficult under our form of government to decide. Our Government is a government of law, and the States have certain authority that the Federal Government could no more interfere with than I could, and on the other hand, the Federal Government has certain authority that the States can not interfere with, and that is one reason why Congress is anxious, just as fast as it is safe to do it, to turn

the lands over to the Indians in fee simple. Of course, we do not want the Indians to take their property before they can take care of it. It takes some time to build up the Indian, and then there is this question of complication between the States and Federal Government, but it is desirable, as fast as the Indian becomes capable of handling his own property, that he should take his property, and then his status, his place in the law, is fixed. To-day the man who holds one of these lots in trust—it is difficult to tell what his rights are. If he held his patent in fee and he put his wife out without reason the court would give that woman a share of the property. On the other hand, the committee can see it is a question whether the state court could take a part of that property and give it to his wife. That is why the Government is anxious, as fast at it can be done, to give the Indians their property, but we do not want to see these people take their property and use it for whisky; but we do wish, as fast as it becomes safe for them, to put them on their own feet and give them their standing in the law. That is a great problem to-day—to take about 300,000 people, who have had no business experience, who have been members of tribes, and gradually transform them into American citizens, with all the rights of American citizens.

It is a great problem and we are going to make a great many mistakes—we can't help that, we can only do the best we can—and we want the opinion of you people as to what is the best in your case.

Now, in regard to these women, until the Secretary of the Interior prepares his rules and regulations the committee can not tell you what these people could do. I presume I have got in my office, in my home, a hundred cases of Indians who have asked for additional land, who have had no land at all. I wrote down to the Secretary, but he has not prepared it. He will prepare it soon, and as soon as he prepares his rules then we, or the men in the department, can tell anybody definitely what their rights will be under that law.

Now, in regard to that whisky business, we would like for you people, if there is anyone here who knows of his own knowledge in regard to the selling of whisky down here, or if you have seen a man drunk and can give the committee the name of the man, to have you do so. Of course it is easy to say that we think there is whisky being sold, but what we want is the proof of it, and if there is anyone in this room who has bought any whisky there or knows of his own knowledge that whisky is sold there or has seen anybody buying whisky the committee would be very glad indeed if that person would stand up and give us his name.

Mr. THOMAS SCANADORE. There is a man here that told me that he got drunk there at that place.

The CHAIRMAN. Do you want to give the man's name?

Mr. SCANADORE. Isaac Antoine.

The CHAIRMAN. Is he in the room? Come up and be sworn.

STATEMENT OF ISAAC ANTOINE.

ISAAC ANTOINE, an Oneida Indian, having been first duly sworn by the chairman, testified as follows:

Mr. ANTOINE. I don't know nothing about that.

The CHAIRMAN. Did you ever tell Mr. Scanadore about getting whisky down here?

Mr. ANTOINE. No, sir.

The CHAIRMAN. You just heard him say you told him, didn't you?

Mr. ANTOINE. Well, I told him right out I didn't know nothing about that.

The CHAIRMAN. Make him understand that he is under oath here.

Mr. WHEELOCK. Had you not better swear me as interpreter?

Mr. Dennison Wheelock was sworn as interpreter.

The examination from here on was conducted through an interpreter.

The CHAIRMAN. Do you know this store down here by the depot?

Mr. ANTOINE. Yes, sir.

The CHAIRMAN. Have you ever been there?

Mr. ANTOINE. Yes, sir; I have been there.

The CHAIRMAN. Have you ever seen any kind of liquor there, any whisky, being sold?

Mr. ANTOINE. Pop and wine.

The CHAIRMAN. What kind of wine?

Mr. ANTOINE. Grape wine.

The CHAIRMAN. Did you buy any of it yourself?

Mr. ANTOINE. Yes, sir.

The CHAIRMAN. When?

Mr. ANTOINE. To-day.

The CHAIRMAN. How much did you buy?

Mr. ANTOINE. Just one glass.

The CHAIRMAN. Was it poured out of a bottle or drawn from a keg?

Mr. ANTOINE. In a barrel.

The CHAIRMAN. How much did you pay for it?

Mr. ANTOINE. Five cents a glass.

The CHAIRMAN. Have you bought any any other day?

Mr. ANTOINE. No.

The CHAIRMAN. Have you ever bought any kind of drink there any other day?

Mr. ANTOINE. No.

The CHAIRMAN. Do you know of anybody else who has?

Mr. ANTOINE. No.

The CHAIRMAN. Who was there when you bought the drink to-day?

Mr. ANTOINE. I didn't pay any attention to who was there.

The CHAIRMAN. Can you not tell us of anybody who was there when you bought the drink to-day?

Mr. ANTOINE. Quite a large number of persons there.

The CHAIRMAN. Now, does anyone else here know of anybody getting liquor there [addressing Mr. Scanadore]? How long ago did this man tell you this which you have reported?

Mr. SCANADORE. About three weeks ago there was a picnic at this place. At that time this man told me that he got drunk on liquor at that store.

The CHAIRMAN. Was there anybody present when he told you that?

Mr. SCANADORE. Solomon Scanadore, my brother, was present.

The CHAIRMAN. Is he here?

Mr. SCANADORE. No, sir.

The CHAIRMAN. Is there anyone else who knows anything about anyone getting liquor there? Now, we will proceed with this hearing. Is there anyone else who wants to be heard upon the question of the business of the Oneidas?

STATEMENT OF BRIGMAN CORNELIUS.

BRIGMAN CORNELIUS, an Oneida Indian, through Mr. Wheelock as interpreter, made the following statement:

Mr. CORNELIUS. I want to talk about the law under which we exist to-day. You understand the conditions that we would have to meet if we take the step of assuming the responsibilities that other citizens have under the laws of this State. I will begin from the time of the allotment. You will remember that persons from Washington came here and represented that it would be to the interest of the tribe to take the lands in severalty. We took the lands in severalty and then we were told that such division of the land placed us under the jurisdiction of the State of Wisconsin; but as we were all Indians, with tendencies as Indians, and we liked to own individual property in our own name, we all took the idea of having the land allotted in severalty, without knowing what the responsibilities were, what the laws of the State of Wisconsin were, and what condition we would be in after the patents had been issued. The leading feature in our minds was that we were going to own our own land.

Now, it is the law of this State, and perhaps it is the law of other States in the United States, that illegitimate children shall inherit only from the mother and not from the father of the child. After the Indians had consented to take the allotments in severalty, and they had understood that they were to be subject to the laws of this State, then the administration discovered a tribe, perhaps, of Indians who had never had the benefit of Christian training, living in the regular Indian custom, and who did not know Christian marriage, and in consequence their children were not recognized by the state laws of their locality as legitimate children and could not therefore inherit the estate of their father after his death, which made it necessary to request the Government, then, to change the law so as to admit illegitimate children to inheritance from their father, and this the Congress has so construed, that to-day our people are here in all sorts of legal battles to perfect their titles and protect legitimate children from the claims of illegitimate children, which was not contemplated in any manner or form at the time the allotments were taken by the Oneida Indians. There was absolutely no question asked of the Indians here whether they would consent to such an amendment to the law. There is absolutely no question in my mind of the justice of the law as applied to Indian tribes who know no marriage laws other than their own customs, and whose property would perhaps escheate to the estate in case of the allottee's death were no such law in existence, but it is entirely different with the Oneida Indians, who, from the time that they emigrated from the State of New York, and before that, for many years, had entirely left their Indian customs as to marriages, and had practiced the English marriage, accompanied by a church service, in the presence of a Christian minister, and no legality was given to marriages consummated in any other manner.

Because of the unrighteousness in the eyes of these Indians of that law our money is daily being poured out into the pockets of lawyers and others in a vain effort to protect our property and in an effort to settle the estates of deceased allottees without knowing adequately what the results are going to be in any one case.

We have records in our tribe which run as far back as eighty years showing marriages of Oneida Indians, and yet in the face of this, in the Thomas Hughes case, the state court decided that the Oneida Indians were subject to the amendment legitimatizing children, and made the illegitimate children of Thomas Hughes his heirs, and they inherited his land.

There is a man perhaps in this audience who is industrious, frugal, struggling to accumulate property for the benefit of his children. Perhaps he is raising a large family of children as the result of a legal Christian marriage. True, he may not be interfered with during his life, these children and his wife may have the benefit of all that he is able to give them while he is alive, but let him die, and tomorrow a woman of unchaste character may lead a child along and demand that that child shall inherit, with the rest of his children, claiming that child to be an illegitimate child of that man, and she may, moreover, pay a few dimes to some witness to come and say that they actually know that he was the father of that child, and the court will take such testimony, and that child will become legitimatized thereby.

The time seems ripe, in my judgment, for us Indians to determine our status forever in favor of the Christian marriage and the Christian home and to proceed upon the lines upon which generations ago our forefathers started in being taken in the Christian religion and who have taught us in the same way.

Under the present law we are in the same situation, unjustly, as the Indian tribes who are located on our western plains whose members have perhaps never seen the inside of a church. For this reason, it seems to me, the time has arrived for us to do something. If we remain silent and unmindful apparently to these conditions, we are injuring ourselves, and we should correct them by every means that may be possible for us.

The CHAIRMAN. We are very glad you have pointed this out. You are right about this, that there ought to be a difference between those Indians who do recognize marriage and those who do not; and the committee will recommend that the law be amended so that among those who do recognize marriage and only the children of women who can prove marriage shall inherit the estate. I think you are absolutely right.

(The committee thereupon took a recess for ten minutes.)

The CHAIRMAN. We have a few minutes more before we put this matter before the meeting. If there are one or two others who want to express their views on this question, either way, the committee will be glad to hear them.

STATEMENT OF PAUL DOCKSTADTER.

PAUL DOCKSTADTER, an Oneida Indian, through Mr. Wheelock, as interpreter, made the following statement:

Mr. DOCKSTADER. It is about this being under the state law. The State doesn't give us the law that they do amongst the whites. After the State gets the Indians' land and money then they don't know the Indians any more. There was one of our members who sold his land and bought a small lot in town and spent the rest of it,

and afterwards sold the lot he had in town, and he got paralyzed on the road—dropped on the road—and a fellow by the name of Lenward took him up and kept him a few days and went to the county to have him taken to the hospital, and they would not take him because he was an Indian. They had got his land and money then, so they don't serve the same law to the Indians as to the white man.

In another case—about this Hughes case. That was made here in the country for the people living here—that is, to have these people run around like dogs—the name of it, anyway. These people would pass the circle of Christ and break the table, and I would not be religious if that is the kind of religion they have, these parties that made the restrictions for the adulterer.

There is another case, about these white folks coming over the boundary line. There is a piece down here 2 miles and 16 chains and 30 links of a chain. It is 6 rods wide, and there is another piece, about 1 section, and that takes off about 5 rods from one side along the boundary line. They are holding that. They have got good backers to hold on. They would not move the fence. Years ago Savage gave them notice to move. He was Indian agent at that time. He went out just at that time, and they hold it in their possession over there to-day, and if there is any authority anywhere to have that removed and put on the proper place, I would like to have it done.

The CHAIRMAN. Senator La Follette will ask the department to send a man here to make a survey. It seems the district attorney insists that there shall be a survey. Of course you people can not very well afford to make it. We will try to get the department to send a man up to make a survey and put the marks there, and then suits will have to be brought if they don't get off.

STATEMENT OF JOHN SCANADORE.

JOHN SCANADORE, an Oneida Indian, through Mr. Wheelock as interpreter, made the following statement:

Mr. SCANADORE. There is only one question I want to ask, and that is concerning the establishment of a town on this reservation without the consent of a large number of the inhabitants of the town.

The CHAIRMAN. Do you mean the town that has been established?

Mr. SCANADORE. Yes, sir; the town of Hobart.

The CHAIRMAN. You may say this to him, that that is a question that has come up not only on this reservation, but on others, and we are rather inclined to think that it is within the power of the State, where land has been allotted, even though it is held in trust—that the State can create these towns. It is a matter that will be looked up, but it is also a matter that they must depend for adjustment upon your representatives in the legislature, your assemblymen and senators in the state legislature, and you must lay those things before those men and have them understand your wishes in this matter.

Mr. SCANADORE. The point I don't understand is where the power comes in. The Dawes bill has not been changed, so far as I understand, and yet the town officers are taxing us and we are compelled to pay taxes on our personal property. Of course, we understand that the Indians are under the care of the Government absolutely.

The CHAIRMAN. When Congress passed the law for allotments, years ago, under that law the courts have held that the Indian who takes his allotment and gets his trust patent is a citizen, and it is rather probable that, as to everything except the right to sell his allotment, which is held by the United States, the State can step in after the lands on the reservation have been allotted. That is a matter which will be submitted to the Attorney-General of the United States. It is more than probable that the State can do this and they must look to the men who represent them in the state legislature.

Mr. SCANADORE. What makes me inquire is the fact that in New York State the Indians have land in severalty, but they are exempt from taxation. They can sell their land or do whatever they please with it.

The CHAIRMAN. That is under the state law. Under the federal law where an allottee has personal property which the Government has bought for him, of course they hold that is exempt, because the trust runs into the property, but where an Indian has property which he has bought with money he has earned himself, it is very probable that the courts will hold that the States have the right to tax it.

Mr. SCANADORE. Another question that is peculiar to me is at the time of the passage of the Dawes bill and the land was allotted, at the election following a number of the Oneidas went up to the town of Hobart and attempted to vote. They were denied on the ground that they were Indians. After that, through the intercession of the department, they were finally allowed to vote, and from that we gathered that the Indians here are still under the control of the department in that respect, that this right to vote is subject to the control of the department.

The CHAIRMAN. No; the department could not make the state officers take their votes at all. The United States Government could not interfere. The department could simply show these officials that these people had taken their allotment, just as you or I could argue it to them. The department had no power to make them allow them to vote.

Mr. SCANADORE. What I would suggest—of course, don't understand the law well, but I presume from what I have seen—the way I look at it, we are still under the protection of the Government, and I would like to see the Government intercede for us to prevent the separation of personal property from real estate.

The CHAIRMAN. The Government will do what it can, but there are some things that the Government can not do after a man becomes a citizen.

STATEMENT OF GEORGE DOCKSTADTER.

GEORGE DOCKSTADTER, an Oneida Indian, through Mr. Dennison Wheelock as interpreter, made the following statement:

Mr. DOCKSTADTER. Friends, we ought all to be glad to have these gentlemen with us from Washington. They come direct from the presence of the President of the United States. Whatever they promise they will do; whatever they decide here will be best for us they will do.

The first question that has been offered for our consideration is the matter of commutation of annuities. This question has been thrashed

over previously in our tribe, and the only thing that seems to interfere with the acceptance by the tribe of the proposition is the request on the part of the Government that we sign off all of our claims in lieu of this payment—that is, whenever this payment is made we sign off everything.

The CHAIRMAN. No; you ought not to be made to do that; you ought to simply sign off for this annuity. That is all the Government ought to ask you to do.

Mr. DOCKSTADTER. We remember well, of course, that we had a council here with a representative from the department wherein we agreed to receive the commutations provided such a receipt would be in full payment for all claims and demands, but of course you all know that we have not received the money to-day, and I suppose the reason for it is that we refused to sign off all claims. The words "final settlement" is a broad term; it may mean a great many things. It may mean the extinguishment of all claims whatever. We want to understand what is meant by "final settlement;" whether the committee is willing we shall receive the annuity and that alone, and leave all other claims standing just as they are, or whether, settling this annuity, it is going to involve other claims against the Government which we have. What we want is a complete and satisfactory explanation.

The CHAIRMAN. What the committee would mean would be this: You are now entitled to 43 cents a year. That is a very small amount. Now, the proposition is to take an amount upon which the interest would equal that, and, as we call it, in our way of doing business, commute or capitalize that. That is often done among white people where they have got a matter of a great many years, and take that as settlement only of this annuity claim. If you have got any other claim against the Government, it would not be fair for the Government to have you release that in settling the annuity. Instead of 43 cents a year, to pay you in one payment. Now, it is simply a question of whether you want to take the cash for all of that annuity, and if you have any other claims against the Government this won't interfere with them at all. That is the way the committee understands it. Are you familiar with this reservation?

Mr. DOCKSTADTER. Yes.

The CHAIRMAN. Do you know on about how many allotments the restrictions have been removed here?

Mr. DOCKSTADTER. No; I do not. I think Mr. Wheelock could answer those questions. Just a few words more on the matter of the progress of the tribe. It is true enough we have received a great deal of money through the Kansas claim and some awards, but the improvements that have gone on on this reservation have been within recent years. The committee has traveled over the reservation, and they have seen practically how we are supporting ourselves and managing our affairs. At the time the allotments were made to the Indians on this reservation the head of the family received 90 acres and then the others in proportion, so that everybody received land, and 90 acres was supposed to represent the possessions of a man and wife. At the time the allotments were made it was agreed that at the close of twenty-five years a new council was to be held to determine what shall be done thereafter. I could not tell exactly how many years after, but that is not a great while—I think it is since Mr.

Hart has been here as agent—there was a change made that all the property of persons who have died since the allotment up to that time should be sold and the money divided among his heirs. There is where the sale of it commenced. That is without our knowing the cause of it, the reasons, or any agreement whatever. There is where the first sale of our lands commenced. We were perfectly satisfied with the allotments. Nobody found any fault, not a word, and we were not thinking anything about having anything to do with it, so all at once when we understood the land was salable we asked the question when we could get it. We supposed we were going to hold the land twenty-five years—nobody found any fault—but when it came so it had to be sold we got kind of happy, beginning to think about it, and there was a few of us talked it over well, twenty-five years' time, see how many folks died since, and that land has got to be all sold, and how will we stand in twenty-five years. We could not sell the land, we could not get rid of it any way, and we had to hold it twenty-five years. That is what we supposed, and we were perfectly satisfied. That is what bothers us.

The CHAIRMAN. You want it fixed so that where you want to, the property can be held in the family and sold or otherwise disposed of without first getting the consent of the Government?

Mr. DOCKSTADTER. That is where it came, and we asked for a fee-simple title so every person could do what he pleased with it—will it to a certain child or for his people. That is what was granted. That is the way it is now. Some of them have squandered it—two or three of them. That is the way it stands now. About this annuity money I think the people understand it now, and it is for all of them to say whether it is best for us to take all, or how.

The CHAIRMAN. We are coming to that in a minute.

STATEMENT OF DENNISON WHEELOCK.

DENNISON WHEELOCK, an Oneida Indian, made the following statement:

The CHAIRMAN. You are familiar with the situation here?

Mr. WHEELOCK. Yes, sir.

The CHAIRMAN. Do you know about how many lots have become fee simple either by the removal of restrictions of sale or inherited land?

Mr. WHEELOCK. About 50 per cent.

The CHAIRMAN. What proportion of those have become fee simple by removal of restrictions?

Mr. WHEELOCK. About 30 per cent, I should judge, of that land.

The CHAIRMAN. Thirty per cent of the 50 per cent?

Mr. WHEELOCK. Of the 50 per cent; yes, sir. Maybe that is under it. About 70 per cent of the 50 per cent.

The CHAIRMAN. What has been the result where these people have had restrictions removed as to the disposition they have made of their land? Could you tell approximately what number of those who have had their restrictions removed still retain the land, have not sold or mortgaged it?

Mr. WHEELOCK. That would be a hard matter to tell.

The CHAIRMAN. Give us your best judgment.

Mr. WHEELOCK. Of all the land that has been obtained? I am more familiar with the patented land than the other, the inherited land.

The CHAIRMAN. I am speaking of the patented land, where the restrictions have been removed and a fee-simple patent issued.

Mr. WHEELOCK. About 15 or 20 per cent still held by the Indians.

The CHAIRMAN. And the balance has been disposed of?

Mr. WHEELOCK. And the balance has been disposed of.

The CHAIRMAN. How have they managed with reference to the proceeds; have they used the proceeds wisely or unwisely—of course both ways—but about how is the proportion of those who have made use of it wisely?

Mr. WHEELOCK. A great majority have used their money to a good purpose. Most of them have placed improvements on their homes, bought furniture and teams and cows, and one thing and another. A few have practically squandered all their lands, but there are very few.

Senator LA FOLLETTE. What proportion of those who have patents to their lands or own their lands in fee simple have parted with their lands absolutely—I mean have sold them?

Mr. WHEELOCK. That is what I meant by saying there are only about 15 or 20 per cent left who have retained the land. The balance have sold their lands, about 80 per cent.

Senator LA FOLLETTE. What has become of those?

Mr. WHEELOCK. You must understand, of course, a great deal of the lands patented have been in small tracts. That is, now, for instance, a man owning 90 acres will have 30 acres out in the woods. He will get a patent for that 30 acres and sell it and put improvements on his place. That is the way it has been done practically. The Indians who have sold land out in the woods, and where that has been practically all that they had, have bought small tracts on the road.

Senator LA FOLLETTE. Of all the Indians who have the absolute right to part with the title to their land how many have disposed of all the land that they have had the right to part with?

Mr. WHEELOCK. I could not tell you anything definite about that.

STATEMENT OF PETER J. POWERS.

At this point Mr. PETER J. POWERS was sworn as interpreter to put into the Indian language Senator La Follette's questions and Mr. Wheelock's answers.

Mr. WHEELOCK (continuing). Does that mean the Indians who have sold all their lands?

Senator LA FOLLETTE. What I am aiming to get at is, if an Indian is free to part with his land will it all get away from him?

Mr. WHEELOCK. About 60 per cent, I should judge. About 60 per cent of those who have received all the land—that have received a patent in fee to their land—have sold; about 60 per cent.

Senator LA FOLLETTE. Have sold all their land?

Mr. WHEELOCK. Yes, sir; about 60 per cent.

Senator LA FOLLETTE. Then are those Indians without land?

Mr. WHEELOCK. Most of them. Quite a number that have inherited lands which they have received no patent on.

Senator LA FOLLETTE. Are such of them as have inherited no land without land and without means?

Mr. WHEELOCK. Very few that I know of. In fact, I could not name anybody just now. I just merely imagine there may be two or three.

Mr. JOSEPH SMITH. Can I interfere with any question that I think Mr. Wheelock does not answer right?

Mr. WHEELOCK. Anybody will have the privilege of correcting me if I make a mistake.

Senator LA FOLLETTE. I see no objection.

The CHAIRMAN. Not at all. It is a matter of opinion. We want to get the opinion of you people.

Mr. JOSEPH SMITH. My opinion on that is that I would say that two-thirds have squandered all their land and what they got for their land that have received a patent. They have squandered it and have no means at all.

Senator LA FOLLETTE. And those Indians who have sold their patented lands and have inherited other lands and now have those lands, if they were given a fee title to those lands, wouldn't they part with those inherited lands just as they did with the others?

Mr. WHEELOCK. I hardly think so. From past experience in dealing with these Indians I do not think that is the general trend.

Senator LA FOLLETTE. Do you think that the fact that they have lost or squandered their patented land has been such a lesson to them that they would retain the inherited lands if they were given the fee of those lands so that they could part with them?

Mr. WHEELOCK. That is very true. I want to ask another question. I am getting interested in this. What do you mean by "squander?"

Senator LA FOLLETTE. Well, I would understand it to mean that they had sold their lands and that the proceeds of their lands had gotten away from them without their having anything to show for it except their experience.

Mr. WHEELOCK. In a measure that is a good thing. I think it is the only teacher we know of. Anyway, that teaches everybody alike. I want to ask Joe Smith a question. I know of a man in this room who sold 26 acres of land on this reservation. He got $850 for that land. He lived near his land on land that he had inherited. He did not live on this land that he sold. He sold that land for cash, and with that cash he continued to make a living. He had a good time while he had lots of money, that is to be sure, but that money went for his support and for his family. Now of that $850 that man to-day can not show one solitary red penny, not one penny, excepting the experience he has had in spending that money. He had a team of horses at one time that he bought with that money. He bought furniture with that money. He has sold all of that furniture and practically all that money—I mean to say he has spent it. Now, has he squandered that money?

Mr. JOSEPH SMITH. That is the way I understand it.

Mr. WHEELOCK. That is what you understand?

Mr. JOSEPH SMITH. Yes.

Mr. WHEELOCK. Shall I tell you who that young man is? I am not ashamed to tell his name. I am sure he won't object a minute. His name is Dennison Wheelock. He had 26 acres here, and he sold every acre of it and has squandered every cent that he got on that

land. He has not got one cent to show for it. Everything that he has got to-day he has made since.

Senator LA FOLLETTE. Now, in the case of that young man, Mr. Wheelock, you think that the experience that he got in that transaction taught him a lesson which has made him a much wiser man than he would have been if he had held on to the land?

Mr. WHEELOCK. A good deal wiser. The experience that that fellow got in that transaction taught him that he had to work for his living.

The CHAIRMAN. Has he accumulated any property since he lost it?

Mr. WHEELOCK. Not much.

Senator LA FOLLETTE. I would like to ask you, if you know and if you are able to state on oath, if that young man would consent to have you state the facts, how much property has he been able to accumulate as a result of that experience since that transaction?

Mr. WHEELOCK. Since that transaction I have been——

Senator LA FOLLETTE. Are you the man? I strongly suspected that you were the man.

Mr. WHEELOCK. That was a mistake of mine. I know you did not quite catch on to it. My experience in that, of course, is very plain. The reason for it is that it happened that way that I came back here in very poor health. I could not work and that was all I could depend on. In the course of time I got back my health. Practically, that $850 went for grub, and I was living on my father's place. That is the experience of a great many. You can not always tell just merely by asking questions.

Senator LA FOLLETTE. I think if you would be willing to say whether you have since that time accumulated or saved money and property, it would be an important matter to put into this record for the guidance of Congress in dealing with just such a problem as this. Just in the rough——

Mr. WHEELOCK. I can tell you that I have got a brick office building in West De Pere, and I own a residence, a nine-room house—nothing elegant, of course, but just a plain house.

Senator LA FOLLETTE. And in how many years?

Mr. WHEELOCK. Four years that I have been back here.

Senator LA FOLLETTE. Do you know of other cases in which the money for the lands which were sold by individuals has been parted with and where, as a result of the experience, others have been able to make a good showing since that time?

Mr. WHEELOCK. I could not name any. You take, for instance—I will name Adam King. He is an old soldier; he is about 80 years old, I imagine, or something like that, and a feeble, old man. Through my efforts a patent in fee simple was issued to him. He had 45 acres of land. Well, from all principles, perhaps, many would have said that that was a very foolish thing to do, to have that man get his patent, because he was unable to work and was, to a certain extent, weak-minded, but I knew he had a wife who was sensible and a business woman, although she could not read or write a word of English. When we sold that land, we sold one-half of it, the part lying near Green Bay. Of that money he put all of it in improvements at his home. He lived near the school here; we passed there this morning. I secured a patent for the land belonging to his wife. She had

90 acres. She sold that land, and she has reinvested the $3,000 or more that she got for her 90 acres in other land on the reservation, and she has become a regular speculator. She has gotten four or five 40-acre tracts of land, and she purchased her father's land, who died not long ago, from the heirs—90 acres, with the house on it.

There is a woman there who can not read or write, and from all appearances, perhaps, just an ordinary Indian squaw, but she has proved to be a first-class business woman. She has got the land now and has it for sale and asks a price which will give her a reasonable profit on her investment. I can name other Indians. Just the other day Joe Swamp received his patent in fee simple. I had a big time with the department to grant him his patent, because he was an habitual user of intoxicants. He is an old soldier who got that habit in the army and came back with it and could not get rid of it. He is now under the influence of whisky occasionally. He is an old fellow, now about 70 or 75 years old, or something like that. He sold his land the other day—a few weeks ago—for $3,000. He has 75 acres at his house there and he had a little clearing here back from the road. We managed to get $3,000 for that. He bought another place just back of my father's, near the creek, with a house and a little tract of 10 or 15 acres. The balance of the money he has left—one thousand or fifteen hundred dollars—he is going to use that to improve his place and the house, and he wants to deposit the balance in a bank that he can draw from occasionally as he needs. He draws a pension, and he says that every time he gets his pension he is going to get on a drunk. That is where he got his habit and that is where the money has got to come from. I don't know, of course, how he is going to get along in the future, but he has started out mighty well, in my judgment. He comes to my office every time he makes any deal or move at all. He asks me if that is all right, and I explain to him the whole procedure. Several Indians have come to him right here since they have found out he had money and have wanted to borrow money, offering a chattel mortgage as security. Now, we have no town here, and consequently a chattel mortgage is of no value, because we have no place to record a chattel mortgage, and he didn't know that; but because he asked me about it I explained to him that if he wanted to lend the money over here in Outagamie County he would have to take the property into his possession or take a bill of sale and then an option back. That is the way he has protected himself, by going to people who know about those things. Lots of these Indians are doing the same thing. They are coming to me here for such information. They are coming to me and going to lawyers in Green Bay and asking for information. Now, that is a thing that they want to learn. They will never learn unless they have got something that they have got to watch, and if they lose that, the next time they get something they will watch it. It is not such a bad thing for any man to lose all of his property if with that loss there is manhood back of it that takes benefit by such experience.

Senator LA FOLLETTE. I would like to ask you how much of this reservation is what you would call wild land?

Mr. WHEELOCK. There are 65,000 acres of this reservation, practically. Only 5,000—between 5,000 and 7,000—acres are improved.

A VOICE. Fifteen thousand acres.

Mr. WHEELOCK. I have never taken it as high as that. I have never thought that the improved land amounted to more than 8,000 acres at the outside. The balance of that is all wild land, brush land, swamp land.

Senator LA FOLLETTE. Wouldn't you think it advisable, instead of giving the Indian an opportunity to alienate or part with all of his land, that it would be better to give him a title in fee to some of this wild land which is allotted to him and give him an opportunity to sell that and see what he would do with that money?

Mr. WHEELOCK. That has been the policy of the department. I have talked with the commissioner fully on that, and wherever it has been shown that a man asked to be patented first the wild land, unimproved, they have readily granted the patent. Where the patent requested included a homestead, of course they have been more careful with that, and I think wisely.

Senator LA FOLLETTE. Mr. Chairman, Mr. Smith, as I understand it, is chairman of the business committee, and he has had no opportunity to present his views. I think, perhaps, we ought to hear him.

STATEMENT OF JOSEPH SMITH.

JOSEPH SMITH, an Oneida Indian, made the following statement:

Mr. SMITH. I haven't very much to say. I am not much of a talker anyway, but still I would like to make a few comments.

Senator LA FOLLETTE. I would like to ask you to state whether you own any land here in this reservation?

Mr. SMITH. Yes, sir.

Senator LA FOLLETTE. How much?

Mr. SMITH. About 3,000 acres, I guess; something like that.

Senator LA FOLLETTE. Is this very large red barn on the road on which the committee returned from its drive this morning on one of your farms, or on your farm?

Mr. SMITH. Yes, sir.

Senator LA FOLLETTE. Go ahead, Mr. Smith, and state your views on this subject. I think the committee would be glad to hear you.

Mr. SMITH. In the first place, I would like to speak just a word about this township business. Now, this town that was organized here—as they call it, the town of "Hobart"—as far as I could understand, it ought to have been organized according to the laws of the States; but instead of that, as far as I can understand, it was some smart fellows that worked the underwork, and not knowing the desires of the people that lived in this town to accept of a township, but a scheme that these smart—I would call them, as near as I can understand, smart, reckless work, underwork, unknown to the people—had it passed the body and dropped them into the ocean, and they sat back and looked at them and laughed at them, and those same fellows have worked themselves in as officers of this town and draw a salary to-day.

Mr. POWERS. If I can, I would like to interrupt the gentleman with a question. I don't know anything about this subject. I would like to ask what does he mean by "these fellows who have worked themselves into office." Who have worked themselves into office?

Mr. SMITH. Because they worked this plan through. Just themselves and their relatives, mostly, and after they got this town organized they themselves and just a few of their relatives put those same fellows into the offices.

The CHAIRMAN. That is a matter that neither the committee nor the Congress nor the Indian Department could do anything about. It is a matter with the State. We have to deal with this question of allotment and we would be very glad to hear you with reference to the disposition that men have made here of money which they have received for the lands, and the disposition that they have made of the lands when they had opportunity to sell. That is what the Senator is more directly interested in.

Mr. SMITH. I can say this, that about two-thirds or more have squandered their money and have nothing to show for it.

Senator LA FOLLETTE. Is it your opinion, then, that it is a bad thing for the Indians on this reservation to be granted authority to part with their land?

Mr. SMITH. I do, because it leaves them homeless, without means, and leaves them as paupers.

Senator LA FOLLETTE. Could you tell the committee how many Indians who have sold their lands are without homes now on the reservation?

Mr. SMITH. Well, there must be 50 per cent of them that sold.

Senator LA FOLLETTE. Then that would be about how many in number?

Mr. SMITH. I can't tell.

Senator LA FOLLETTE. Could you tell about how many?

Mr. SMITH. I don't think so. I don't know how many have sold their land. There is a lot of land that has been sold, but I don't know how many.

Senator LA FOLLETTE. How many Indians are there here that have no homes?

Mr. SMITH. That is a hard question to answer. I could not tell, but there is a great many of them. There might be 100 without homes or probably more. I couldn't tell.

A VOICE. I ask you to name one.

Mr. SMITH. That has no home?

A VOICE. Yes.

Mr. SMITH. Charley Mataxel, James Scanadore. It is hard to catch the names when a fellow ain't ready.

Senator LA FOLLETTE. Is there anything further that you would like to state, Mr. Smith?

Mr. SMITH. No, sir; only I would like to say just a word about that wise squaw that seemed to have come up on the reservation. As far as I can learn, while she has speculated, she has got a good deal of this land under mortgage, and it looks as though she has got to lose the whole business.

Mr. BRIGMAN CORNELIUS. I would like to have Mr. Smith state to the committee what per cent of these male Indians have sold all their lands since getting the fee simple to it have had homes before they made such sales, and before they had the fee simple issued to them?

(Mr. Smith made no response.)

STATEMENT OF LEHIGH WHEELOCK.

LEHIGH WHEELOCK, an Oneida Indian, made the following statement:

Mr. WHEELOCK. I think the getting of titles to our allotments here is very beneficial to a great many of our people, but we can not do anything under the sun that would benefit everybody. We have here people whom we know have squandered their money. That is after they got their title to the land and sold their land and got their money, perhaps they have bought some things that were beneficial to them and afterwards they have lost it again, as Mr. Wheelock did. At the same time, ever since I can remember—I don't remember very long—but ever since the Oneidas have emigrated from New York State to here, in the neighborhood of eighty years, they have been self-supporters and have not received any rations from any source. That perhaps you are well aware of, and there should be no standstill; there must be movement, and I do not believe in standing still or going back, but I do believe in being conservative in everything, and I do not think in eighty years, since the Oneidas have been living here on the Oneida reservation, in the State of Wisconsin, that they should make no progress and they should be standing still and not making any headway. There is no headway unless it is taken step by step, gradually. That is all I have to say. I talk right to the point.

The CHAIRMAN. Now, gentlemen, the question for you to vote on is, Do you want your annuity commuted and either paid in one amount or placed to your credit, with the understanding that in accepting that you only settle forever the annuity and leave all other matters just as they are now?

Mr. POWERS. I want to say one thing; what I know the people want and will agree to, is the payment of this money in the Treasury of the United States to their credit.

The CHAIRMAN. The question is whether they want to have this money. It will be, I think, about $15 apiece. Now, as many as want that done will stand up.

Senator LA FOLLETTE. There is a request here that Mr. Joseph Cornelius be heard before the vote is taken. As we have something more than forty minutes I would suggest——

The CHAIRMAN. I am at the pleasure of the committee.

STATEMENT OF JOSEPH CORNELIUS.

JOSEPH CORNELIUS, an Oneida Indian, made the following statement:

Mr. CORNELIUS. I will not waste time coming up to the ground. I refer to this commutation or capitalization of the annuity. I will only make the attempt to have the committee understand that we have given it some thought and we have gone to the trouble of consulting actuaries to ascertain the actual value of our equity in this annuity. The valuation at the present time, as we have been able to ascertain, is about thirty-seven thousand and some hundred dollars, which will make a per capita payment, considering our population at the present time, of about $16, or very nearly the proposition you made to us.

The CHAIRMAN. That is only approximately, you understand; I am not giving you the figures definitely.

Mr. CORNELIUS. There was a proposition made to us that we accept $20,000 of that last year, but which we did not accept. At the present time if the same proposition were made to us, it would not be wise for us to consider or entertain it, because we desire our full equity; let us receive our equity and be satisfied.

And then, touching upon the other proposition, we have upon this reservation, 65,540 acres, about 30,000 acres lying in Brown County, and 35,540 acres in Outagamie County.

The wheels of evolution are working here just as elsewhere. We must now progress with you white people who have come here, or else we will become extinct and exterminated. There is no such thing as retrogression, and as to the issuance of fee-simple patents to these people, some have already obtained their fee-simple patents and then have the deceit to stand up here and say that we are not prepared to accept these things. It is a good thing, because we are learning all the time. As long as we are in contact with civilized people and the general progress of civilization we will continue to learn these things and at the same time we profit by it.

Of those 65,540 acres there have been issued fee-simple patents to 28,000 acres. Now, I am not talking through my hat; I know what I say. I have examined that carefully and have it on the map, and I know what has been done. I have kept track of the land which has been mortgaged, sold, and resold from the records at the registry of deeds. Of the inherited lands that have been absolutely alienated, there is a little better than 7,000 acres, aggregating a little better than 35,000 acres with the 20,000 acres for which fee-simple patents have been issued, and as to that part I am only talking in thousands of acres. There are about in the two counties just exactly 16,000 acres mortgaged or sold. That is practically all gone. The residue of the large tracts on this ridge, as you rode by, as you will observe upon the map, the improvements upon these few ridges make up about 15,000 or a little below, according to actual count. I had occasion, with Mr. Hart, to count the people and take in the property that they had about four years ago, and the amount of land under cultivation that they had was this 15,000 acres, and hardly any of them have sold. These are actual facts. Since Mr. Davis is here we will give him the proofs. Some of these lands have been transferred; some of the Indians here have bought back from the other Indians. Mr. Ira Dockstadter has bought a very nice tract of land. His father has bought another. My brother has bought another nice tract of land next to him. So the improved portion is not going away. The unimproved portion of approximately 15,000 acres is going to be of great benefit to the Indians because of the fact that it has been purchased by white people, and it is going to have an effect upon our progress because we must come into contact with the people of the body politic in which we live. We must have closer intercourse with the men who actually come out here and start a farm on this unimproved portion. They will be a benefit to the people who are going to live here, and the men who are not going to improve and are going to sell out are going to have labor furnished them because of the fact that the people who come here can furnish the labor.

Perhaps I am taking up too much time here, and I will close.

Senator LA FOLLETTE. We have been very glad to hear from you.

The CHAIRMAN. The question is on computing and receiving in cash the annuities. Do they understand the question now?

Mr. WHEELOCK. I want to understand you first myself. Does that mean on the question of receiving the commutation of that annuity—just merely on the question of receiving or not receiving?

The CHAIRMAN. The question of receiving the commutation of the annuity. That settles the annuity forever. If you take the fifteen or sixteen dollars, whatever it is, that stops this little annuity forever. That is the present value of this annuity, without any discount.

Mr. Wheelock interpreted to the Indians.

A standing vote was taken.

The CHAIRMAN. It is evidently carried by a large majority. This next vote must be more particular and you must understand it perfectly. Under the law as it is now, any Indian can make application to have his restrictions removed, and if the Indian Commissioner and the Secretary of the Interior, who acts upon the recommendation of the commissioner, approve the removal, then the removal takes place. It may be asked for all of a man's land or it may be asked for only a part of his land. Now, the question is, Do you want Congress to pass a law which, by itself and of itself, will remove the restrictions on the lands of the Oneida Indians upon this reservation? Mr. Wheelock will interpret this to you, and then we want you to vote on it. Now, after he has interpreted it, all of those who want that kind of law passed will stand up until they can be counted.

Mr. GEORGE DOCKSTADTER. I should like to speak a word.

Thereupon Mr. Dockstadter addressed the Indians in their language.

Mr. WILLIAM KELLY. I want the committee to state again whether by having Congress pass an act removing the restrictions on this reservation as to the sale or incumbrance of allotted lands, whether by that act I will become subject to the jurisdiction of the state laws exclusively.

The CHAIRMAN. I do not think there is any doubt about it.

Mr. JOSEPH SMITH. The way I understand this, this vote means that we become citizens in full or not. That is the way I understand it. I understand that if the majority is in favor of removing these restrictions it means that we will become citizens.

The CHAIRMAN. It puts a man who is given a fee patent just where any of us are. Now, if you are ready for the vote, those who are in favor of Congress passing this law will stand up and be counted.

(Mr. Wheelock interpreted to the Indians.)

(Three Indians arose.)

The CHAIRMAN. Those who do not want this law passed will stand up.

(Mr. Wheelock interpreted to the Indians.)

(There was a standing vote.)

The CHAIRMAN. I think they need not be counted. There are certainly enough to show that they are overwhelmingly against it. Now, you people have done some talking. We are much obliged to you for the views you have expressed. We have got a man with

use who we all know you would like to hear. That is Senator La Follette. [Applause.]

Senator LA FOLLETTE. The reason this committee is here is because we need information. You really know more about the subject upon which we are called to legislate than we do. You know whether you are fitted and qualified to have control of your lands and to have the power of alienation conferred upon you—that is, the power to sell—you know whether you can cope with the white man on an equal footing. We do not. This committee is here just as it has been upon the other Indian reservations of Wisconsin, because we are deeply interested in the subject that we have to deal with as your representatives, and because heretofore we have had to do much of our work without enough knowledge to do it in a satisfactory way.

This problem of legislating with respect to 300,000 or more Indians scattered over many of the States of the Union is one which is fraught with the very greatest difficulty. I know of no other subject of legislation that is so complex; that has so many conflicting interests; that has so many subjects of doubt and uncertainty about it; and so we concluded—the Committee on Indian Affairs—with the consent and approval of the Senate of the United States, to come to Wisconsin, visit the reservations, meet you people face to face and get the best understanding we could of your condition, the progress you have made and your capacity to handle your property, for everybody has agreed that your right to do so ought to be enlarged, and enlarged just in proportion to your capacity to take care of that property and to handle it well.

We have had a most interesting trip; it has been all too hurried, and yet we have done the best we could within the time limit placed upon us.

I think the visit of the committee here to-day has been one of the most interesting of all. The development that we found on this reservation as we drove across it to-day was a matter of surprise to all the members of the committee—I know it was to me, and yet I have been in this State all my life, was born here. It is the first opportunity that I have ever had to visit your reservation and to see what your people were doing. As I remarked to some of the friends who were in the same conveyance as we drove over the reservation to-day, "I don't believe if I had been driven over this territory, without knowledge that I was on an Indian reseration, that I would have had such a thought in my mind." Upon every hand we saw good farms, we saw comfortable homes, and we saw more than that—we saw homes that indicated cultivation and high development.

I am not prepared to say whether you can take care of your property and prevent its slipping away from you at this time—many of you doubtless would lose a portion and possibly some of you would lose all, but, as suggested here by others, you never will know how to handle your property until you are given some opportunity in that direction. I believe if you were to be given power to alienate, the power to alienate ought to be limited and you ought to be tested, step by step, in that way.

I do not think it is quite fair perhaps to take the expression of this meeting here to-day as the views of the entire Oneida community upon this subject, because I am quite sure that they are not all represented here. Furthermore, as already suggested, perhaps it is not

altogether fair that those who have had their lands given to them, have had the right to alienate it, have held it in fee—that they should vote as to what the others should do. It is a matter which directly concerns those who own the land, rather, or a great deal more, at least, than it does the others on the reservation. I should think a fair way, if we were going to take an expression from the Oneida community on this subject, would be to circulate a petition, to be signed only by those who are directly interested—who are the owners of land and who would be affected by such legislation.

There has been some discussion here of a subject upon which I am going to venture to say a word. I know you are divided upon that just as every community is upon any question that comes up in that community. That is on the formation of these township organizations within the reservation. That is a matter that comes, if it comes at all, through state legislation. It is not a thing that Congress can pass upon. You must make known your wishes to your representative in the legislature, the state legislature at Madison—your assemblymen and your senators. Since it is a matter that concerns you more nearly than it does anybody else, you must make them understand that they must heed your wishes in the matter rather than be governed by the wishes of others. I do want to say this to you, however, that the township government is the simplest form of government we have. If you are going to be citizens and participate in state government and in national government, can you get any better training than to set up here amongst yourselves your township government and participate in that? That is your little home government; it is right under your own eyes—you choose your own representatives; you can see how they do their work—you are not dependent on misinformation which may come to you through the newspapers. They are here on the ground and you can look over their work, and if they are not faithful you can quickly turn them out and put in somebody else—they hold office for a year only.

Now, let me say to you that you can get this highway improvement in no other way that I know of excepting as you get it by voluntary contribution upon the part of the members of your community, or by getting the free services of the members of your community to build the roads. I know you are intelligent enough to understand that the building of good highways is a great improvement and a great benefit to every community. It increases the value of every foot of land; it decreases the expense of getting your commodities to market. Of course it is for you to say whether you want a township government or not, and to make your representatives in the legislature heed your wishes in that respect; but I suggest to you that it is an advance in development which I am sure this intelligent community should make as soon as possible. You may not be ready for it yet. That is for you to determine, but it is worth a good deal to you to have a little government here of your own which you can regulate as you please, as a sort of object lesson in this great scheme of government in which you have to take part in the State and the country.

There is one thing more I must say to you. That is this: There has been some testimony of the sale of liquor, intoxicating liquor, here on this reservation. You can not have a greater hindrance to your development. You can not have a greater danger to the young man and

the mature man and the old man in this community than to have the sale of intoxicating liquors here. If you are to be clothed with authority to handle your own property, you will have a hard enough time in dealing with the white man on a footing of anything like equality without having your faculties, your mind, clouded with drink, and you will have enough ways to spend your money without spending it in that way, and I believe that you can render no better service to your children, your families, and your future than to make every man here a watchman—let every man constitute himself a watchman to put that thing down on this reservation and to keep it down. [Prolonged applause.]

(The subcommittee thereupon adjourned.)

WINNEBAGO INDIANS.

COMMITTEE ON INDIAN AFFAIRS,
UNITED STATES SENATE,
Black River Falls, Wis., October 5, 1909.

The committee met at 9 o'clock a. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also E. P. Holcombe, esq., chief supervisor, Indian Service; E. J. Bost, superintendent of the Winnebago Indian School, and Maj. Thomas Downs, special United States Indian agent.

The CHAIRMAN. The committee is now prepared to hear any statement that anyone may desire to make in relation to the affairs of the Winnebago Indians.

STATEMENT OF ALBERT P. JONES, GOVERNMENT CLERK.

ALBERT P. JONES, after having first been duly sworn, testified as follows:

Senator LA FOLLETTE. Mr. Jones, you are located here at Black River Falls and connected with the Indian Office, are you not?

Mr. JONES. Yes, sir.

Senator LA FOLLETTE. You were sent here by the Indian Office in some capacity in respect to these Indians, were you not?

Mr. JONES. Yes, sir.

Senator LA FOLLETTE. How long have you been here?

Mr. JONES. A little over six years. I came here August, six years ago.

Senator LA FOLLETTE. What is your position?

Mr. JONES. At present I have the position of clerk.

Senator LA FOLLETTE. Have you held any other official position since you have been here with the Indian Office?

Mr. JONES. I came here as an additional farmer.

Senator LA FOLLETTE. How long were you additional farmer?

Mr. JONES. Until March 1 of this present year—I think it is March 1.

Senator LA FOLLETTE. What is your salary?

Mr. JONES. Nine hundred dollars a year.

Senator LA FOLLETTE. What was it while you were additional farmer?

Mr. JONES. It was $720, and then later I had a raise of $5 a month; and then, I think, about a year I had a salary of $75 a month, the same as at present, and out of that I had to furnish my own horse, vehicle, feed, living quarters, horse quarters, fuel, and everything in that line.

Senator LA FOLLETTE. What are your duties here as clerk?

Mr. JONES. They are very much the same as additional farmer. I have quite a little work in regard to heirship lands in Nebraska. The leases come here for the signature of the Indians, and the checks come for delivery—matters of that kind—determining who are the heirs to different properties in Nebraska, and the enrollment of the Indians at payment time. I have various matters of that kind, and then I keep up my work in the field; that is, assisting them in the line of farming, trying to give them a little instruction in such matters.

Senator LA FOLLETTE. Do you sometimes go to Nebraska in their interest?

Mr. JONES. I went to Nebraska only once; that was last fall when I was taken there as clerk with Superintendent Bost, at the time the payment was made to the Wisconsin Indians, who were then in Nebraska.

Senator LA FOLLETTE. How many Winnebago Indians are there in Wisconsin?

Mr. JONES. That varies. The last enrollment showed 1,241 Indians. There are, I think, between 40 and 50 of that number in Nebraska.

Senator LA FOLLETTE. How many of those Indians go back and forth between here and Nebraska?

Mr. JONES. That would be impossible to say. There are times when probably 100 of the Wisconsin Indians are in Nebraska, and I think there was a time or two when there were 150 who had come to Wisconsin, and had come up here two or three times for celebrations.

Senator LA FOLLETTE. I wish you would go ahead and state to the committee, of this number of 1,200 Indians, who are enrolled here—in so far as you are able to do so—where they are located.

Mr. JONES. I have a copy of the last payment roll. I could by that determine just exactly the number who were put out for different places; that would require some little time.

Senator LA FOLLETTE. Are you engaged now in making a new roll?

Mr. JONES. Not at present.

Senator LA FOLLETTE. Is there another special agent from the Indian Office making such a roll—do you know?

Mr. JONES. Not that I know of; I think not. I received a letter last week from the superintendent and special disbursing agent at Wittenberg, stating that he had received the money to pay for the making up of the new roll, and that he expected that work to commence—that new roll—in a short time.

Senator LA FOLLETTE. Without going into this matter into detail—as it would take considerable time and it is not necessary—I will ask you to state, in a general way, approximately how many of those Indians are near to Black River Falls, how many are located near Tomah, and about how many of them are located in the vicinity of Wittenberg?

Mr. JONES. I think there were about 550—something near that—paid at Black River Falls last year; something like 250, I think, at Tomah, and there are about 200—probably a few more than that—at Wittenberg; and something like 100 at Mausten and Necedah—I think about that, but I did not go around with the officer when payment was made. The balance—something like between 40 and 50—were paid at Wittenberg. Now, the Indians are not all located right close to the places where the payments are paid. Black River Falls seems to be the favorite place for the Indians to go, and some of them will come here at times from Wittenberg and receive annuities; or Tomah, and from Necedah at times, and the same way at Tomah—some of the Indians live there a greater part of the time and down at La Crosse. They are scattered. Those are paid at Necedah. A number of them live over at Adams County. They are French.

Senator LA FOLLETTE. How many Indians about Black River Falls have taken land and occupied that land all or a portion of the time?

Mr. JONES. Do you mean those that live on the land?

Senator LA FOLLETTE. Yes; I do not mean necessarily those living off the land; perhaps none of them—that is, but very few, who make it their home.

Mr. JONES. There are 120 and some odd homesteads in Jackson County. Now, of the Indians who originally took up these homesteads, at least 85 of them are dead. There are times when the Indians will come from their camp, trapping over on the Mississippi, and go out to the homesteads belonging to themselves or relatives who took up the land, and they stop there for a couple of weeks along in June, and scratch up a little sand and put in a little corn or potatoes, and such as that, and then when berries are ripe they go on; they do not come back on to the land until the next year, or may be for two or three years. I think it was last year that there were 45 of those homesteads that had a little cultivated land on them—some of them that are not a quarter of an acre, and we have one or two of them who cultivated from 15 to 20 acres.

Senator LA FOLLETTE. How many of those homesteads have houses built upon them?

Mr. JONES. I think there are about 16 or 18 houses at the present time; it is hard to tell. Last spring there were two or three burned down. Some of them are just mere shacks—just a few boards put up.

Senator LA FOLLETTE. Have any of them good homes?

Mr. JONES. Within the last year we put up three, I think, very fair houses. Some of the Indians who had been selling some of the heirship land in Nebraska got allowances for the purpose of building houses, and we put up one last fall that cost around $500, and a year ago a couple others that cost from $175 to $250. Then there are a couple of other houses that the Indians built up at the locks that are fairly good; the rest of them are not very much.

Senator LA FOLLETTE. Do the other Indians live in tepees or tents?

Mr. JONES. They live in tepees.

Senator LA FOLLETTE. They move them about from place to place, do they?

Mr. JONES. Yes, sir.

Senator LA FOLLETTE. Have some of the Indians taken land in the neighborhood of Tomah and Wittenberg?

Mr. JONES. Yes, sir; they took up land there at the same time that they did here at Black River Falls. That was after they returned from Nebraska in 1874.

Senator LA FOLLETTE. Without taking too much time to go into the details, can you state, in a general way, how many of them have houses on their land in the neighborhood of Wittenberg and Tomah?

Mr. JONES. No, sir; I have no means of knowing.

Senator LA FOLLETTE. How far is Tomah from here?

Mr. JONES. About 40 miles.

Senator LA FOLLETTE. How far is Wittenberg from here?

Mr. JONES. Wittenberg is, by the railroad, about 120 miles.

Senator LA FOLLETTE. How far is Wittenberg from Tomah?

Mr. JONES. In going from Tomah you go up the other line of railroad; it is a little over 100 miles; it is probably about the same distance as it is from here.

Senator LA FOLLETTE. Is there in either of those places an experimental farm, or farm where instructions are given to the Indians?

Mr. JONES. At Tomah there are a couple of Indian schools. I think the farm there consists of about one hundred and twenty or two hundred acres. I would not say positively.

Senator LA FOLLETTE. In connection with the school?

Mr. JONES. Connected with the school. The school has, I think, accommodations for 240 pupils. At Wittenberg there are about 80 acres in the farm and accommodations for 140 people.

Senator LA FOLLETTE. Before the school was established at Tomah and before the school was established at Wittenberg, were any of those Indians living in that neighborhood?

Mr. JONES. Yes, sir.

Senator LA FOLLETTE. Had they taken land in the neighborhood of either of those two places?

Mr. JONES. Yes, sir; I understood that they had. Of course that was long before I was in any way connected with the Indians. The school at Wittenberg was first established, I think, by a Norwegian church, and it was afterwards turned over to the Government. The school at Tomah was established there because there were a number of Indians living in that vicinity, and the committee having it in charge seemed to prefer the location there to Black River Falls, or some of the other places that wanted the school.

Senator LA FOLLETTE. Which of the three places, if it can be so described, is the natural home or camping ground of these Indians, if you know or from your information?

Mr. JONES. I do not know. I do not know that there is any difference between the different places. They were all used by the Indians; that is, prior to their removal from Nebraska.

Senator LA FOLLETTE. That is, each of those three places were in the habit of camping Indians?

Mr. JONES. There were several bands that seemed to center around those different localities, as I understand it.

Senator LA FOLLETTE. Do you know the amount of the funds that these Wisconsin Winnebago Indians have in the Treasury?

Mr. JONES. The total amount belonging to the full tribe of Winnebagoes is $883,249.58, and it is divided between the two branches of the tribe according to the census that was taken in 1881. They found that there was 1,433 in Nebraska and 1,180 in Wisconsin.

Senator LA FOLLETTE. What annuities are paid to the Indians here at Black River Falls?

Mr. JONES. They are paid the same per capita payment as all the Wisconsin Indians. It amounted last year to $20.70.

Senator LA FOLLETTE. How is that paid, and through whom is it paid?

Mr. JONES. It is paid through the superintendent and special disbursing agent.

Senator LA FOLLETTE. How is that turned over to the Indians, by check or in money?

Mr. JONES. By check on the assistant treasurer at Chicago.

Senator LA FOLLETTE. Does each Indian receive his annuity?

Mr. JONES. The head of the family receives the check. At the time of taking that census in 1881, it was discovered that the Indians in Nebraska had received so much in cash and assets—that is, farming implements, seed, and one thing and another—they were found to be owing the Winnebagoes in Wisconsin $220,169.91. A provision was made at the time that this should be paid off in installments of $7,000 each. So in addition to the interest on the share of the Wisconsin Indians, they have been receiving $7,000 annually from the interest on the share belonging to the Nebraska Winnebagoes.

Senator LA FOLLETTE. That added to their regular annuity makes an annuity of about $20.70.

Mr. JONES. About $20 and up, depending upon the number of Indians.

Senator LA FOLLETTE. Will you tell the committee how the Indians use the money when it is paid to them—I mean the annuity money; of what use do they make of it?

Mr. JONES. Why, it appears that the greater part of them have debts. They have credit at different places, so that there is somebody around that is waiting for the most of it. That seems to have been the rule right from the commencement of these payments. There are also traders. Some of the others are a little more careful about it, and save up their money for the winter time. Some buy winter clothing and make a good use of it.

Senator LA FOLLETTE. What percentage of them make good use of it?

Mr. JONES. Then, at such times——

Senator LA FOLLETTE. About what percentage of them make good use of it, in your opinion?

Mr. JONES. Oh, I should not say, or 10 or 15 per cent. I do not know about that. That is, of course, I do not mean to say that in paying up their debts they are not making good use of it; I did not mean it in that way. The impression that I got from your question was, those that took the money and spent it.

Senator LA FOLLETTE. Where they get in debt in advance of their annuity, what are those debts contracted for?

Mr. JONES. Some of them are for food and clothing; they are perfectly honest, legitimate debts. Some of them may be slightly overcharged, but some of the bills are perfectly honest accounts on the part of the men who have trusted the Indians. A great many of them, though, are for ponies that the Indians have bought, and at times there is a great injustice worked to the Indians in the collection of those bills.

Senator LA FOLLETTE. Are these Indians trusted at the saloons; are any of those debts saloon debts?

Mr. JONES. I do not know any of the saloon keepers who have ever been around collecting debts. Of course, they may get some little credit there at times, but they generally look out for their money.

Senator LA FOLLETTE. When they get their pay in cash?

Mr. JONES. Yes, sir.

Senator LA FOLLETTE. Has there been some discussion among the Indians with respect to their having their funds paid to them in full?

Mr. JONES. Yes, sir; that matter has been up for discussion more or less ever since I came here. There have been some of the white people who have favored it and encouraged the Indians to ask for it. Some of the Indians, as I understand it, never have been in favor of it. They are here to-day, and I prefer that they speak for themselves on that point.

Senator LA FOLLETTE. But I think the committee would be glad to have your views with reference to the wisdom or unwisdom of the distribution of their fund.

Mr. JONES. Of course I wish the committee to understand that in expressing these views, I am merely giving my personal views. I am not supposed to be talking for the Indian department at all.

Senator LA FOLLETTE. I understand that, but you are here on the ground and you know these Indians; you have been working for seven years among them, and I think that the committee would be glad to have the judgment which you have formed upon that subject.

Mr. JONES. I will give you my personal opinion. A good many of the Indians, I think, would be better off if they received their money. I can see no reason why the Government should exercise any further control or supervision over their fund. They ought certainly to be able to take care of themselves; and the wisdom of that payment, I think, would depend a great deal on the manner in which the payment was made. To have a disbursing agent come here and pay these Indians their money by checks, the same as the annual payment is made, I think, would be very wrong.

Senator LA FOLLETTE. You mean it would be wrong as to those Indians who would make good use of their annuity payments?

Mr. JONES. I think it would be wrong even as to them, because just as soon as it becomes known that any of these Indians are to receive their money there is a certain class of white men who are going to encourage them to contract indebtedness. They are going to be right wherever the Indian receives that money trying to collect it, and get their money in any way possible, and at such times there are some of them who will encourage the Indians to get drunk, and while they are under the influence of liquor they are pliable and their money is soon gone. Under those circumstances even the best of them would not make good use of it.

Senator LA FOLLETTE. If a distribution was to be made as to the more progressive Indian, how do you think it should be made—how do you think the payment should be made to them?

Mr. JONES. I think that upon making the application the payment should be made to them direct from the Treasurer at Washington, and they could get it at such time as they saw fit.

Senator LA FOLLETTE. About what percentage of the Indians here, do you think, are sufficiently advanced so that payments could be safely made to them in that way.

Mr. JONES. I have studied that matter somewhat, and while there may be some out of the number who would not make the best use of their money, I think that I might safely say that there are 300 of the Indians that I am acquainted with who might properly receive their share.

Senator LA FOLLETTE. About 300 that might receive their share of the fund?

Mr. JONES. Yes, sir; that is, of course, there are a number of Indians at Wittenberg and Tomah and those outside places whom I am not acquainted with, although I know a great many of them.

Senator LA FOLLETTE. When you say 300, you include all these Indians in Wisconsin?

Mr. JONES. I include those. I think I have a sufficient knowledge of them to say that there are 300 of them. Then, in addition to that 300, there are at least 100 old, helpless, sick, crippled, and blind Indians, and I think that their fund should be placed in such a way that it could be drawn upon by their relatives so that they could use it in some manner. I do not believe that it would be wise to pay it out to them—that is, to give it to them in one lump sum—but that it be placed in some bank to their individual credit, or used in some manner where they would get the best possible use of it.

Senator LA FOLLETTE. But if it was placed in a bank to their credit, if I understand you, you do not think that they ought to be permitted to check against that credit themselves?

Mr. JONES. No, sir; not that way; the same as individual money received from the heirship land is placed in bank to the credit of the individual Indian and paid out by check upon the approval of the superintendent and special disbursing agent.

Senator LA FOLLETTE. I wish you would explain a little more fully the difference between paying the money direct to these Indians—these advanced Indians—from Washington instead of paying it by checks here. You said that you thought it ought not to be paid, even as to the more advanced, by check here, but ought to be paid by check from Washington. Will you please explain what difference that would make?

Mr. JONES. What difference it would make?

Senator LA FOLLETTE. Yes; in the way in which they would use their money.

Mr. JONES. Well, in that way the outsiders would not have the opportunity of knowing just when the money was coming, and the Indian would have a better opportunity of handling it. Say that he wanted to buy a piece of land somewhere; he could make his arrangements to have that land bought, and when the check comes the land could be paid for, and the same would apply to anything else that he wanted to use it for. The trouble as to these annual payments here at Black River Falls is that there are 300 or 400 Indians who all gather together, and at such times there is more temptation for the Indians to drink, carouse, and gamble, and in that way they are more liable to lose their money in one way or another in gambling.

Mr. HOLCOMBE. Would not the practical result be just about the

same, for the reason that the Indians would make the application to Washington for the money that was coming to them, and notice of that application would be a matter of public notoriety.

Mr. JONES. In a certain way, of course, but I do not think it would be as bad. In fact, there would be less excuse, anyway.

Senator BROWN. Some of the Winnebagoes live in the State of Michigan, do they not?

Mr. JONES. I do not know any of them living there. There may be some few scattered around. There are a few living in Iowa and a few over in Minnesota at times.

Senator LA FOLLETTE. I will ask you, Mr. Jones, if you do not think on the whole that with respect to the distribution of funds to even a limited number of the more advanced Indians it would be better for that fund to come here to the agent in charge, who could assist the Indians in expending it judiciously, and having him clothed with some discretion in the matter?

Mr. JONES. It would be, if the agent or the party in charge had sufficient authority.

Senator LA FOLLETTE. Of course that would be necessary.

Mr. JONES. But at present they really have no authority. The Indian Department, as I understand it, has no authority over their funds in that manner.

The CHAIRMAN. Have these Indians any stock? Have any of them cows, etc?

Mr. JONES. I do not think there is one—not that I know of—among the Winnebagoes who has a cow. There may be two or three of them that have a pig or something of that kind; quite a number of them have a few chickens.

The CHAIRMAN. Now, your idea is, in dealing with this question of the disposition of these funds, that the wise thing is to treat each case by itself.

Mr. JONES. Yes, sir.

The CHAIRMAN. Now, when you say that you think there are 300 who are fit to do their business, there are about 1,200 of those Winnebagoes, are there not?

Mr. JONES. Twelve hundred and forty-one. Of course that would include a great many children.

The CHAIRMAN. It includes women and children. About how many will the families average?

Mr. JONES. I could not say the number of families.

The CHAIRMAN. Well, there probably would not be to exceed three or four hundred heads of families, all told, would there?

Mr. JONES. No; I think not.

The CHAIRMAN. Well, your figure would pretty nearly include the heads of families, would it not?

Mr. JONES. No; in figuring that way I took the head of the family and his wife; that would be two in that family, and a number of the single Indians. I do not think it would be wise to pay to the head of the family the money belonging to the minor children, except in a very few cases.

The CHAIRMAN. Do you not think that whoever was in charge here should, as far as he could in these individual cases—where it was proposed as to an individual to turn over his money—to lead them

into the investment of that money in land where they had not any land already.

Mr. JONES. Yes, sir; I think so.

The CHAIRMAN. I think that is all.

Senator PAGE. Why, then, would you not think it better to make a general rule that those funds all be invested in land.

Mr. JONES. I do not know that I could say that I would approve of that personally. I think there is a question as to whether Congress would have the authority to do that.

The CHAIRMAN. Assuming that Congress had the authority, do you think it would be advisable to invest this money in land, making a general rule, or treating these as individual cases and turning them over into land as fast as you could in that way?

Mr. JONES. I think I would treat them as individual cases. As far as I understand from my talks with these Indians, there are none of them who approve of the holding of land in common. There are a good many who prefer individual ownership of land.

The CHAIRMAN. That is not the point. There are two propositions that are tentative at least; one is to take this money and prorate it and try to buy a piece of land for each Indian with it. The other is your plan, which is, as these Indians make application for their money, and as it is thought they ought to have it, to try and work that over into a little holding of land. You seem to favor the latter plan.

Mr. JONES. I think so; yes, sir.

The CHAIRMAN. Is it not a fact that in the last analysis of this Indian question, to get the best results you have to treat it from the standpoint of the individual?

Mr. JONES. Of the individual; yes, sir.

The CHAIRMAN. Instead of making a hard and fast rule applying to numbers of them?

Mr. JONES. Yes, sir; there are a great many of these Indians who certainly ought to be able to express their own wishes in regard to that, and would follow out their own inclination. They should be given to understand that they are themselves responsible, and if they do not make good use of that money they have nobody to blame for it but themselves.

The CHAIRMAN. Well, at the same time, there ought to be a guiding hand back of them.

Mr. JONES. There ought to be a guiding hand back of them; yes, sir.

The CHAIRMAN. I think that is all for the present, Mr. Jones.

(At 12 o'clock m. the committee took a recess until 1 o'clock p. m.)

AFTER RECESS.

The subcommittee reassembled at 1 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, Brown, and Page; also Hon. John J. Esch, Representative in Congress from Wisconsin; E. P. Holcombe, esq., chief supervisor, Indian service; E. J. Bost, superintendent of the Wittenberg Indian School; and Maj. Thomas Downs, special United States Indian agent.

STATEMENT OF MERLIN HULL.

MERLIN HULL, having been first duly sworn, testified as follows:

The CHAIRMAN. Will you please state your full name?

Mr. HULL. My name is Merlin Hull.

The CHAIRMAN. Do you live here at Black River Falls?

Mr. HULL. Yes, sir.

The CHAIRMAN. What position do you occupy at present?

Mr. HULL. I am publisher of the newspaper here, and I also practice law.

The CHAIRMAN. How long have you been living here?

Mr. HULL. I have been living in Jackson County about thirty-seven years.

The CHAIRMAN. You are now a member of the assembly from this county, are you not?

Mr. HULL. Yes, sir.

The CHAIRMAN. You are more or less familiar with the Winnebago Indians who live in this vicinity, are you not?

Mr. HULL. In a general way; yes, sir.

The CHAIRMAN. You are aware that they have funds standing to their credit, are you not?

Mr. HULL. Yes, sir; I know something of it.

The CHAIRMAN. The committee would be glad to have your views as to what general plan ought to be adopted with reference to the treatment of these people; that is, in regard to the disposition of their funds.

Senator LA FOLLETTE. Will you please state, before proceeding to give your views, whether you have been district attorney of this county?

Mr. HULL. Yes, sir; I was assistant attorney here for a couple of years.

Senator LA FOLLETTE. How long ago?

Mr. HULL. A year ago. I went out last January.

Senator LA FOLLETTE. Did your duties as district attorney bring you in contact with the Indian problem here, if I may so term it?

Mr. HULL. It did, in many ways.

Senator LA FOLLETTE. In respect to some phases of it?

Mr. HULL. Almost every way, in fact in my capacity as prosecuting officer, in the prosecution of assault cases and murder cases, and then in assisting the superintendents of the different schools to compel the children to leave here and go to those schools; also in regard to the allowance of claims of other counties for supplies furnished pauper Indians while they were away from home, and in fact in almost every conceivable way possible the district attorney's office has had something to do with this question right along, not only during my time, but for the last ten or fifteen years.

So far as the trust fund is concerned I will say that I think it would be a great mistake to make any division of the trust fund whatever. I say that from the standpoint of a citizen of Jackson County, and in the belief that if the trust fund is distributed they are going to shift the responsibility for this Indian question from the Federal Government to the towns of this county, and to the county itself. I believe that the trust fund should remain intact,

and that the annuities should be paid from time to time, possibly in some different manner from what they are now paid, as some protection to the taxpayers of this county against the possibility of old and infirm Indians becoming public charges. The annuity now amounts to about $18 a head, as I understand it, and of course an ordinary family would not get more than in the neighborhood of $100. That money has generally been paid out along in October or November, just before the winter sets in, and while more or less of it is squandered, some of it goes into clothing and provisions, especially for the children, and some of the older Indians. The very aged Indians make very good use of what little money they get in that way, and they are enabled to go through the winter without any great amount of hardship.

Then, another thing, the merchants here, as long as that annuity is paid, have some little fund to look to in case they trust the Indian—and many of them do trust the Indians—and when they get their annuity from the Government, the interest on the trust fund, they pay the merchants, and in that way cases of hardship are helped out in many instances. The proposition to use a portion of this trust fund in the purchase of lands I do not think is at all practicable, for the reason that the funds would not amount to enough for any individual Indian to buy much land or give him much of a start toward farming.

There is another way of looking at this trust fund, and that is that it is a sort of guaranty for the future. An Indian to-day might be capable of taking care of his portion of the trust fund, yet he may have a family coming on that will not be capable of taking care of themselves after he dies, and the result will be that instead of one Indian coming on to the county, we might eventually have a half a dozen.

I will say further that this is the natural home of the Indians. They have tried to take them from here into Nebraska and give them some very good land out there, but the Indians would not stay. They came back. I do not believe you can take them anywhere else and make them stay. They are understood here by our people and used well and like the country and are bound to stay here. Many of them even object to sending their children away to these Indian schools.

Senator LA FOLLETTE. How long has this been the home of the Winnebago Indians—that is, this vicinity?

Mr. HULL. I believe the Winnebagoes, along when the white man first came into this State, were mostly over toward Green Bay, and they came in mostly very shortly after the white people came here, and have been here ever since. Of course there have been Winnebagoes and Foxes here for hundreds of years.

I was going to speak about the way these Indians wander around into other counties. We have had cases where Indians have gone out from here——

Senator LA FOLLETTE. In connection with that matter, I would like to ask you (that is, with respect to the matter of annuities) are there not some Indians who are well enough advanced and thrifty enough and industrious enough to trust with the full amount of their portion of the fund, if careful investigation is made by the Interior Department through the Indian Office and through the agent or superintendent in charge to single out those Indians?

Mr. HULL. I think that is the case with a good many Indians—probably 10 or 15 per cent of the male Indians. Here is Scott Mokey, for instance.

Senator LA FOLLETTE. If it is true with respect to some of them, would it not be safe to give them their proportion of the fund, and would it not be likely to be increased against the time of making provision for their families more than it would if left simply to draw interest and the interest be used up?

Mr. HULL. It might in a few cases, but I do not think it would be in the majority of cases.

Senator LA FOLLETTE. But in your opinion would it not be wise to single out those cases and through them encourage others to be more thrifty and industrious?

Mr. HULL. No; I do not think it would. I think that where you have one good Indian, like Scott Mokey, who could take care of his proportion of the trust fund, you would find a number more who are not as competent as Scott Mokey, for instance, to take care of their proportion of the trust fund. There would be constant pressure on the part of the Indians who were incompetent to get their portion of the money, and in many instances they would probably succeed. For instance, an Indian who was addicted to the use of liquor might brace up for a time and behave himself and get his money. The probability, I think, is that after he got his money he would continue to be braced up. It is the experience of a good many people here that an Indian will brace up and stay sober for a long time.

Senator BROWN. If the distribution could be confined to those who are really competent, such individuals, you would be willing to say, ought to have it?

Mr. HULL. No, sir; not according to my opinion.

Senator BROWN. How would you ever bring the Indian up to a state where he should have his own property?

Mr. HULL. I do not think the amount that any individual received from this trust fund would be sufficient to put him on an independent basis. If he has any ability to go ahead and get a farm, or anything else, and make a living with the trust fund, he has the same ability without it. If you withdraw the trust fund, many of these people in this county have no guaranty whatever as to what is going to happen in the coming generation. Now, any Indian at present might be benefited to, perhaps, the extent of $400 by receiving his annuity. He might have a family of children, and they might not be able to take care of themselves. This annuity, when they come on to receive it, would be a benefit to them and a protection to the county. Furthermore, if an Indian to-day was to receive $400—say he has three children—I do not understand that you intend because the father is competent to withdraw the annuity from the children; you would leave that intact. Now, then, if he has a wife and three children, he will get practically $100 a year from the Government in the way of annuities, or $95. If you divide it up, he would get $400 for his share—possibly $800 including his wife's share. I do not think the amount he would receive would be sufficient to put him on an independent basis.

Senator BROWN. Therefore you would not let him have it?

Mr. HULL. My opinion is that the trust fund ought to remain intact as a guaranty that there will be something for these Indians in the future.

Senator BROWN. Do you not think that the Government ought to treat the individuals as they deserve and as their qualifications would suggest?

Mr. HULL. In some cases; yes, sir. Where the Government has allotted an Indian a good farm, and has fixed him up so that he is capable, and has the means of making an independent living, I think it is very proper to divide the money up and give it to him; but to take a man who has not a farm, or any sort of income whatever, except what he can earn by daily labor, I do not think the Government is going to help that Indian very much by dealing out $400 to him in a lump sum. He might make good use of it. I do not say that some would not.

Senator BROWN. In the last analysis, you are in favor of treating them as individuals; that is, where they have the qualifications of an individual, entitling them to opportunities, they should have the opportunity extended to them?

Mr. HULL. Where there are sufficient individuals in the tribe to make the policy successful, I would be in favor of that; yes, sir; but I do not think it would be successful to take the Winnebagoes of Wisconsin as individuals to-day and divide this money among them and tell them to go their way. I think it would be simply to make a great big question for the taxpayers locally.

Senator LA FOLLETTE. Take the case of Mr. Mokey, for instance. Now, I understood you to say that you thought he was entirely capable of making good use of his portion of the fund—I just take his case as an illustration of the more advanced Indian. Now, would it not be better for Mr. Mokey, and for his children as well, that he have the use of that, and the opportunity to invest it, and develop his farm, if he has a farm, or to buy property that would advance in value? Would not his children be better off if he could have the use of that than they would if it were to remain in the United States Treasury and they simply get the benefit of the interest on it?

Mr. HULL. Well, take the case of Scott Mokey. He is probably the brightest Indian to-day in the Winnebago tribe in Wisconsin. I have had a good deal of business dealings with him, not only in a business way but also in court matters. He is well educated, industrious, honest, and energetic, and in every way a first-class Indian. If every Indian in the tribe or one-third of them had the brains or ability of Scott Mokey, there would not be any question that then it would be the best thing to do with the trust fund, but I do not believe there are a half dozen Scott Mokeys in the whole tribe.

Senator LA FOLLETTE. But whatever number there may be, if the department makes a careful investigation with respect to each one, and no Indian is given his fund until he has reached that degree of advancement to be able to make good use of it, and increase it by investment or otherwise, limiting it only to such Indians as have reached that point, would it not be better to allow those to have the use of their fund?

Mr. HULL. If there are enough Indians of that grade or character to do that, possibly that would be the best idea for those particular Indians.

Senator LA FOLLETTE. Well, it need not be carried any further than to apply it to such Indians as were demonstrated to have that ability to use their money.

Mr. HULL. It might be an encouragement to other Indians to get into that condition, but it would seem to me that the proposition should be safeguarded pretty carefully, so that they would not waste it.

Senator LA FOLLETTE. I understand. Now what suggestion, if any, have you to make for bettering the condition of all of them—those who are not, as well as those who are, able to make good use of their share of the fund?

Mr. HULL. Well, I have a rough idea of what I think ought to be done, and what could be done to benefit the greater portion of the tribe in this vicinity.

This is their natural home and they are bound to remain here. We have a great many old and infirm Indians; some of them are blind; some are 90 and 95 years old, and I think if the Government would, in the first place, keep their portion of the annuity or trust fund intact and either promote Mr. Jones or put some other man in here as agent and give him authority to handle the business affairs of those Indians, and where they are worthy of having their annuity handed to them in cash pay them cash, it would be a good solution of the matter. Where they are not, let the agent distribute the provisions and clothing to them in the proper season of the year.

I think also that the Government could very wisely take one hundred or two acres of this land up here and put an Indian farmer on it and let him teach them how to grow corn and beans. One or two of them have had a pretty good crop of potatoes and beans up there. I think with one or two such farmers you could get them interested. I think if cottages could be put up there for those old Indians and their annuities issued to them in rations some of the crops raised from those farms could go to the support of those old and infirm Indians and prevent their becoming government charges on Jackson County. I think there could be established there a day school for the younger Indians, and I think the Indians, if such a school were established, would go there voluntarily and without any compulsion. I think such a farm and such a school would hold the tribe together near their lands and gradually get them into improving their lands, and allow them to have something for themselves and stop this wandering habit—wandering all over Wisconsin in different seasons of the year. I think if the Government could expend a few thousand dollars there they would do a good work for the Indians.

Senator LA FOLLETTE. The land in the neighborhood of where those Indians have taken homes and around which they gather a portion of the year is rather light in soil, is it not—is it not pretty sandy?

Mr. HULL. It is sandy soil; yes, sir.

Senator LA FOLLETTE. Has there been recently any demonstration made on a considerable scale with reference to the use of that land, or in a limited way to ascertain if it is profitable?

Mr. HULL. Yes, sir; we have a very interesting proposition over across the river now, about a mile and a half piece from the city. A gentleman named Vandrenil has come in there and taken up 2,000 acres of that sandy land and put 500 of it under cultivation. He is a man experienced in handling different kinds of soils and knows just

what he is about. This year he has been very successful there in growing beans, potatoes, rye, corn, and clover. He has also introduced the cowpea here. I believe it is the first crop ever raised in this county. He has worked under a great many drawbacks, but has demonstrated that that soil can be made use of if properly farmed and cultivated and proper facilities had.

Senator LA FOLLETTE. Is the soil that you speak of on this farm similar to that where these Indians are located?

Mr. HULL. I would think that some of the Indians have better land than that. Some of them, of course, have the same sandy soil, but along Morrison Creek settlement there is some pretty fair land that these Indians own.

Senator LA FOLLETTE. Do you think if an experimental farm or station were located in their neighborhood that it could be operated profitably in growing crops and would be a sort of demonstration that would be very helpful to the Indians generally?

Mr. HULL. I think so.

Senator LA FOLLETTE. What could such land be purchased for, approximately?

Mr. HULL. Oh, $10 to $15 an acre.

Senator LA FOLLETTE. I would like to have you give the committee some idea of the dangers resulting from the payment of annuities in money to the Indians here.

Mr. HULL. The greatest trouble we have in the payment of annuities is the liquor question. Our saloon keepers here, as a rule, refuse to sell to an Indian, as they used to, and I think they do yet, but in some way they obtain liquor. Of course they have the same right to obtain liquor as the white man, and they get drunk. They squander their money on liquor. Some get into jail and have to pay fines, and they use money in that way, for a jamboree, that ought to be used for the benefit of their families.

Senator LA FOLLETTE. There is a state statute, is there not, with reference to the sale of liquor to Indians?

Mr. HULL. Not a statute that would apply to the members of the Winnebago tribe.

Senator LA FOLLETTE. What is the defect in that statute?

Mr. HULL. There is an exception, so that the statute does not apply to persons of Indian descent not members of any tribe. These Indians have no tribal relation. Nearly all the Wisconsin Indians, outside of the Menominees, as I understand from the Interior Department, can come in under that exception, and it is impossible to obtain a conviction.

Senator LA FOLLETTE. Have you made an effort to amend the law in any respect?

Mr. HULL. Yes, sir; I presented a bill to the last legislature to strike out that exception. The Indian Department sent a special agent, Mr. Jones, to Madison to help me with the bill, and the Attorney-General's Department sent a United States district attorney to make an argument before the committee, and we finally got the bill before the assembly and it passed that body, but it was defeated by two votes in the senate. So that statute remains as it has been right along.

The CHAIRMAN. The exception is simply another way of stating the fact of their being citizens, is it not?

Mr. HULL. No, sir; that statute was passed before they were understood to be citizens. There is no tribal relation, as I understand it, among the Wisconsin Indians, except among the Menominees. The Winnebago have lots of chiefs, but they have really no tribal relation whatever, and if you attempt to prosecute a man for selling liquor to any of these Indians he can set up that defense and win out on it, because there is a lot of white blood in the tribe, and it is a pretty hard thing to do because of the mixed blood.

The CHAIRMAN. The Minnesota court handed down a very nice decision on your statute, sustaining its constitutionality. They have gone over that ground pretty thoroughly.

Mr. HULL. I would like to state, gentlemen, if it was possible for an agent to be appointed here to have charge of the business affairs of this tribe, I believe that agent should be given authority to take up the matters of heirships of the Wisconsin Indians to land in Nebraska, and should be given some assistance by the Government to approve heirships, so that when a Wisconsin Indian, according to his judgment, is heir to land in Nebraska the agent can go and get hold of the record to prove that heirship without any trouble. The difficulty is that now the agent is without any direct authority to handle these matters. He merely takes them voluntarily. Where he discovers an Indian has interest over there he has no sort of a system whatever for proving his case, and, as I understand it, has never even had the record of the Nebraska agency in regard to this land.

Mr. HOLCOMBE. You can not remove the records from the Nebraska agency——

Mr. HULL. It would not be necessary.

Mr. HOLCOMBE. Where the realty lies, but there is a statute whereby any person who is an heir can bring his suit in a United States court to establish his claim.

Mr. HULL. But take the case of some Indian who has not the money to go into a United States court, or hire an attorney, or do anything else, unless he has a man to look up records for him.

Mr. HOLCOMBE. That would naturally fall under the jurisdiction of the superintendent in the State where the land lies.

Mr. HULL. Yes, sir; but in that case we have no man here with any authority to look up those things in order to secure their rights. I think that an agent should be appointed here, and that agent should be given authority to look after the heirship matters of the Winnebago Indians to lands in Nebraska.

I have, in a general way, knowledge of one case of an Indian now in this court room who had a claim to 320 acres of good land in Nebraska. He was without money to go there and contest the ownership of the land, and Mr. Winter took it up for him, and was unable to get from the Nebraska agency much or anything in the way of records of that man's land. I think the case is still hanging fire, and after all these years Mr. Winter has succeeded in having the lease for that land turned over to this man, but he still has no record of this man's rights in the premises. We have a great many cases here where Indians are known here and their ancestors are known, and we have plenty of proof, in a way, if we could get before the proper tribunal to get possession of those lands, but there has been no money furnished these Indians to prove up their claims, and the result has been that fictitious heirs have sprung up in Nebraska.

While I am not in a position to furnish proof to this committee as I would like to, I think I am safe in saying that there is a good deal of land in Nebraska that belongs to Indians in Wisconsin that has gone to fictitious persons in Nebraska. We have numerous instances of it.

Mr. HOLCOMBE. This particular case that you have in mind, did that go through the probate court in Nebraska?

Mr. HULL. I can't say just what process was adopted in that case. I know that I went to the Indian department, and the Interior Department butted in on it and in some way got this lease money turned over to the man, but the record of the land is still in dispute. An agent given that authority here could undoubtedly get a good deal of money and property for these Indians if he had access to the records and had time and opportunity to go into them.

That is all I care to say.

The witness was thereupon excused.

STATEMENT OF SCOTT MOKEY.

SCOTT MOKEY, after having been first duly sworn, testified as follows:

Senator LA FOLLETTE. Mr. Mokey, will you act as interpreter, as well as give your own testimony as a witness?

SCOTT MOKEY. Yes, sir.

SCOTT MOKEY was thereupon duly sworn as official interpreter for this hearing.

Senator LA FOLLETTE. Where do you live?

SCOTT MOKEY. At Tomah.

Senator LA FOLLETTE. Are you a member of the Winnebago band of Indians?

SCOTT MOKEY. Yes, sir.

Senator LA FOLLETTE. How old are you?

SCOTT MOKEY. Thirty-five years and past.

Senator LA FOLLETTE. Where were you educated?

SCOTT MOKEY. I went to the district school here in Adams County, and then went to Philadelphia to Lincoln Institute and remained there four years. I started when I was about 16 years old.

Senator LA FOLLETTE. Did you graduate from that institution?

SCOTT MOKEY. No; I did not graduate at all.

Senator LA FOLLETTE. What are you doing now?

SCOTT MOKEY. I have been working in the mill for the Goodyear Lumber Company at Tomah.

Senator LA FOLLETTE. What have you been doing in the mill?

SCOTT MOKEY. They have been shut down, so I have been doing everything pretty near.

Senator LA FOLLETTE. When the mill is running what do you do?

SCOTT MOKEY. I was on the green dock; that is what they call it.

Senator LA FOLLETTE. Have you also worked in the Milwaukee shops at Tomah?

SCOTT MOKEY. Yes, sir; that was last year.

Senator LA FOLLETTE. Have you a family?

SCOTT MOKEY. Yes, sir.

Senator LA FOLLETTE. Have you a wife?

SCOTT MOKEY. Yes, sir.

Senator LA FOLLETTE. How many children have you?

SCOTT MOKEY. Just one; a girl.

Senator LA FOLLETTE. Have you any statement that you would like to make to the committee with respect to any matters which you are interested as a Winnebago Indian?

SCOTT MOKEY. Yes, sir.

Senator LA FOLLETTE. You may state to the committee what you would like to have us hear.

SCOTT MOKEY. Well, I went to school, but I have not much education. I started in when I was 16 years old and I left the school when I was 21. Then I have been working around a little, because I have no trade, but I have been working as a common laborer. I try the best I can to get along—the best I know how. The $20 annuity has helped me a little, but not much. There is some land in Nebraska, a strip out there that we ought to have; we ought to have that land back to these Wisconsin Indians. I think that would be a great help to us. That is about all I wish to say.

Senator BROWN. Have you an allotment of land?

SCOTT MOKEY. No, sir.

Senator BROWN. Has your wife?

SCOTT MOKEY. Yes, sir.

Senator BROWN. Where is her land?

SCOTT MOKEY. In Nebraska.

Senator BROWN. Did she ever live on it?

SCOTT MOKEY. No, sir.

Senator BROWN. She inherited it, did she?

SCOTT MOKEY. Yes, sir.

Senator BROWN. Did you ever live on the reservation in Nebraska?

SCOTT MOKEY. I was there two or three months at a time.

Senator BROWN. How long since you were there?

SCOTT MOKEY. Last January.

Senator BROWN. How long did you stay?

SCOTT MOKEY. I stayed about two weeks.

Senator BROWN. Do you go back about once a year every year?

SCOTT MOKEY. No, sir; we do not go there.

Senator BROWN. Was your wife with you last winter?

SCOTT MOKEY. Yes, sir.

Senator BROWN. What kind of land is it that she has out there?

SCOTT MOKEY. Good land.

Senator BROWN. How many acres?

SCOTT MOKEY. Eighty acres.

Senator BROWN. Is it cultivated?

SCOTT MOKEY. Yes, sir.

Senator BROWN. She gets the rent from it, does she?

SCOTT MOKEY. Yes, sir; she has for about six years, but last year she did not receive any rent.

Senator BROWN. Do you remember about what she would get a year when she got the rent?

SCOTT MOKEY. Yes, sir.

Senator BROWN. How much?

SCOTT MOKEY. Eighty dollars; I think it was for three years.

Senator BROWN. That is, $80 each year?

SCOTT MOKEY. Yes, sir.

Senator BROWN. Is there a house on the land?

SCOTT MOKEY. Yes, sir.

Senator BROWN. What is it worth?

SCOTT MOKEY. The house is not worth very much.

Senator BROWN. Well, the land with the house on it, what is it worth?

SCOTT MOKEY. Somewhere near $3,000 or $4,000 or $5,000.

The CHAIRMAN. That is not an allotment that was given to her, is it?

SCOTT MOKEY. It is her father's.

The CHAIRMAN. Your wife has never had an allotment herself, has she?

SCOTT MOKEY. No, sir; not in her own name.

The CHAIRMAN. Have you a home here?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. Have you any land?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. How much?

SCOTT MOKEY. About 20 acres.

The CHAIRMAN. How near town is it?

SCOTT MOKEY. About 7 miles north of Tomak.

The CHAIRMAN. What is your house worth?

SCOTT MOKEY. I have not completed the house yet, but it is worth somewhere near about $175.

The CHAIRMAN. Do you owe anything on your land?

SCOTT MOKEY. No, sir.

The CHAIRMAN. Did you get it by working?

SCOTT MOKEY. Yes, sir; I got it about two years ago.

The CHAIRMAN. How much of it is broken?

SCOTT MOKEY. About 6 acres.

Senator LA FOLLETTE. Have you anything to say to the committee about the distribution of the funds of the Winnebago Indians?

SCOTT MOKEY. I do not think they are capable to take care of it.

Senator LA FOLLETTE. Do you think any of them are?

SCOTT MOKEY. I do not know; I am not sure.

Senator LA FOLLETTE. Do you think you would be? Do you think you could make good use of your portion of the fund if you had it?

SCOTT MOKEY. It would be according to how much it would be. I do not know what my share would be.

Senator LA FOLLETTE. Supposing it was four or five hundred dollars?

SCOTT MOKEY. That would not help me much at all. It might help a little.

Senator LA FOLLETTE. If it was not any more than that you prefer to have it remain in the Treasury and receive interest on it?

SCOTT MOKEY. Yes, sir; I would just as soon.

Senator PAGE. Mr. Mokey, how do you think your people here—your brother Indians—feel with regard to that matter? Do you think they would prefer to have the money paid over to them or have it held as it is now held?

SCOTT MOKEY. Most of them here would like to have it remain just as it is.

The CHAIRMAN. Have you had any counsel on that question?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. When?

SCOTT MOKEY. Yesterday.
The CHAIRMAN. Did they vote on it?
SCOTT MOKEY. No; they just talked it over. That is all.
The CHAIRMAN. Did they appoint anybody to tell us what the council wanted?
SCOTT MOKEY. Yes, sir.
The CHAIRMAN. Who did they appoint?
SCOTT MOKEY. Mark Green, George Deer, and John Sherman.
The witness was thereupon excused.

STATEMENT OF JOHN SHERMAN.

JOHN SHERMAN, after having been first duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You are a member of the Winnebago tribe?
JOHN SHERMAN. Yes, sir.
The CHAIRMAN. How near to Black River Falls do you live?
JOHN SHERMAN. I live at Tomah.
The CHAIRMAN. How long have you lived in Wisconsin?
JOHN SHERMAN. Fifty-two years.
The CHAIRMAN. Have you got any property of your own?
JOHN SHERMAN. Yes, sir.
The CHAIRMAN. How much land have you got?
JOHN SHERMAN. Forty acres.
The CHAIRMAN. Do you owe anything on it?
JOHN SHERMAN. No, sir.
The CHAIRMAN. Is it a homestead?
JOHN SHERMAN. Yes, sir; a homestead.
The CHAIRMAN. Have you any buildings on it?
JOHN SHERMAN. Yes, sir; there are some buildings on it.
The CHAIRMAN. Is there any of it broken up?
JOHN SHERMAN. Ten acres.
The CHAIRMAN. Have you got any stock—cattle or horses or pigs?
JOHN SHERMAN. I have no stock; but I have a team, a pony team.
The CHAIRMAN. Do you make your home on that land?
JOHN SHERMAN. Yes, sir; a little.
The CHAIRMAN. Where else do you live except on that land?
JOHN SHERMAN. I work around a little to get a living.
The CHAIRMAN. Did the Winnebago have a council yesterday?
JOHN SHERMAN. Yes, sir.
The CHAIRMAN. Did they talk over the question of dividing up their money that the Government is holding for them?
JOHN SHERMAN. There is a man in the room here who will tell what they decided yesterday.
The CHAIRMAN. We understood that you were one of the men appointed to tell us. Is that so?
JOHN SHERMAN. I was not appointed.
The CHAIRMAN. Speaking for yourself, do you want the money divided up and paid over to the Winnebagoes?
JOHN SHERMAN. I would rather the other fellows, who were appointed, should inform the committee.
The CHAIRMAN. But we want your own opinion about it.

JOHN SHERMAN. I would rather have it remain just the same as has been usual, so that my children will have it.

The CHAIRMAN. You would rather have it remain as it is, so that your children will have it?

JOHN SHERMAN. Yes, sir.

The CHAIRMAN. What is the man's name that was appointed to tell us what the council decided?

JOHN SHERMAN. Mark Green.

The CHAIRMAN. Can you tell us how many Indians were present at the council?

JOHN SHERMAN. There were somewhere about 40.

The witness was thereupon excused.

STATEMENT OF MARK GREEN.

MARK GREEN, after having first been duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. You are a member of the Winnebago band of Indians?

MARK GREEN. Yes, sir.

The CHAIRMAN. Where do you live?

MARK GREEN. I live above here at the mission.

The CHAIRMAN. How far is that from here?

MARK GREEN. About 7 miles.

The CHAIRMAN. How long have you lived there?

MARK GREEN. I have lived there for the last twenty-five years.

The CHAIRMAN. Have you any land of your own?

MARK GREEN. Yes, sir.

The CHAIRMAN. How much?

MARK GREEN. Forty acres.

The CHAIRMAN. Was it a homestead?

MARK GREEN. Yes, sir.

The CHAIRMAN. How much have you broken?

MARK GREEN. Somewhere in the neighborhood of about 8 acres.

The CHAIRMAN. Are there any buildings on it?

MARK GREEN. I have a log house.

The CHAIRMAN. Is there any barn there?

MARK GREEN. No, sir; I have not got any. I moved the place.

The CHAIRMAN. Have you proved up on it?

MARK GREEN. Yes, sir.

The CHAIRMAN. How long ago?

MARK GREEN. About thirteen years.

The CHAIRMAN. Do you owe anything on it?

MARK GREEN. No, sir.

The CHAIRMAN. Have you any stock—cattle or horses?

MARK GREEN. I have two horses.

The CHAIRMAN. You attended the council of the Winnebagoes yesterday, did you not?

MARK GREEN. Yes, sir.

The CHAIRMAN. Did they talk over the question of whether they wanted the money that the Government holds for them divided among them or not?

MARK GREEN. Our trust fund is in Washington, and we draw 5 per cent on that. We draw every year.

The CHAIRMAN. That is the annuity?

MARK GREEN. Yes, sir; the annuity. Sometimes it comes to $18 or $19 a year. I would like to have it remain—that money—in Washington, so that the younger children can get it.

The CHAIRMAN. You people would like to have it remain in trust so that the children can have it?

MARK GREEN. Yes, sir; so that they can make use of it just as usual.

The CHAIRMAN. Is that what the council told you to tell this committee?

MARK GREEN. Yes, sir.

The CHAIRMAN. Now, what do you think yourself about it; what do you want done?

MARK GREEN. I am in favor of it.

The CHAIRMAN. You are in favor of its being kept there?

MARK GREEN. Yes, sir.

Senator PAGE. Did they ask you to tell this committee anything else about their business than this matter with reference to their money?

MARK GREEN. Yes, sir; there is something else.

Senator PAGE. What do you desire to say?

MARK GREEN. There are some Nebraska Indians that these Indians loaned some money sometime ago, and we would like to have it back.

Senator PAGE. Who did they loan it to?

MARK GREEN. These Indians loaned some Nebraska Indians.

Senator PAGE. How much did they loan?

MARK GREEN. I do not know; but we have been getting $7,000 every year. They have been paying us back $7,000 every year. I do not know how much the principal is.

Senator LA FOLLETTE. That is just the interest upon the money, is it not, that they have been paying you people here?

MARK GREEN. Yes, sir.

Senator LA FOLLETTE. I think Mr. Jones stated that the amount was something like $200,000.

Mr. JONES. Yes, sir; $200,022.

Mr. ESCH. Yes; I think the balance now, or when I got the last report, was about $60,000 that the Nebraska Winnebagos owed the Wisconsin Winnebagos, it having been paid off at the rate of $7,000 a year up to that time.

Senator LA FOLLETTE. Then they are paying part of the principal?

Mr. ESCH. Yes; they are.

MARK GREEN. I would like to have that money so that I can enjoy it right now if there is any way to do it.

The CHAIRMAN. When they get that money they want it divided, do they?

MARK GREEN. Yes, sir.

The CHAIRMAN. Is there anything else that they want?

MARK GREEN. They commenced down here at Turkey River. The Wisconsin Indians had a chief, and he was to remain here in the State of Wisconsin, and there is quite a number of them that we hear have not drawn anything for a number of years. For sixty-five

years the Government has been helping the Nebraska Indians right along. I think the Nebraska Indians have used more of that money which the Government gave us credit for.

Senator LA FOLLETTE. You mean more than their share?

MARK GREEN. Yes, sir; they were at Turkey River and then went to Long Prairie, and remained there seven years at Long Prairie, and the Government helped them—giving them money and helping them right along. Then they went from there to Minnesota, and they drew money there and built houses for them and gave them farming implements, and they had a flour mill and carpenter shop and blacksmith, and all such. They gave them everything—plows and horses—and they used a lot of it; more than they were entitled to. Then they went from there to somewhere in Dakota, and they helped them right along on until they got to Nebraska. Then when they got to Nebraska the Government gave them a reservation there and they built houses for them and gave them horses and farming implements, and they had a mill, and they used a lot of money during all that time; about sixty-four or sixty-five years we helped them, and in the last forty years we have been getting $20.

Senator LA FOLLETTE. That is all the help these Wisconsin Winnebagoes have had?

MARK GREEN. Yes, sir; that is all they have got. The trust fund in Washington, I think, belongs to all the Wisconsin Indians, and it is my opinion that the Nebraska Indians have used all their money and more.

Senator LA FOLLETTE. You think that they ought not to have any share in the $800,000?

MARK GREEN. Yes, sir; that is what I believe. That ought to be figured up and give us in Wisconsin here credit for half of that money that they have spent before.

Senator LA FOLLETTE. During all these years?

MARK GREEN. Yes, sir; it is over sixty years; it ought to be all figured up, and they ought to give us credit for half of that.

Senator LA FOLLETTE. You think the Government ought to go over the account?

MARK GREEN. Yes, sir; and the rent money over there. These men here are from Washington. They were sent here from the President. The President sent these gentlemen here. They are all good men, and I hope that we will have it that way. Figure this money out and give half of that credit to these Wisconsin Indians. We are poor. These Indians here are all poor and I wish to help them. That is all.

Senator LA FOLLETTE (to Interpreter Scott Mokey). Tell him that we are members of the Committee on Indian Affairs of the United States Senate. There are other members of the committee who are not present here to-day. The President did not send us here. As members of the Committee on Indian Affairs we came to Wisconsin to visit the different bands of Indians in this State to see what they were doing and how they lived, and to meet them and to talk with them and hear what their complaints are, so that when we go back to Washington we can tell the other members of the Committee on Indian Affairs of the Senate what we have seen here. Then the Committee on Indian Affairs of the Senate will make a report to the whole Senate, so that they will understand the condition of the Indians here in Wisconsin. Members of the committee who are here

to-day have no power to decide anything here. We have power to find out what the conditions are and go back and tell the other members of the committee about it, and tell the Senate about it, so that, if possible, laws can be passed to improve and better the conditions of the Indians. There are 92 members of the Senate. They may not agree with the views of the committee that is here to-day, but we will make a report of all that has been said to us by the Indians, and we hope that some good will come out of our visit to Wisconsin that will be helpful to the Indians in Wisconsin.

MARK GREEN. I am glad to hear it.

Senator LA FOLLETTE. We will take the statement which Mr. Green has made here, speaking for the Wisconsin Winnebagoes, with us to Washington and will look into this charge that the Nebraska Winnebagoes have more than their share, and will report to the Senate what we find out about it. The records of the Indian Office at Washington ought to show whether the Nebraska Indians have had more than they have had a right to have, and we will call upon the Indian Office for a full statement of accounts covering those years. Do you care to say anything further?

MARK GREEN. No, sir.

Senator LA FOLLETTE. You can say to these men that none of the members of this committee were members of the United States Senate when these matters that went back twenty years or more ago occurred, but we will investigate the records of the Indian Office for all these years and get a correct statement of these accounts between the Wisconsin and the Nebraska Winnebagoes.

MARK GREEN. I am glad to hear it.

The witness was thereupon excused.

STATEMENT OF GEORGE DEER.

GEORGE DEER, after having been first duly sworn, and his interpreter, Scott Mokey, similarly sworn to correctly and accurately interpret him, testified as follows:

Senator LA FOLLETTE. Where do you live?

GEORGE DEER. At Tomah.

Senator LA FOLLETTE. Are you a Winnebago Indian?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. Do you own any land?

GEORGE DEER. I own a little.

Senator LA FOLLETTE. How much?

GEORGE DEER. I own 50 acres—40 homestead and 10 county lands.

Senator LA FOLLETTE. How far is your land from Tomah?

GEORGE DEER. Five miles.

Senator LA FOLLETTE. Is it all paid for?

GEORGE DEER. The 10 is paid for, but the other is homestead, the 40.

Senator LA FOLLETTE. Is there a mortgage on any of it?

GEORGE DEER. No, sir.

Senator LA FOLLETTE. Are there any buildings on it?

GEORGE DEER. Yes, sir; there is a little house on both pieces.

Senator LA FOLLETTE. Is there any of it cultivated and cropped?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. How much?

GEORGE DEER. On the homestead there are about 80 acres growth, and the 10 acres have 7 acres growth.

Senator LA FOLLETTE. Have you any stock on it?

GEORGE DEER. The land is kind of small, and I have no stock. I have no place for it.

Senator LA FOLLETTE. Do you own a team and horses?

GEORGE DEER. Yes, sir; I have a team—a small team.

Senator LA FOLLETTE. Do you live on this land?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. Have you a family?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. How many children?

GEORGE DEER. Six.

Senator LA FOLLETTE. Have the Winnebago Indians held any council within the last few days to talk over their business matters?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. Were you appointed to tell the committee what they decided to do with respect to their property and their money?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. You may tell the committee what the council sent you here to say.

GEORGE DEER. If you want to hear the Wisconsin Indians, in what condition they are in, I will tell you how poor they are. They have not much.

Senator LA FOLLETTE. Was the council you speak of a council of the Winnebago Indians living near Tomah?

GEORGE DEER. About 7 miles.

Senator LA FOLLETTE. The Winnebago Indians living near Wittenberg were not present in that council, were they?

GEORGE DEER. There was one there from Wittenberg—their leading man he is supposed to be.

Senator LA FOLLETTE. Was he in the council of the Tomah Winnebagos?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. What is his name?

GEORGE DEER. James Eagle.

Senator LA FOLLETTE. You may proceed now and tell us about the council meeting.

GEORGE DEER. I think the Wisconsin Indians should enjoy their annuity. It is pretty small. I have quite a family, and I would like to have more money, but have no way to get it. The Nebraska Indians borrowed some of our money and they have been using it for a good many years, and I understand that they are paying it back to us here in Wisconsin. These Wisconsin Indians would appreciate it if they can get this money.

Senator LA FOLLETTE. Do they want the money that is due from the Nebraska Indians added to their trust fund, or do they want that divided among them now?

GEORGE DEER. They need it, so they would like to have it distributed now, including what we have been getting heretofore.

Senator LA FOLLETTE. Do they want that trust fund in the hands of the Government also distributed?

GEORGE DEER. They do not wish for that. Whatever they pay us back, I think it will be best to have that distributed only here, so that it might fetch us somewhere about $60 to each one, the amount to include that which we are getting every year.

Senator LA FOLLETTE. The annuity?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. Go on and state anything else.

GEORGE DEER. The Wisconsin Indians removed to Nebraska in 1874—the fall of 1874. I understand that the Government gave the Wisconsin Indians a strip of land up here. At that time the Indians did not know very much. That has been thirty-five years ago. The Government has given those lands to the Wisconsin Indians, and it is a mighty good thing, but they did not know at that time. It has been a good thing for the Wisconsin Indians. The Government gave the Nebraska Indians quite a strip of land over there, a good deal bigger than the Wisconsin Indians had at the same time the Nebraska Indians had gone down to Washington and begged for that Wisconsin strip. Now they have been getting that right along.

Senator LA FOLLETTE. Getting part of the Wisconsin strip?

GEORGE DEER. Yes, sir.

Senator LA FOLLETTE. Have you ever had an allotment of land in Nebraska?

GEORGE DEER. No, sir.

Senator LA FOLLETTE. Did your father have an allotment of land in Nebraska?

GEORGE DEER. No, sir.

Senator LA FOLLETTE. Did your father live in Nebraska?

GEORGE DEER. No, sir.

Senator LA FOLLETTE. Do you know whether any of the Wisconsin Winnebagoes had an allotment given to them in Nebraska?

GEORGE DEER. I am not sure; there might be some of them that did, but I do not know.

Senator LA FOLLETTE. Have any of the Nebraska Indians got any of the Nebraska land that belonged to the Wisconsin Winnebagoes?

GEORGE DEER. I do not know; there might be such a thing.

Senator LA FOLLETTE. Is there anything else that you were instructed by the council to say to this committee?

GEORGE DEER. The council wanted me to inquire into this Nebraska-Wisconsin strip.

Senator LA FOLLETTE. You may say to him that the committee does not know anything about the strip in Nebraska, but we will inquire about that when we go back to Washington next winter.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. You may proceed now and state anything else that you were instructed by the council to say to this committee.

GEORGE DEER. That is all.

(The witness was thereupon excused.)

ADDITIONAL STATEMENT OF SCOTT MOKEY.

The CHAIRMAN. I would ask you one or two questions. Your wife inherited some land in Nebraska, did she not?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. Was that an allotment made to some one or was it a homestead?

SCOTT MOKEY. It was a homestead.

The CHAIRMAN. Where was your wife born?

SCOTT MOKEY. She was born here.

The CHAIRMAN. Who did she inherit that land from?

SCOTT MOKEY. Her own father.

The CHAIRMAN. Did he live and die in Nebraska?

SCOTT MOKEY. No, sir; he was there for several years, I guess, but he died here back of Black River Falls somewhere.

The CHAIRMAN. Do you know where he lived when he took the allotment?

SCOTT MOKEY. Yes, sir; in Nebraska.

The CHAIRMAN. He lived in Nebraska?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. Was he a part of the Nebraska Winnebagoes?

SCOTT MOKEY. No, sir.

The CHAIRMAN. Did you understand that when he took the allotment that he belonged to the Nebraska Winnebagoes or the Wisconsin Winnebagoes?

SCOTT MOKEY. The Wisconsin Winnebagoes.

Mrs. STEELE (the field matron). Mr. Bost, did he take that as a Wisconsin Winnebago?

Mr. BOST. I do not think he did.

Mrs. STEELE. Only as a Nebraska Winnebago, as I understand it.

SCOTT MOKEY. He was there at the time that they removed these Wisconsin Indians down there; that is the way I understand it.

The CHAIRMAN. You understand that that is the way he got it?

SCOTT MOKEY. Yes, sir; and he married a woman there.

Senator LA FOLLETTE. He married a Wisconsin Winnebago?

SCOTT MOKEY. Yes, sir; but they did not have any child. I saw the woman myself. George Kinsley was with me.

Senator LA FOLLETTE. That is, he married a Nebraska Winnebago after your wife, his daughter, was born.

SCOTT MOKEY. Yes, sir.

Senator LA FOLLETTE. She was his child by his former wife?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. Do you understand that there was a part of the land in Nebraska set apart for the Wisconsin Winnebagoes?

SCOTT MOKEY. Yes, sir; I always understood that.

The CHAIRMAN. Do you understand whether any Wisconsin Winnebagoes got any allotment in that strip?

SCOTT MOKEY. Why, yes, sir.

The CHAIRMAN. Who?

SCOTT MOKEY. Charlie Decorah had. He died a couple of years ago, I guess.

Senator LA FOLLETTE. We have some Decorahs on the list to call as witnesses later.

(The witness was thereupon excused.)

STATEMENT OF MRS. LITTLESOLDIER.

Mrs. LITTLESOLDIER, having first been duly sworn, and her interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret her, testified as follows:

The CHAIRMAN. What is your Indian name?

Mrs. LITTLESOLDIER. Babapakah.
The CHAIRMAN. Where do you live?
Mrs. LITTLESOLDIER. Down here by the mission.
The CHAIRMAN. How far from Black River Falls is that?
Mrs. LITTLESOLDIER. About 7 miles.
The CHAIRMAN. Is your husband living?
Mrs. LITTLESOLDIER. He is dead.
The CHAIRMAN. Have you any children?
Mrs. LITTLESOLDIER. No, sir; I have no children living. I had one that is dead.
The CHAIRMAN. Did you have a niece living with you?
Mrs. LITTLESOLDIER. Yes, sir. I raised her ever since she was about 2 feet high.
The CHAIRMAN. What is her name?
Mrs. LITTLESOLDIER. I do not know.
Mrs. STEELE (the matron). Her name was Irene Littlesoldier, Senator.
Mr. BOST. Her name is Ellen on the roll.
Senator LA FOLLETTE. Ellen Littlesoldier?
Mr. BOST. Yes, sir.
Senator LA FOLLETTE. Was her name Ellen Littlesoldier?
Mrs. LITTLESOLDIER. No, sir. I do not know what is on the roll.
Senator LA FOLLETTE. You do not know what her name is on the roll?
Mrs. LITTLESOLDIER. No, sir.
Senator LA FOLLETTE. Mr. Jones, what is the name of the child in question as given on the roll?
Mr. JONES. Ellen.
Senator LA FOLLETTE. Ellen Littlesoldier.
Mr. JONES. Yes, sir.
Senator LA FOLLETTE. What is her Indian name?
Mr. JONES. Her Indian name is Wau-con-cha-cho-win-kah.
Senator LA FOLLETTE. Was that the name of your little niece?
Mrs. LITTLESOLDIER. Yes, sir.
Senator LA FOLLETTE. Mr. Jones, what is the age as given on the roll?
Mr. JONES. Fifteen years last year.
Senator LA FOLLETTE. Mrs Littlesoldier, did she leave you to go to school at Tomah?
Mrs. LITTLESOLDIER. Yes, sir.
Senator LA FOLLETTE. How long ago did she leave you to go to school at Tomah?
Mrs. LITTLESOLDIER. About the latter part of September.
Senator LA FOLLETTE. About the latter part of September a year ago?
Mrs. LITTLESOLDIER. Yes, sir; a year ago this week.
Senator LA FOLLETTE. Have you seen her since? When did you see her last?
Mrs. LITTLESOLDIER. I saw her at the school at Tomah.
Senator LA FOLLETTE. When did you see her at the school at Tomah the last time?
Mrs. LITTLESOLDIER. About a month after she went there.
Senator LA FOLLETTE. Where is she now?
Mrs. LITTLESOLDIER. She was missed there at the school.

Senator LA FOLLETTE. When was she missed from the school?

Mrs. LITTLESOLDIER. I do not know; it was along in January, somewhere in the winter—last January.

Senator LA FOLLETTE. Do you know of anyone who has ever seen her since she was missed from the school?

Mrs. LITTLESOLDIER. No, sir; I do not know. Nobody ever told me. I never saw her any more.

Senator LA FOLLETTE. Have you seen the superintendent of the school since she was missed from the school?

Mrs. LITTLESOLDIER. Yes, sir; I was over there myself to see him.

Senator LA FOLLETTE. What did he say to you about it?

Mrs. LITTLESOLDIER. He said to me that she might be living yet.

Senator LA FOLLETTE. Did he say that he knew where she was?

Mrs. LITTLESOLDIER. He did not know, but he thought she might be somewhere, with somebody, some Indian somewhere. I don't know where she could be.

Senator LA FOLLETTE. Do you know whether the superintendent tried to find her?

Mrs. LITTLESOLDIER. It does not look that way.

Senator LA FOLLETTE. Did he tell you that he had tried to find her?

Mrs. LITTLESOLDIER. Yes, sir.

Senator LA FOLLETTE. Did he tell you that he had hunted for her?

Mrs. LITTLESOLDIER. He looked just around there, but he did not go out away off to hunt her.

Senator LA FOLLETTE. Did they not go away from the school to hunt for her?

Mrs. LITTLESOLDIER. No, sir; just around the school to look for her.

Senator LA FOLLETTE. Did he say that he knew that she had gone to bed at night in the dormitory where the girls slept?

Mrs. LITTLESOLDIER. No, sir; he did not say anything about her going to sleep in bed. She was missed in the morning, I was told.

Senator LA FOLLETTE. Who was missed in the morning?

Mrs. LITTLESOLDIER. The girl.

Senator LA FOLLETTE. Was anyone else missed from the school in the morning besides your niece?

Mrs. LITTLESOLDIER. No, sir; just her.

Senator LA FOLLETTE. Did you ask anyone else besides the superintendent about the girl being missed?

Mrs. LITTLESOLDIER. No, sir; I just asked the superintendent, because he was in charge.

Senator LA FOLLETTE. Did you talk with any of the other girls who slept in the same room?

Mrs. LITTLESOLDIER. I guess I did, but the girls did not know anything about it.

Senator LA FOLLETTE. Did any of the girls tell you whether they noticed anything about her bed the next morning?

Mrs. LITTLESOLDIER. No, sir; I did not hear anything about it myself, but I heard something else.

Senator LA FOLLETTE. What else did you hear?

Mrs. LITTLESOLDIER. I do not like to tell it, because somebody else might guess something and just tell it, and they would make me tell a lie. I do not like to tell what somebody else told me. There was a girl that I know who knew something about it; that girl knew some-

thing about it, but I was not told by her, but by another woman from the school.

Senator LA FOLLETTE. Where is the woman that talked with this girl about it?

Mrs. LITTLESOLDIER. The man is in the room here.

WILLY WINNESHEEK (to Mrs. Littlesoldier). I guess you know it, but you do not tell it [speaking in the Indian tongue].

Senator LA FOLLETTE (to Interpreter Scott Mokey). Tell us what he says to the witness.

SCOTT MOKEY. He wants her to tell it right out.

Senator LA FOLLETTE (to the interpreter). You tell her that we want her to tell just what occurred.

Mrs. LITTLESOLDIER. There was blood all over the bed, all over the sheets and the blanket. I have raised her since she was a little bit of a child, and felt awful sorry about it. I have been crying all the time.

(The witness at this point was temporarily excused.)

STATEMENT OF JAMES EAGLE.

JAMES EAGLE, after having been first duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

Senator LA FOLLETTE. What is your full name?

JAMES EAGLE. My name is James Eagle.

Senator LA FOLLETTE. Where do you live?

JAMES EAGLE. I live at Wittenberg.

Senator LA FOLLETTE. Are you a Winnebago Indian?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. How long have you lived in Wisconsin?

JAMES EAGLE. Fifty-seven years.

Senator LA FOLLETTE. Were you born in Wisconsin?

JAMES EAGLE. Yes, sir; in this county.

Senator LA FOLLETTE. Did you ever live in Nebraska?

JAMES EAGLE. At the time they removed the Wisconsin Indians to Nebraska I was there about three months.

Senator LA FOLLETTE. How old were you when the Wisconsin Indians were removed to Nebraska?

JAMES EAGLE. About 21.

Senator LA FOLLETTE. How long did you live there?

JAMES EAGLE. Three months.

Senator LA FOLLETTE. Was your father living at the time?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. How long did he live there?

JAMES EAGLE. He lived there about the same length of time.

Senator LA FOLLETTE. Do you own any land in Wisconsin?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. How much?

JAMES EAGLE. Forty acres.

Senator LA FOLLETTE. Do you live on it?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. Are there any buildings on it?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. Have you any stock or horses?

JAMES EAGLE. Yes, sir; a pony team.

Senator LA FOLLETTE. Is any part of your land improved—that is, cultivated and cropped?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. How much?

JAMES EAGLE. About 10 acres.

Senator LA FOLLETTE. What kind of crops did you raise on it?

JAMES EAGLE. Mostly timothy, potatoes, and corn.

Senator LA FOLLETTE. Is your land mortgaged; do you owe anything on it?

JAMES EAGLE. No, sir.

Senator LA FOLLETTE. How long have you lived on that land?

JAMES EAGLE. About fourteen years.

Senator LA FOLLETTE. Have you any children?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. How many?

JAMES EAGLE. Six.

Senator LA FOLLETTE. Do they go to school at Wittenberg?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. Did the Wittenberg Winnebago Indians have any council lately?

JAMES EAGLE. Yes, sir; they had a council.

Senator LA FOLLETTE. Did they choose any one to represent them at this hearing?

JAMES EAGLE. Yes, sir.

Senator LA FOLLETTE. Who?

JAMES EAGLE. I was appointed.

Senator LA FOLLETTE. What were you instructed to say to this committee for the Wittenberg Winnebagoes?

JAMES EAGLE. The trust fund in Washington they do not want to be distributed.

Senator LA FOLLETTE. Have they any objection to the trust funds being given to any Indians that the Indian Office finds capable of taking care of his own money?

JAMES EAGLE. I do not understand.

Senator LA FOLLETTE. They are not in favor of distributing the trust-fund money; that is, all the Indians.

JAMES EAGLE. No, sir; they are not in favor of that.

Senator LA FOLLETTE. Do they object to any one Indian having his share if upon investigation the Indian Office finds he is competent to take care of it and wants it?

JAMES EAGLE. No, sir.

Senator LA FOLLETTE. They would not object to that?

JAMES EAGLE. No, sir.

Senator LA FOLLETTE. I will just ask you your own opinion about this matter. Do you think that there are some of the Indians living at or near Wittenberg who are able to care for their share of the money and who might wish to have it?

JAMES EAGLE. I have heard of one of them.

Senator LA FOLLETTE. How many Indians were there in the Wittenberg council who authorized you to speak for them?

JAMES EAGLE. Somewhere about 20 head of families.

Senator LA FOLLETTE. How many heads of families live in the neighborhood around Wittenberg?

JAMES EAGLE. There are not very many. It might have been all of them.

Senator LA FOLLETTE. What else did the Wittenberg council instruct you to say to this committee?

JAMES EAGLE. The Nebraska Indians have borrowed some money from these Wisconsin Indians and we would like to have it all paid back to us.

Senator LA FOLLETTE. Do they want the money that the Nebraska Indians owe paid into their fund, to increase their fund, or do they want that money distributed?

JAMES EAGLE. They want to have it distributed, because they need it.

Senator LA FOLLETTE. What else did the council instruct you to say to the committee?

JAMES EAGLE. Out in Nebraska there is the Wisconsin-Winnebago strip; we would like to have it in our favor, so that we can make some use of it.

Senator LA FOLLETTE. Did you ever have an allotment in Nebraska?

JAMES EAGLE. No, sir.

Senator LA FOLLETTE. Did your father have an allotment in Nebraska?

JAMES EAGLE. No, sir.

Senator LA FOLLETTE. Do you know of any Wisconsin-Winnebago Indians who received allotment of lands in Nebraska?

JAMES EAGLE. There is Charlie Decorah that I remember.

Senator LA FOLLETTE. Do you know of any others besides Charles Decorah?

MOSES DECORAH. I know some of them.

The CHAIRMAN. What is that man's name who has just spoken?

SCOTT MOKEY. His name is Moses Decorah.

Senator LA FOLLETTE. I have his name on the list and I will call him later. Is there anything that you would like to say to the committee?

JAMES EAGLE. That is all that I would care to say.

(The witness was thereupon excused.)

STATEMENT OF JOHN HILL.

JOHN HILL, having been first duly sworn, and his interpreter, Scoot Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

Senator LA FOLLETTE. What is your name?

JOHN HILL. My name is John Hill. John Hill is the name I draw the pension on. I have a different name on the roll; it is John Hazen on the roll.

Senator LA FOLLETTE. Where do you live?

JOHN HILL. I have no particular place. I want to tell the truth about it. I own a piece of land out here.

Senator LA FOLLETTE. You say you own some land?

JOHN HILL. Yes, sir; I own 40 acres out here.

Senator LA FOLLETTE. Are there any improvements on it?
JOHN HILL. I had built a house. It burnt out twice.
Senator LA FOLLETTE. Is any of it cultivated?
JOHN HILL. About 2 acres.
Senator LA FOLLETTE. You have a family?
JOHN HILL. I had some, but they all died. The last one died about three years ago.
Senator LA FOLLETTE. Where were you born?
JOHN HILL. Over here in Sauk County. I was born at Merrimack, Sauk County, Wis.
Senator LA FOLLETTE. Did you ever live in Nebraska?
JOHN HILL. No, sir; I never lived there. I made a visit there.
Senator LA FOLLETTE. Did your father ever live in Nebraska?
JOHN HILL. No, sir.
Senator LA FOLLETTE. How old are you?
JOHN HILL. A little better than 75 years old.
Senator LA FOLLETTE. Did you ever have an allotment of land in Nebraska?
JOHN HILL. No, sir.
Senator LA FOLLETTE. Is the 40 acres that you have near here a homestead?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. When did you take it?
JOHN HILL. I do not know; the same time that the rest of them took the homesteads.
Senator LA FOLLETTE. Were you in the war?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. In what regiment?
JOHN HILL. The Fourteenth.
Senator LA FOLLETTE. The Fourteenth Wisconsin Volunteers?
JOHN HILL. I can not explain all of them.
Senator LA FOLLETTE. Did you enlist in Kansas?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. How long did you live in Kansas?
JOHN HILL. About four months.
Senator LA FOLLETTE. You were in the war until 1865, were you not?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. How long after the war did you take your homestead?
JOHN HILL. After I returned from Nebraska. The time they moved the Wisconsins there. It was along in 1876 or 1875.
Senator LA FOLLETTE. 1875 or 1876?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. Was that the time when most of the Wisconsin Winnebagoes who have homesteads took their homesteads?
JOHN HILL. Yes, sir; that was all the same time.
Senator LA FOLLETTE. Were you in the Wittenberg council that met a few days ago?
JOHN HILL. Yes, sir.
Senator LA FOLLETTE. Were you delegated to this committee to speak for that council?
JOHN HILL. We came down here to listen.

Senator LA FOLLETTE. Do you think the Wisconsin Winnebago Indians ought to have their trust fund distributed amongst them?

JOHN HILL. We are not in favor of it.

Senator LA FOLLETTE. Have you anything else that you would like to say to the committee? If not, we will excuse you.

JOHN HILL. I want to say something.

Senator LA FOLLETTE. You may proceed.

JOHN HILL. I want that money from the Nebraska Indians paid back to these Indians here. I would like to have that distributed, because they are old Indians, old men. They are the ones to have it. Let them take it. I would like to have it back now.

Senator LA FOLLETTE. You would like to have the money that the Nebraska Indians owe these Indians paid back, and you think it ought to be distributed?

JOHN HILL. Yes, sir.

Senator LA FOLLETTE. So that the older Indians could have the benefit of it?

JOHN HILL. Yes, sir; every one.

Senator LA FOLLETTE. All of them?

JOHN HILL. Yes, sir.

Senator LA FOLLETTE. Is that all you wish to say?

JOHN HILL. I would like to have that Wisconsin strip to be turned over to these Wisconsin Indians, so that they will get the benefit of it. That is all I want to say.

Senator LA FOLLETTE (to Interpreter Mokey). Tell him we will look into that and see what can be done.

The above having been interpreted——

JOHN HILL. I would like to help the Wisconsin Indians, because they have not got much, and it will be of some benefit to them.

Senator LA FOLLETTE (to Interpreter Mokey). Tell him that we have not the power to decide anything at this time. We are here to take testimony and to hear the Indians and report back to the Senate, but we will also investigate their matters in the Indian Office and the records there and see what the conditions are with respect to any claim that they may have against the Nebraska Indians.

The above having been interpreted, the witness, John Hill, was thereupon excused.

STATEMENT OF FOSTER DECORAH

FOSTER DECORAH, after having first been duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

Senator LA FOLLETTE. Where do you live?

FOSTER DECORAH. At Reedsburg, Wis.

Senator LA FOLLETTE. Are you a Winnebago Indian?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. Where were you educated?

FOSTER DECORAH. I did not have very much schooling. I only had two months' schooling in my life.

Senator LA FOLLETTE. Do you read?

FOSTER DECORAH. Not so much.

Senator LA FOLLETTE. Do you write?

FOSTER DECORAH. A little bit.

Senator LA FOLLETTE. Do you own any land?

FOSTER DECORAH. No, sir.

Senator LA FOLLETTE. What was your father's name?

FOSTER DECORAH. Doctor Decorah.

Senator LA FOLLETTE. Where were you born?

FOSTER DECORAH. In Marquette County, Wis.

Senator LA FOLLETTE. Where did your father live?

FOSTER DECORAH. We used to come to camp around there, when the first payment was made we went up to Adams County, 6 miles from Friendship, and he got 40 acres of land there and we lived there.

Senator LA FOLLETTE. Do you know when your father took his 40 acres of land there?

FOSTER DECORAH. This was the first 40 he took. He bought it from the county.

Senator LA FOLLETTE. Did he ever take a homestead?

FOSTER DECORAH. Yes, sir; he did.

Senator LA FOLLETTE. In what year?

FOSTER DECORAH. I can not tell you anything about that.

Senator LA FOLLETTE. How old are you?

FOSTER DECORAH. I am 33; going on 34.

Senator LA FOLLETTE. Do you know when he took the homestead?

FOSTER DECORAH. I know something about it, but I could not say exactly.

Senator LA FOLLETTE. Where was his homestead?

FOSTER DECORAH. His homestead was this one up near Wittenberg, Wis. I do not remember when he took that, but he took another one. That was 6 miles north of Friendship.

Senator LA FOLLETTE. He bought that from the county, you say?

FOSTER DECORAH. No, sir; he took another 40 there.

Senator LA FOLLETTE. Did he ever live in Nebraska?

FOSTER DECORAH. No, sir; he was out there.

Senator LA FOLLETTE. When was he there?

FOSTER DECORAH. 1873.

Senator LA FOLLETTE. How long did he stay?

FOSTER DECORAH. About six or seven months.

Senator LA FOLLETTE. You do not know whether he had an allotment there, or did you ever hear him say so?

FOSTER DECORAH. No, sir; he never took an allotment.

Senator LA FOLLETTE. He never took an allotment there?

FOSTER DECORAH. No, sir.

Senator LA FOLLETTE. Have you attended any councils of the Indians lately?

FOSTER DECORAH. Yes, sir; last night.

Senator LA FOLLETTE. Where was that?

FOSTER DECORAH. About 3 or 4 miles out in the country.

Senator LA FOLLETTE. How many Indians were there?

FOSTER DECORAH. I could not say, but there were quite a few of them. I have no idea—between 30 and 40.

Senator LA FOLLETTE. Were you instructed to speak for them here?

FOSTER DECORAH. No, sir.

Senator LA FOLLETTE. Is there anything that you would like to say personally to this committee. You may give your own personal opinion about matters relating to your affairs.

FOSTER DECORAH. Yes, sir; my own view of it.

Senator LA FOLLETTE. Just go right ahead and state it.

FOSTER DECORAH. About the money, do you mean?

Senator LA FOLLETTE. You may make any statement about anything that you have in mind that interests the Indians.

FOSTER DECORAH. I would like to draw what is coming to me from the Government.

Senator LA FOLLETTE. You would like to have your share of the trust fund?

FOSTER DECORAH. Yes, sir; and all my family, too.

Senator LA FOLLETTE. All your family would like to have their share?

FOSTER DECORAH. I think that would do me lots better. Lots of times I would get something, and if I had the money I would get it; but I have not got the money. If I know that I can go ahead with it, I think that I can take care of it, too. I live in Reedsburg, and I can give you good references if you want to find out about me.

Senator LA FOLLETTE. You can get all the indorsement that you want as to your character and ability to take care of your money from those who know you in Reedsburg?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. What do you do, Mr. Decorah?

FOSTER DECORAH. I work in the show line business.

Senator LA FOLLETTE. What is the character of the show?

FOSTER DECORAH. It is a small show.

Senator LA FOLLETTE. What kind of a show?

FOSTER DECORAH. It is at summer resorts and parks.

Senator LA FOLLETTE. Do you visit different portions of Wisconsin?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. How much money do you make from that business?

FOSTER DECORAH. I make enough to get along on.

Senator LA FOLLETTE. Are you a married man?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. How much family have you?

FOSTER DECORAH. Two boys and a girl. Two boys going to school at Reedsburg.

Senator LA FOLLETTE. Are they going to public school?

FOSTER DECORAH. No, sir; the kindergarten. The oldest one is 7 years old and the next is 5. They go to school at Reedsburg.

Senator LA FOLLETTE. You have a home there, have you?

FOSTER DECORAH. Yes, sir; I pay rent there, $7.

Senator LA FOLLETTE. You rent a home?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. The committee would like to understand just what this show business is that you are engaged in.

FOSTER DECORAH. It is attractions at summer resorts; you get so much; whatever I have in attractions I get paid for going in the parks, and if I have anything on the side, that is mine.

Senator LA FOLLETTE. What kind of a show is it?

FOSTER DECORAH. It is a shooting gallery, and I sell beads, and so forth.

Senator LA FOLLETTE. You sell Indian curiosities and work of different kinds?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. And run a shooting gallery also?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. At summer resorts in Wisconsin?

FOSTER DECORAH. No, sir; in Illinois.

Senator LA FOLLETTE. Do you make a good living that way?

FOSTER DECORAH. A pretty good one; yes, sir.

Senator LA FOLLETTE. What do you do in the winter time?

FOSTER DECORAH. Last winter I did not do much; I only bought some furs.

Senator LA FOLLETTE. You bought furs last winter?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. What did you usually do in the winter time?

FOSTER DECORAH. Before that?

Senator LA FOLLETTE. Yes; before that.

FOSTER DECORAH. Before that I worked in a flour mill for a short time. I worked there for $1 a day. I did not make it go very well, so I quit, and the next summer I went to Illinois and got a concession in the picnic parks.

Senator LA FOLLETTE. By selling Indian work?

FOSTER DECORAH. Yes, sir. I was there to represent the Indians in camp.

Senator LA FOLLETTE. You had an Indian camp, did you?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. How many Indians were there?

FOSTER DECORAH. There were 8.

Senator LA FOLLETTE. There were 8 Indians in your camp?

FOSTER DECORAH. Yes, sir.

Senator LA FOLLETTE. Would you like to say something more to the committee?

FOSTER DECORAH. Well, not at present. The boys wanted me to tell you something, but I do not want to tell it; maybe Scott Mokey will do it. He will explain it to you.

Senator LA FOLLETTE. What was it about?

FOSTER DECORAH. I have not anything against any of them. I will say what these people said. Mark Green says they would like to know what this Indian Office is here for. They have been here for several years, and he never could find out what they are here for.

The CHAIRMAN. The Indian agent here, you mean?

SCOTT MOKEY. The additional farmer.

FOSTER DECORAH. Mark Green would like to have asked about it, but he did not have a chance.

The CHAIRMAN. Is he here now?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. We will give him a chance to say anything he wants to say.

ADDITIONAL STATEMENT OF MARK GREEN.

MARK GREEN having been recalled, testified as follows:

Senator LA FOLLETTE. Is there anything more that you would like to say to this committee?

MARK GREEN. Yes, sir; I would like to say something. I want to say something about Jones here, this additional farmer. These Indians living here do not know what he is doing—what he is here for. He is here in town and lots of them do not know what his position is. They have seen him at the mission once in a while riding in a buggy, and he has an office in town here. He was sent here, but I do not know what he is here for, and those that receive rent or lease money from Nebraska get their money from Jones. He is a kind of a post-office, like.

Senator LA FOLLETTE (to Interpreter Mokey). You may say to him that Mr. Jones is sent here by the Indian Office at Washington to look after the interest and welfare of the Indians. No part of his pay comes out of the fund of the Winnebago Indians. The Government at Washington and the Indian Office particularly believe that Mr. Jones can help the Indians here. He is paid out of the Government Treasury for his services, and not one dollar of his salary comes out of the funds of the Winnebago Indians.

(The above having been interpreted by Scott Mokey.)

MARK GREEN. Yes, sir.

Senator LA FOLLETTE. Is that all?

MARK GREEN. Yes, sir.

Mrs. STEELE (the matron). I think he is referring to my work also.

Senator LA FOLLETTE. And the same applies to the field matron, Mrs. Steele.

SCOTT MOKEY. This man does not know what she is here for.

Senator LA FOLLETTE. Mrs. Steele is sent here by the Indian Office to help the Indians in every way in her power. The pay for her work does not come out of the funds of the Winnebagoes, either their interest money or their fund, but is paid out of a general appropriation made by the Government to help the Indians along.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. The schools at Tomah and Wittenberg are supported in the same way, out of the Treasury of the United States, and no part of the money comes out of the fund belonging to the Winnebago Indians.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. The team of horses that Mr. Jones keeps, and the buggy in which he drives about to see the Indians, he pays for out of his own salary which he receives from the Government for doing this work.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. If anybody has told the Indians anything else than what I have just said to you about the work of Mr. Jones and Mrs. Steele, and about their pay, it is done for the purpose of destroying the influence of Mr. Jones and Mrs. Steele with the Indians, and whoever tries to do that is not a good friend of the Indians.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. The superintendent of the schools and Mrs. Steele and Mr. Jones will not advise the Indians about spending their money or the education of their children against the best interest of the Indians. They are here to help the Indians, nothing else, and they are here, as I have said before, under the pay of the General Government, and in no way a tax upon the Indians or their money.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. I was told this morning by a gentleman living here at Black River Falls that three Indians have been sent to the insane asylum lately.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. That is something that never happened before. That man told me that he was afraid these Indians had been injured by a certain kind of drink.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. There is a certain kind of alcohol called "wood alcohol." It is made from wood. That kind of alcohol is a deadly poison. It is not like the kind of alcohol that is made from grain.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. It is very cheap; wood alcohol does not cost nearly so much as the alcohol made from grain. It will kill if very much of it is taken by a person. A little of it mixed with water, while it may not kill at once, will break down the health and affect the mind. I have been told, also, that 5 Indians have been killed by trains because they were drunk on the railroad track. The man who gives an Indian drink is not a good friend to the Indian. The Indian has a pretty hard time to get along when he keeps sober.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. Even when he is sober the white man can trade with him or sell him things and get the better of the Indian, but when the Indian has been drinking it is easier, much easier, for the white man to get his money or property away from him without the Indian getting very much for it.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. Even the white man who has property, when he drinks whisky, pretty soon loses his property and becomes a poor man.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. And it is worse for the Indian, because he does not understand so well the value of property or money as the white man. I suppose you all understand this and have thought about it before, but I believed it would be a good thing to say this to you Indians for your own good.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. Is there anything that you would like to say?

MARK GREEN. I was never informed how these people were paid before. That is all.

(The witness was thereupon excused.)

STATEMENT OF MOSES DECORAH.

MOSES DECORAH, having first been duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

The CHAIRMAN. Where do you live?
MOSES DECORAH. At Mausten. I came from Tomah.
The CHAIRMAN. Where were you born?
MOSES DECORAH. In Marquette County, Wis.
The CHAIRMAN. What was your father's name?
MOSES DECORAH. His name was Four Deer Decorah.
The CHAIRMAN. Did he live in Wisconsin?
MOSES DECORAH. Yes, sir.
The CHAIRMAN. Was he born in Wisconsin?
MOSES DECORAH. Yes, sir; at Portage.
The CHAIRMAN. Did he ever live in Nebraska?
MOSES DECORAH. No, sir.
The CHAIRMAN. Did he ever have an allotment of land in Nebraska?
MOSES DECORAH. No, sir.
The CHAIRMAN. Did you ever have an allotment of land in Nebraska?
MOSES DECORAH. No, sir.
The CHAIRMAN. Do you own land here in Wisconsin?
MOSES DECORAH. Yes, sir.
The CHAIRMAN. How much?
MOSES DECORAH. Fifty-two acres.
The CHAIRMAN. Is it a homestead, or did you buy it?
MOSES DECORAH. It is a homestead.
The CHAIRMAN. Why did you take it?
MOSES DECORAH. At the time Major Halleck was agent.
The CHAIRMAN. Do you remember about what year that was?
MOSES DECORAH. It might be about twenty-one or twenty-two years ago.
The CHAIRMAN. Is it improved?
MOSES DECORAH. Yes, sir; it is improved.
The CHAIRMAN. Are there buildings on it?
MOSES DECORAH. Yes, sir; they were burned.
The CHAIRMAN. How much is cultivated?
MOSES DECORAH. About 11 acres. I had about 32 in hay.
The CHAIRMAN. Have you been in a council of the Indians lately?
MOSES DECORAH. Yes, sir.
The CHAIRMAN. Where was the council held?
MOSES DECORAH. At Tomah.
The CHAIRMAN. Did the council ask you to come here and speak for them before this committee?
MOSES DECORAH. No, sir; they have not.
Senator LA FOLLETTE. You came because you wanted to meet the committee and say what you think yourself with respect to your interest, did you not?
MOSES DECORAH. Yes, sir.
Senator LA FOLLETTE. The committee is glad to see you and will be glad to hear you on any matter that you desire to talk to them about.

MOSES DECORAH. The Wisconsin Indians wished something, and I was in favor of it.

Senator LA FOLLETTE. What did the Wisconsin Indians wish?

MOSES DECORAH. If anybody lets anybody have money for such a length of time, later on they would like to have it back. These Nebraska Indians have been borrowing money, and we would like to have it returned so that all of us, and the children, will have the benefit of it and have something so that we can get along with it. There are quite a number on our roll, some half-breeds and quarter-breeds, that we never see. They ought to be taken off the roll. They ought to be canceled.

Senator LA FOLLETTE. How did they get on the roll?

MOSES DEKORAH. When they first made the roll here there was a half-breed interpreter.

Senator LA FOLLETTE. And he put them on?

MOSES DEKORAH. Yes, sir; I suppose he put them on.

Senator LA FOLLETTE. Do you know how many half-breed and quarter-breed Indians there are on the roll?

MOSES DEKORAH. About 20, I guess.

Senator LA FOLLETTE. The act of Congress was passed last year requiring a new roll to be made. Major Downs is here now, representing the Indian Office under that law, to make a new enrollment of the Winnebago Indians of Wisconsin. I suppose he will meet the Indians, and then you will have a chance to state to him anything that you would like to say about those who should be put on the roll and those who should be taken off.

SCOTT MOKEY. I know a family in Portage that ought to be taken off.

Senator LA FOLLETTE. Will you just say to Mr. Dekorah what I have just said about Major Downs; that the Indians can make their statements to him at the proper time.

(The above was interpreted by Scott Mokey.)

MOSES DEKORAH. That is all I care to say.

The witness was thereupon excused.

Senator LA FOLLETTE. I will read the names of the Indians who have been subpœnaed to come here. The committee thinks that it has heard enough, so that it understands the wishes of the Indians with respect to the distribution of their funds or not having them distributed, and it is not necessary to continue taking the same statements; but if any of the Indians whose names I read here, or any other Indians who are present, wish to say anything to the committee, we will be very glad to hear them, except that it is not necessary to go over the same ground again.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. We understand that it is the wish of the Indians that the money now in the trust fund should not be distributed. We understand that they want the money that is owed to them by the Nebraska Indians to be paid to them and distributed among them. We understand that they want their affairs between the Nebraska Indians and the Wisconsin Indians investigated by this committee when it goes back to Washington, to ascertain whether the Wisconsin Indians have any interests in Nebraska lands which they have not received.

Now, if that states what the Indians desire, it is not necessary to take any more testimony on that point or on any of those points, but if there are any Indians here who wish to say anything to the committee on other matters we will be glad to hear them.

(The above was interpreted to the Indians by Scott Mokey.)

Senator LA FOLLETTE. They understand that, do they?

SCOTT MOKEY (the interpreter). Yes, sir.

Senator LA FOLLETTE. Are there any Indians here who would like to be heard in favor of distribution?

STATEMENT OF JOHN DAVIS.

JOHN DAVIS, after having been first duly sworn, testified as follows:

Senator LA FOLLETTE. Do you speak English?

JOHN DAVIS. Not much. I had better have an interpreter.

Senator LA FOLLETTE. I guess you can get along all right. Where do you live?

JOHN DAVIS. At Valley Junction.

Senator LA FOLLETTE. How long have you lived there?

JOHN DAVIS. About thirty-one years.

Senator LA FOLLETTE. Where were you born?

JOHN DAVIS. At Bangor.

Senator LA FOLLETTE. That is in Lacrosse County?

JOHN DAVIS. Yes, sir.

Senator LA FOLLETTE. Are you a Winnebago Indian?

JOHN DAVIS. Yes, sir.

Senator LA FOLLETTE. Where was your father born?

JOHN DAVIS. My father was born in Wisconsin.

Senator LA FOLLETTE. Have you ever had an allotment in Nebraska?

JOHN DAVIS. No, sir.

Senator LA FOLLETTE. Had your father?

JOHN DAVIS. No, sir.

Senator LA FOLLETTE. Have you a homestead?

JOHN DAVIS. No, sir.

Senator LA FOLLETTE. Has your father a homestead?

JOHN DAVIS. Well, he took one once; it was about twenty-two years ago, and he let some white fellows work on it before he did, and he did not get the selection; so after my father was to get the selection the white fellows worked on it before my father did, so they got it back. So he never got any homestead.

Senator LA FOLLETTE. Mr. Davis, all the Indians who have spoken here have been against distribution. We understand that you would like to say something to the committee on that subject. Will you please proceed and say anything that you desire to say?

JOHN DAVIS. I want to say a lot of things, but I can not talk it right.

Senator LA FOLLETTE. Just say it in your own tongue; the interpreter will give it to the committee.

JOHN DAVIS (through Interpreter Mokey). Eighteen or twenty dollars does not help me very much, and I would like all my share. I think it would be a good plan, so I can get a place and build a

house where my children would live and have a place for them. I do not drink. I work as a common laborer and get a dollar and a half and sometimes a dollar and quarter and never make anything by it at that rate.

Senator LA FOLLETTE. That is why you can not get enough ahead to buy a home for your wife and children?

JOHN DAVIS. No, sir; because the land is higher. I think if you purchase a piece of land and live on it and send the children to school, then I would be in one place to educate my children, and later on after my children grew up they would have that land to go on. That is all I wish. I do not spend my money in foolishness or in anything of that kind, but I would try to make a good use of it. I can get all references and indorsements that are necessary.

Senator LA FOLLETTE. Would you be willing to have the agent or superintendent to help you buy your land?

JOHN DAVIS. Yes, sir; I can have more pleasure if I can get a good lawyer to buy my land.

Senator LA FOLLETTE. The committee does not understand that the Indians that have spoken against the distribution of the fund object to any Indian who is capable of taking care of his money having his part of the fund if the Indian Office, on investigating the case, finds that he is able to take care of his money and his property, if he buys any.

JOHN DAVIS. My father took 40 acres down at Tomah, and that is where we used to live. They had a little house and some one took it away from us after my father died in 1890. So that is the reason that I want to get hold of a piece of land. I might get it this fall; I do not know—whenever it would be convenient so that I can get it.

Senator LA FOLLETTE. Do you live near any agent or superintendent of the Winnebago Indians?

JOHN DAVIS. There is Compton, at Tomah.

Mr. ESCH. There is a superintendent of the Indian school, Jones.

Senator LA FOLLETTE. Is Mr. Jones the nearest?

JOHN DAVIS. No, sir; Mr. Compton, over there; the superintendent of the Tomah school.

Senator LA FOLLETTE (to Interpreter Mokey). I wish you would say to all of the Indians here that if any Indian wants his share of the fund, and thinks he is able to take care of it, he should apply to the superintendent nearest to him, at Wittenberg or Tomah, or to Mr. Jones here at Black River Falls. The superintendent or agent will make an investigation of the matter and make a report to the Indian Office at once, and if they are found to be able to take care of their money, if they have good reputations for being sober and industrious—any Indian who makes that showing will probably be given his money if he wants it; that is, if the agent or superintendent and the Indian Office believe that he can make good use of it. In applying to the superintendent or agent they should state what they want the money for, and whether they would be willing to take the advice and help of the agent or superintendent in selecting their land and get a good title to it, so that they will be protected. It is not necessary for you Indians to make the statement, but each Indian can

act for himself, going to the agent or superintendent after this committee has gone away.

(The above was interpreted by Scott Mokey.)

Senator LA FOLLETTE. Is that all that you desire to say, Mr. Davis?

JOHN DAVIS. Yes, sir.

The witness was thereupon excused.

STATEMENT OF GREY EAGLE.

GREY EAGLE having been first duly sworn, and his interpreter, Scott Mokey, having been similarly sworn to correctly and accurately interpret him, testified as follows:

Senator LA FOLLETTE. Where do you live?

GREY EAGLE. At Grindstone, about 4 miles west of Millston.

Senator LA FOLLETTE. Do you want to say something to the committee?

GREY EAGLE. Yes, sir.

Senator LA FOLLETTE. You may proceed and make any statement that you wish to make.

GREY EAGLE. I want to draw my annuity or my share.

Senator LA FOLLETTE. You want your share of the fund?

GREY EAGLE. Yes, sir; for myself and my sister, who is not here. For myself, 84, and my sister, 86.

Senator LA FOLLETTE. I suggest that you see Mr. Jones and talk it over with him, and he will write to the department at Washington about it and see whether it can be done or not.

GREY EAGLE. Yes, sir.

The witness was thereupon excused.

Mr. BOST. Mr. Chairman, there is no use taking it up with Mr. Jones, because I have already taken it up with the department, and nothing will be paid until the new roll is made.

The CHAIRMAN (to the interpreter). I wish you would explain to these Indians that there will not be any money paid until after the new roll is made.

(The above was interpreted by Scott Mokey.)

Mr. BOST. There is a provision for the payment to the old and indigent Indians their share of the fund for them to live on, but it is not applicable to this particular fund at this time.

Senator LA FOLLETTE. Will it be applied to this fund as soon as the new roll is made?

Mr. BOST. I think so; yes, sir.

The CHAIRMAN. It is applicable to any fund, but in the face of the new roll being made they would not divide this fund until the new roll is made.

Mr. BOST. They could not.

Senator LA FOLLETTE (to the interpreter). You had better explain, Mr. Interpreter, so that they can all hear you, that Major Downs is here to make a new roll and it will not be possible for any of the Indians to get any money until after the new roll is made, and it will not do any good for them to see Mr. Jones or either of the other superintendents until after that new roll is made, because they want to know who is entitled to receive the money, and they must make the new roll first.

The above having been interpreted by Scott Mokey, the committee, at 6 o'clock p. m., took a recess until 7 o'clock p. m.

AFTER RECESS.

The committee reassembled at 7.30 o'clock p. m.

Present: Senators Clapp (chairman), La Follette, and Brown; also E. P. Holcombe, chief supervisor, Indian Service.

The CHAIRMAN. The committee will now hear any statements that any of you may desire to make.

STATEMENT OF BELLE STEELE, FIELD MATRON AND INDUSTRIAL TEACHER.

Mrs. BELLE STEELE, having been first duly sworn, testified as follows:

The CHAIRMAN. Mrs. Steele, what is your relation to the Indian Service?

Mrs. STEELE. I am field matron and industrial teacher.

The CHAIRMAN. And in that capacity, how much of the territory of the United States do you cover?

Mrs. STEELE. I am supposed to cover simply the immediate vicinity of Black River Falls.

The CHAIRMAN. How long have you been here?

Mrs. STEELE. Two years this coming November.

The CHAIRMAN. Were you in the Indian Service before that?

Mrs. STEELE. Yes, sir; I was teacher in the schools.

The CHAIRMAN. Where?

Mrs. STEELE. I was reinstated at Tomah three years ago the first of this month. Previous to that I lived in Oklahoma, and a year or nearly a year before that in South Dakota, at the Rosebud Reservation, and previous to that on the Iowa Reservation in northeastern Kansas; two years and four months at Grand Junction, Colo.; and two years and six months in New Mexico.

The CHAIRMAN. The committee is desirous of getting the views and observations of the people who have had experience in this service, and would like to hear from you if you have any matter that you would like to call our attention to.

Mrs. STEELE. You mean something that I think will benefit these Indians and something that will be beneficial to the work as well.

Senator LA FOLLETTE. Yes.

Mrs. STEELE. And make them better citizens. I do not know of anything that has been brought up before the committee that would be so beneficial to these people as for all of the agents to have authority by some legislation, I do not know just what (I am not so well posted on those matters) with regard to their marriage relations. I do not know of anything that hinders the work and hinders their being better citizens and makes people have less confidence in them than the condition respecting their marriage relation, excepting their drunkenness, and with that you would have nothing to do, that I can see, but I can say that their marriage relations are a fright.

The CHAIRMAN. Are they usually brought about by any particular form of service?

Mrs. STEELE. No, sir; they just choose a woman and live with her until they get tired of her and leave her and take some one else. That has been my experience with a good many of them, and I am sorry to tell you that there are men who have many wives, and women who have

many husbands. We have women here who have had five and six husbands and men who have lived with that many different women. I am sorry to tell you that the most enlightened ones, those who have been to school and who should know better and do better, are the ones who practice those things.

The CHAIRMAN. That is one of the things, or, perhaps, the prominent thing, that you want to call our attention to?

Mrs. STEELE. Yes, sir; that is the prominent thing that I want to call your attention to.

The CHAIRMAN. The committee desires to have your views in the record upon that point.

Mrs. STEELE. It is my view that everyone who has anything to do with the service should look into that matter and compel them to have some ceremony in the performance of the marriage.

Senator LA FOLLETTE. Are any of these Indians connected with any church association.

Mrs. STEELE. Yes, sir.

Senator LA FOLLETTE. What church or congregation are they connected with?

Mrs. STEELE. Some belong to the Congregational Church at Tomah; and some belong to the Presbyterian Church; and quite a good many belong to the Episcopal Church; and there are a few Catholics, a few who are connected with the Catholic Church.

Senator LA FOLLETTE. Are most of them connected with one or the other of those churches that you have named?

Mrs. STEELE. No, sir; most of them belong just to the Indian organization. A good many of them who have been at the school belong to those churches, but most of those are not here; most of those children are not here.

Senator LA FOLLETTE. What becomes of the children that are born of these different wives? Do they go with their mother or stay with their father?

Mrs. STEELE. Some of them go with their father, but most of them stay with their mother. Their mother looks after most of them. It is a common thing to find a mother with two or three different sets of children among these people.

Senator LA FOLLETTE. Is there much tuberculosis among these Indians?

Mrs. STEELE. Yes, sir; a great deal.

Senator LA FOLLETTE. What other diseases prevail among them?

Mrs. STEELE. Tuberculosis and something of a scrofulous nature and syphilitic nature, and rheumatism. All of those who have passed middle age are afflicted more or less with rheumatism, which is caused largely, I think, from the marshes that they work in and exposure in their homes, and, of course, the want of proper food, as well.

Senator LA FOLLETTE. Do those who are not living in houses live in their tepees in the winter?

Mrs. STEELE. Yes, sir.

Senator LA FOLLETTE. Of the families, how large in number will occupy one tepee?

Mrs. STEELE. Oh, I have been in tepees, Senator La Follette, where there were sixteen and eighteen occupying the same tepee—a little tepee not more than 16 or 18 feet across, I think—and some-

times you will find in the winter time two and three and four families huddled in the same tepee. That is the condition.

Senator LA FOLLETTE. Are these tepees made of canvas or bark?

Mrs. STEELE. They are made of canvas and covered with a kind of matting that they make themselves out of a kind of reed that grows, I think, along the river. I do not know exactly where they get those reeds, but they look like the reeds that we call "cat-tail," but they are not. They look like those.

Senator LA FOLLETTE. It is a wide blade?

Mrs. STEELE. Yes, sir; and they braid them or weave them and make a covering. They throw straw on the tent and cover it over with that matting—not straw but hay—that they get out of the marshes, I guess. It is rather dry. It looks just like seaweed.

Senator LA FOLLETTE. Do many of the children lose their lives from exposure?

Mrs. STEELE. I think so; yes, sir; many of the babies die from croup. They have lost a number of babies from croup in the winter time.

Senator LA FOLLETTE. What medical attention do they have in cases of sickness, if any?

Mrs. STEELE. They do not have any. Those of them who have money pay for medical attendance. There is a doctor here, and those who have no money, we do the best we can for. I give them what attention I can and furnish them with what medicine I have or that my pocketbook will bear. I am not furnished anything by the Government at all, and have not been since I have been here.

Senator BROWN. Is the superintendent or agent authorized to furnish you any medicine?

Mrs. STEELE. No, sir.

Mr. BOST. I sent in a requisition for about $50 for medicines for Mrs. Steele's use about a year ago, and I was advised that there were no funds applicable that could be used for the purchase of medicine.

Mrs. STEELE. I am greatly in need of different supplies—things like sewing-machine needles, and such things as that.

Senator LA FOLLETTE. Do these families have sewing machines?

Mrs. STEELE. No, sir; but I have a sewing machine, a government machine.

Senator LA FOLLETTE. But you have no provisions made for supplies for it.

Mrs. STEELE. No, sir; nothing at all.

Senator LA FOLLETTE. Do you teach these Indian girls to use that machine?

Mrs. STEELE. Yes, sir.

Senator LA FOLLETTE. And you provide the supplies out of your own salary, do you?

Mrs. STEELE. Yes, sir; I have to when they do not have the money themselves, and it is very often that they do not.

Senator LA FOLLETTE. What is your salary, Mrs. Steele?

Mrs. STEELE. Seven hundred and twenty dollars a year and my quarters.

Senator LA FOLLETTE. Do you ever find these people in the winter time, in your visits to them, destitute of clothing?

Mrs. STEELE. Yes, sir; very often, especially the children and the older ones.

Senator LA FOLLETTE. And the older persons?

Mrs. STEELE. Yes, sir; they are destitute for the necessities of life and food.

Senator LA FOLLETTE. Do most of those who live in the summer time in the neighborhood of Black River Falls spend the winter in this vicinity?

Mrs. STEELE. Well, they move around all the time. Those who live here—that is, those whose homes are here, spend the winter here; only those who have children in the school at Tomah. Those stay here all the time during the winter time. Sometimes the men go out trapping to the Mississippi and leave the women here.

Senator LA FOLLETTE. Do those whose children are in the Tomah School spend most of the winter in the vicinity of Tomah?

Mrs. STEELE. No, sir; they go trapping; they go away.

Senator LA FOLLETTE. I mean the families?

Mrs. STEELE. No, sir; they take their families with them, those whose children are in school, and they are not very many who stay here during the winter months; that is, comparatively speaking, there are not many who stay here during the winter months. They go trapping, and they are all the time moving about.

Senator LA FOLLETTE. Where do they go trapping? Do they leave the State?

Mrs. STEELE. No, sir; I think they go to the Mississippi, most of them, and sometimes some of them go to Nebraska and stay during the winter; they have both winters that I have been here. Some went to Nebraska and stayed during the winter and came back in the spring. All that belong here go about May and June and stay until about the first of November or December. When they pick berries, they take their whole families with them.

Senator LA FOLLETTE. During the berry season, do they travel over a considerable territory?

Mrs. STEELE. Yes, sir.

Senator LA FOLLETTE. They are in different counties at that season of the year, are they; they go from county to county?

Mrs. STEELE. Well, yes, sir; in the cranberry picking and in the blueberry picking time they stay here, because there are more blueberries here.

Senator LA FOLLETTE. Do you know about what the average family earns in that way during the year; would you have any judgment or opinion of your own on that subject?

Mrs. STEELE. No, sir; I would not. I have some women who can earn as high as $2 picking blueberries, but that is not every day.

The CHAIRMAN. You mean $2 a day?

Mrs. STEELE. Yes, sir; $2 a day, but that is not every day. I think the children average about 50 cents a day and the women from 75 cents to $2. That is what they tell me. I do not know what each family would earn. It is something more in the cranberries.

(The witness was thereupon excused.)

STATEMENT OF E. J. BOST, SUPERINTENDENT OF THE WITTENBERG INDIAN SCHOOL.

E. J. BOST, having been first duly sworn, testified as follows:

The CHAIRMAN. You are in charge of the school at Wittenberg?

Mr. BOST. Yes, sir.

The CHAIRMAN. How long have you been there?

Mr. BOST. Two years last March—the 15th of March.

The CHAIRMAN. How many pupils are there?

Mr. BOST. The last two years we have carried about 135. This year we have 108.

The CHAIRMAN. Were you in the Indian Service prior to that?

Mr. BOST. Yes, sir.

The CHAIRMAN. Where?

Mr. BOST. First at Moqui, Ariz., and then at Fort Defiance, Ariz., and at Standing Rock Agency, N. Dak., and on March 15, 1907, I took charge at Wittenberg.

The CHAIRMAN. You are more or less familiar with the Indians here—the Winnebagoes—are you not?

Mr. BOST. Yes, sir.

The CHAIRMAN. And with their condition of development?

Mr. BOST. Yes, sir; I think I understand them pretty thoroughly.

The CHAIRMAN. How does the attendance compare with the other tribes where you have taught school—I mean the difficulty or ease with which you keep them in school?

Mr. BOST. I have a little more difficulty with the Winnebago Indians—you speak, I presume, in regard to the Winnebagoes only. I have more difficulty in getting the Winnebago children in school than I do with the other tribe. At all the other places with the other Indians that I have worked with they were wards of the Government, and we had different means of getting them in school than to what we have here.

The CHAIRMAN. What is your opinion as to the advisability of distributing the funds of the Winnebagoes?

Mr. BOST. The Wisconsin Winnebagoes?

The CHAIRMAN. Yes.

Mr. BOST. Well, I think very few at the present time are capable of handling any great amount of money—that is, more than their regular annuity and payment of interest on the fund, which has been about $20 since I have paid them in the last three payments.

The CHAIRMAN. Do you know anything at all—of course you know nothing in your own personal experience—in regard to this case of the child that was lost or missed at the Tomah School?

Mr. BOST. No; only when I made a visit here last spring the matter was taken up with me by the Indians. They made complaint to me about it.

The CHAIRMAN. How long was that after the disappearance of the girl?

Mr. BOST. It must have been a month or two; probably three months. It was in the dead of the winter. It was very cold at the time.

The CHAIRMAN. You do not know anything of any efforts that were made to find her immediately, do you?

Mr. BOST. None; only what I heard.

The CHAIRMAN. Did you hear of them about the time of the disappearance?

Mr. BOST. Yes, sir; I heard that they made search for her and she could not be found anywhere.

The CHAIRMAN. And about the time of her loss, did you hear of the efforts being made then?

Mr. BOST. It was some little time afterwards. I do not remember just when I heard it.

The witness was thereupon excused.

ADDITIONAL STATEMENT OF ALBERT P. JONES, CLERK.

ALBERT P. JONES, having been recalled, testified as follows:

The CHAIRMAN. Mr. Jones, what do you know of the disappearance of this girl from the Tomah School?

Mr. JONES. Nothing further than that I think the next day after she disappeared the superintendent, Mr. Compton, telephoned me stating that she had disappeared from the school; he supposed that she had run away, and he wanted me to see if I could find out whether she had come back here to Black River Falls. I had once made inquiry among the Indians and, in fact, made several trips out where the Indians were camped, trying to get some word of her, but I failed to find out anything; that is, with respect to her coming here.

The CHAIRMAN. Where did her grandmother live?

Mr. JONES. I think she was out here near the mission at that time.

The CHAIRMAN. How far is that from here?

Mr. JONES. It is about 6 miles from here. I was just thinking that her grandmother was in Nebraska at that time.

The CHAIRMAN. You say she was in Nebraska?

Mrs. STEELE. Yes, sir; she was.

Mr. JONES. She went there with regard to the payment that was being made and did not return at that time.

The CHAIRMAN. She is really the girl's grandmother instead of her aunt, is she not?

Mr. JONES. No; she is a step-grandmother.

The CHAIRMAN. And Compton, when he phoned you, said he thought the girl was lost?

Mr. JONES. He thought that she had run away, just as frequently occurs there at the school; the boys and girls both run away, and we find that at such times the Indians themselves will keep them in hiding, and refuse to give us any information whatever concerning their whereabouts.

The CHAIRMAN. Are not the Indians generally friendly to the children going to school?

Mr. JONES. Some of them are and some of them are opposed to it, and it seems to be a very general rule that whenever they run away they will try to keep them in hiding as much as possible. Sometimes we find that they will let us know where they are.

Mr. HOLCOMBE. Is that for the purpose of getting a reward?

Mr. JONES. It is not uncommon for them to disappear from the school, and we get no positive trace of them for a month or six weeks afterwards. I think it is not for the purpose of getting a reward. Sometimes the children come back with some tale of abuse there at the school, some trumped-up tale, and the Indians sympathize with them and try to keep them back.

The witness was thereupon excused.

ADDITIONAL STATEMENT OF MRS. BELLE STEELE.

Mrs. BELLE STEELE, the matron, having been recalled, testified as follows:

Mrs. STEELE. This is a matter that Mr. Jones knows as well as I do.

The CHAIRMAN. Did you go down to Tomah yourself, Mr. Jones?

Mr. JONES. Not at the time; no, sir.

The CHAIRMAN. Did you go very soon afterwards?

Mr. JONES. No, sir; I think not.

The CHAIRMAN. I do not think Mr. Jones knows. Mrs. Steele, you taught school there once, and they knew you better.

Mrs. STEELE. Mr. Chairman, you wanted to know about the time she went away in the morning?

The CHAIRMAN. Do you know what time she disappeared?

Mrs. STEELE. No, sir; I do not know what time she disappeared.

The CHAIRMAN. Do you know what time it was claimed she disappeared; did you talk with anyone there?

Mrs. STEELE. Superintendent Compton said that, as near as he could tell, she disappeared some time during the night or in the evening, and said that he did not know at the time just when she did disappear. I remember asking him, when he telephoned to me, just when the girl disappeared, or when they missed her, and he said that it was some time during the evening or the night, as near as he could tell then.

The CHAIRMAN. You acted as interpreter, did you not, Mokey?

SCOTT MOKEY. Yes, sir.

The CHAIRMAN. Did you understand the grandmother to say that the girl was in the dormitory or in the hospital at the time?

SCOTT MOKEY. In the dormitory; that is what I understood.

The CHAIRMAN. You used to teach there, did you not, Mrs. Steele?

Mrs. STEELE. Yes, sir.

The CHAIRMAN. Were you down there some time after the disappearance of the girl?

Mrs. STEELE. No, sir; I have not been there since the disappearance of the girl.

The CHAIRMAN. Have you talked with the pupils?

Mrs. STEELE. Yes, sir.

The CHAIRMAN. What is your understanding of it?

Mrs. STEELE. My understanding was that she left, or disappeared, during the breakfast hour. That is my understanding. I have talked with different pupils and different Indians who have been to Tomah, and I understood that she had started for the breakfast room with the other pupils. That is the way I understand it.

The CHAIRMAN. What was your understanding as to where she slept at night; in the dormitory or in the hospital?

Mrs. STEELE. In the hospital.

The CHAIRMAN. Do you know how old she was?

Mrs. STEELE. About 15.

The CHAIRMAN. Do you know whether she had any mental trouble in connection with her periods?

Mrs. STEELE. The Indian woman told me that she had.

The CHAIRMAN. And her periods were unusually severe, were they not, as a rule; that is, as you understood it?

Mrs. STEELE. As I understood it, yes sir; and the girl told me she was sick like she always was. That is the way they express it—the school girls. They said she was sick like she always was and was at the hospital, and they could not tell just when she left; but as near as I can find out from the Indian woman who went over there and the girls who came home from school, it was in the morning that she disappeared. That is the way I understood it.

The CHAIRMAN. Did you talk with any girls or women who assumed to have been with her that morning before they started for breakfast?

Mrs. STEELE. No, sir; I did not. I have not seen any of the employees from there.

The CHAIRMAN. No; but I have reference to other girls who might have been with her.

Mrs. STEELE. No, sir; I did not talk with any girls who were with her at the hospital.

The CHAIRMAN. How soon did you learn of her disappearance?

Mrs. STEELE. It seems to me that it was the next day that Mr. Compton telephoned to me, but I can not tell you positively. It might have been two or three days afterwards when he telephoned me that she was missing.

The CHAIRMAN. What was the condition of the weather on that day, do you know?

Mrs. STEELE. It was a very hard storm.

The CHAIRMAN. That is, the morning she disappeared, or the night?

Mrs. STEELE. Yes, sir; the night she disappeared.

The CHAIRMAN. Was it snowing?

Mrs. STEELE. Yes, sir; and blowing.

The CHAIRMAN. How soon did the weather change; have you any idea?

Mrs. STEELE. As I remember, I think it was about two or three weeks before the snow went off, and then it was quite fair weather.

The CHAIRMAN. What do you know about any search being made for her?

Mrs. STEELE. I do not know anything about the search, except the cook wrote me and said they had searched everywhere for her and no trace of her could be found, and the girls told me, too, when they came home from school this spring, that they had hunted for her but did not find her. Nellie Windblow especially told me they hunted all over the building and everywhere, but could not find anything of her. They hunted everywhere around.

The CHAIRMAN. Did you know the girl yourself?

Mrs. STEELE. Yes, sir.

The CHAIRMAN. How long have you known her?

Mrs. STEELE. Well, I knew her during the summer. She was up here during the summer.

The CHAIRMAN. Had you ever noticed her tendency to a mental weakness?

Mrs. STEELE. No, sir; I had not.

The CHAIRMAN. Had you ever noticed a tendency on her part to immorality?

Mrs. STEELE. No, sir; I never did.

The CHAIRMAN. You were with her some that summer, were you?

Mrs. STEELE. I was with her when I would visit the mission during the summer she was out there.

The CHAIRMAN. You rather steadied the girls or kept watch over them, did you not?

Mrs. STEELE. Yes, sir. Ella Bill was the first one who told me about this mental derangement. She is one of the squaws out here, and is considered quite a bright woman.

The CHAIRMAN. Had she told you that before?

Mrs. STEELE. No, sir; not until after this girl was missing, and she went over to Tomah to see what she could find out about it.

The CHAIRMAN. Did you talk with her after she came back?

Mrs. STEELE. Yes, sir; it was after she came back that I talked with her about it.

The CHAIRMAN. What did she seem to think about it?

Mrs. STEELE. Well, she did not express herself as to what she thought about it. She went on to tell me the peculiarities of the girl, but she did not say what she thought about it. They scarcely ever express themselves that way unless you ask them right out. I do not know, from talking with Mr. Compton or any of those in authority there, anything about it. This has been gleaned from the children and those Indian women; there were two of them who went over there, I think, and tried to find out what became of her; that is, Ella Bell and another woman.

The CHAIRMAN. Was the girl blind in one eye?

Mrs. STEELE. Yes, sir; she could not see out of it at all.

The CHAIRMAN. Have you any idea what caused that?

Mrs. STEELE. No, sir; I have not. Do you know what caused her to be blind, Mr. Jones?

Mr. JONES. It was the result of some scrofulous disease which caused the blindness in the eye. The girl certainly appeared to be in her right mind when she went to school. I drove down here to get her, with another girl, and they came very voluntarily. They rode down with me in my buggy, and I took them down to school. It was not against her will or the will of the old lady that she went to school at all.

(Mrs. Steele was thereupon excused.)

STATEMENT OF LEVIAS HANCOCK.

LEVIAS HANCOCK, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Indian school at Tomah?

Mr. HANCOCK. Yes, sir.

The CHAIRMAN. In what capacity?

Mr. HANCOCK. I have charge of the farm; I am farmer and gardener there.

The CHAIRMAN. And in the absence of the superintendent you have charge, have you not?

Mr. HANCOCK. Yes, sir.

The CHAIRMAN. Where is the superintendent?

Mr. HANCOCK. Mr. Compton is away; just where he is I could not tell you. I did not ask him where he was going and he did not tell me.

The CHAIRMAN. Were you at the school last winter?

Mr. HANCOCK. Yes, sir.

The CHAIRMAN. Do you know of the disappearance of a child or young girl named Little Soldier?

Mr. HANCOCK. Yes, sir; I knew that she left there.

The CHAIRMAN. Was that the name she went by there?

Mrs. DREYER. Her name was Irene Little Soldier. She was enrolled as Irene.

The CHAIRMAN. What do you know about the circumstances of this case?

Mr. HANCOCK. I know but very little in regard to her running away. I know that she went off, and I know that we tried to find her. I am not connected so much with the girls' department.

The CHAIRMAN. We only want to find out what you do know.

Mr. HANCOCK. I do not know anything about it any more than she went away.

The CHAIRMAN. What efforts were made in respect of a search for her?

Mr. HANCOCK. We sent out parties to try to find her.

The CHAIRMAN. At what time did she disappear?

Mr. HANCOCK. I could not just tell you the exact time. I do not recollect it. I did not make any date of it. I know it was along in the winter time.

The CHAIRMAN. Do you know whether it was a stormy day?

Mr. HANCOCK. Well, I do not know about that.

The CHAIRMAN. And you do not know what time of the day she disappeared?

Mr. HANCOCK. No, sir; I do not know what time of the day she disappeared.

The CHAIRMAN. Do you know anything about the circumstances of where she was last seen by anybody?

Mr. HANCOCK. No, sir; I do not.

Senator BROWN. What efforts did you make to find her?

Mr. HANCOCK. The efforts that I know were that we sent Mr. Vesper out to hunt for her.

Senator BROWN. Did you report it to the other agents here, or to the other officers?

Mr. HANCOCK. I could not tell you whether that was done or not.

Senator BROWN. Did you make a personal search yourself?

Mr. HANCOCK. No, sir.

(The witness was thereupon excused.)

STATEMENT OF T. C. VESPER.

T. C. VESPER, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Tomah School?

Mr. VESPER. Yes, sir.

The CHAIRMAN. In what capacity?

Mr. VESPER. I am engineer.

The CHAIRMAN. Were you connected with it last winter?

Mr. VESPER. Yes, sir.

The CHAIRMAN. Do you remember the occasion of the disappearance of this girl, Irene Little Soldier?

Mr. VESPER. Yes, sir; I know of the disappearance of the girl.

The CHAIRMAN. What do you know about her disappearance?

Mr. VESPER. I do not know any more than simply she went away.

The CHAIRMAN. Do you know anything about the circumstances of the case?

Mr. VESPER. I do not know anything of the circumstances of how she got away, but immediately after she went away the superintendent sent me out to hunt her up, and I know he telegraphed and telephoned all over the country to every station for her.

The CHAIRMAN. What time of the day did he notify you?

Mr. VESPER. Well, it was right in the forenoon, along about 11 o'clock, that he sent me out. He wanted me to go out right after dinner.

The CHAIRMAN. That was the first you knew of it?

Mr. VESPER. Yes, sir.

The CHAIRMAN. What kind of a search did you make?

Mr. VESPER. I went all through the country. There was a very heavy snow at the time.

The CHAIRMAN. Do you remember whether it was a stormy morning?

Mr. VESPER. No, sir; it was not a stormy morning at the time we went out. It was a heavy snow and a rather hazy day, to the best of my recollection. I do a great deal of the chasing after the runaway children; in fact, I practically do all of it; and he kept on telling me that whenever I went out after anybody else to inquire about that girl, and I did so. We thought that maybe she was lost in the snow and buried. He said, "You had better go after her; you know all the trails through the woods." The snow was nearly knee-deep, and I went around the country for miles, and even went as far as to take the dogs along, thinking that if she had perished they might run onto her body.

The CHAIRMAN. Was there any trail leading from the school proper than he pointed out or suggested?

Mr. VESPER. No, sir; there was no particular trail; just what we might incidentally pick up. The children take a crosscut to the woods when they run away, and we thought she had got overcome and, perhaps, had laid down and got frozen to death, or something of that kind, and after those other children got away I was posted to inquire about this girl. I started for La Crosse and stopped at West Salem to see Joseph White about his children going to school, and he asked me about this girl. I said, "What do you know about her?" I asked him if he had heard anything about her, and he said, "The Indians tell me that her grandmother came up there and took her to Nebraska." That is the same thing that I have been told by other Indians up at Valley Junction and down at Necedah, where we have been looking for Indians in other cases.

The CHAIRMAN. Who was the nurse there?

Mr. VESPER. Elizabeth Lane.

Senator BROWN. Do you know whether it had been storming that morning or not?

Mr. VESPER. No, sir; I do not.

Senator BROWN. As I understand, she was missed that morning?

Mr. VESPER. Yes, sir; that is my understanding.

Senator BROWN. And that she was in the hospital the night before?

Mr. VESPER. I do not know as to that.

Senator BROWN. Had it been storming the night before?
Mr. VESPER. I could not say as to that either.
(The witness was thereupon excused.)

STATEMENT OF MRS. ELIZABETH LANE, NURSE AT TOMAH INDIAN SCHOOL.

Mrs. ELIZABETH LANE, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Tomah Indian School?
Mrs. LANE. Yes, sir.
The CHAIRMAN. Were you last winter?
Mrs. LANE. Yes, sir.
The CHAIRMAN. In what capacity were you then?
Mrs. LANE. I was nurse.
The CHAIRMAN. Did you know this girl, Irene Little Soldier?
Mrs. LANE. Yes, sir.
The CHAIRMAN. How long has she been there at the school?
Mrs. LANE. I think she came there in the fall. I could not say what time it was that she did come there.
The CHAIRMAN. Do you recall the occasion of her disappearance?
Mrs. LANE. Yes, sir.
The CHAIRMAN. What do you know about that?
Mrs. LANE. Well, she had been in the hospital for several days, at least for a few days—I would not say how long—and she did not want to stay in the hospital; she was not very sick, but still the doctor did not think she ought to be out, so we had her at the hospital. The doctor's sister was there, sick, and the doctor was there himself at that time and had a nurse there. We did not have much sickness, so I was not there at that time, and when I got up in the morning and went out, as soon as I could get up I went around the building to see how the children were who were in the hospital, and we missed this girl and I said, "Irene Little Soldier has gone." I looked all through the building and did not find her, and I asked the nurse if she had seen her and told her which bed she had occupied, and she said, "Why, she got up and went out of the hospital about 6 o'clock this morning." I said, "Where did she go?" She said she went over to the building—that is, the girls' home; she supposed she had gone to the girls' home. I did not go right off to look for her over there. We did not know that she had run away. I did not say anything about it until at breakfast time, when I spoke to Mrs. Dreyer about it. She went to look for her and she said, no; that she was not there; and then we reported it that she was not to be found. I supposed that she had gone to the girls' home, and I spoke to the doctor about it right away and he said, "There is nothing serious the matter with her; there is nothing the matter with her but what she could go to school." She had been in there a long time. I did not go over to the building to look for her, but I spoke to Mrs. Dreyer about her. Mrs. Dreyer said to me again, "She is not over here," so then we reported it at the office, and Mr. Compton searched for her.
The CHAIRMAN. About what time of the day was it that you reported it?
Mrs. LANE. When we reported it at the office?
The CHAIRMAN. Yes.

Mrs. LANE. I think that must have been soon after breakfast.

Mrs. DREYER. She went away on Saturday, and we did not know until Sunday that she was gone. There was a misunderstanding. Mrs. Lane supposed she had gone to the building.

The CHAIRMAN. Suppose you ladies make your statements one at a time.

Mrs. LANE. Of course I reported it just as soon as we found out she was gone. It was on Saturday when we found that she had gone.

The CHAIRMAN. What morning was it that she left?

Mrs. LANE. She left on a Saturday morning, and Sunday morning we found out she was gone—that she had run away from the school.

The CHAIRMAN. Had she been in the hospital before?

Mrs. LANE. Oh, yes, sir; she was in there off and on at different times. She complained of her eyes and wanted us to doctor her eyes.

The CHAIRMAN. She was blind in one eye, was she not?

Mrs. LANE. I do not know that she was entirely blind, but she did not have good eyesight.

The CHAIRMAN. Did she not have mental peculiarities at times?

Mrs. LANE. Yes, sir.

The CHAIRMAN. And those were the times when she was there?

Mrs. LANE. Yes, sir.

The CHAIRMAN. And the conditions were ordinarily severe, were they not?

Mrs. LANE. Why, no; I do not think so. She acted like a contrary child would; that was all. She was not violent. There was not anything serious at all.

The CHAIRMAN. Did she not have to come to the hospital nearly every month?

Mrs. LANE. Oh, sometimes she would be there every month and sometimes she would be there oftener.

The CHAIRMAN. When was the last you saw of her before she disappeared?

Mrs. LANE. At night when I put them to bed. I was in her room at about 10 o'clock.

Senator BROWN. The night before?

Mrs. LANE. The night before she went away. The doctor's sister was sick and I was in her room and went up and looked the children over before I went to bed.

Senator BROWN. Was she discontented with the school?

Mrs. LANE. Oh, yes, sir; she did not like to stay at the school.

Senator BROWN. When you went there the next morning and visited the ward, or room, did you notice whether her bed had been occupied or not?

Mrs. LANE. Oh, yes, sir; she slept in her bed.

Senator BROWN. Was the bed in good condition?

Mrs. LANE. Yes, sir; just like any child getting out of bed and dressing.

Senator BROWN. Was there any blood in the bed?

Mrs. LANE. No, sir.

Senator BROWN. There was nothing of that kind?

Mrs. LANE. No, sir; nothing of that kind.

Senator BROWN. You are sure of that, are you?

Mrs. LANE. Yes, sir; I am sure about that. I always pay attention to that.

Senator BROWN. Where is this other nurse who was there during the night?

Mrs. LANE. I do not know where she is. She has been nursing. She is a young girl and has been taking care of a lady in Tomah somewhere.

Senator BROWN. Is it a frequent occurrence for the girls or the children to run away?

Mrs. LANE. No, sir; not the girls.

Senator BROWN. Well, the children do run away, do they not?

Mrs. LANE. Oh, yes, sir; they run away.

The CHAIRMAN. You say this nurse told you that she left about 6 o'clock?

Mrs. LANE. Yes, sir.

The CHAIRMAN. What was her name?

Mrs. LANE. Her name was Grace Medd.

The CHAIRMAN. Do you remember about there being a storm that morning?

Mrs. LANE. No, sir; I do not. I know that it was bad underfoot, but I can not remember that there was a storm. The snow was very deep.

(The witness was thereupon excused.)

STATEMENT OF BERTHA J. DREYER.

BERTHA J. DREYER, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Tomah Indian School?

Miss DREYER. Yes, sir.

The CHAIRMAN. How long have you been there?

Miss DREYER. Two years.

The CHAIRMAN. In what capacity?

Miss DREYER. As matron.

The CHAIRMAN. Were you in that capacity last winter?

Miss DREYER. Yes, sir.

The CHAIRMAN. Did you know this girl, Irene Little Soldier?

Miss DREYER. Yes, sir.

The CHAIRMAN. How long have you known her?

Miss DREYER. Well, she came to the school in the fall, in September or October.

The CHAIRMAN. Do you remember the occasion of her disappearance?

Miss DREYER. Yes, sir.

The CHAIRMAN. What do you know about that?

Miss DREYER. I know that she went to the hospital; she had not been feeling very well; in fact, a few days before she went to the hospital she had a very curious spell, crazy. She rushed into my room and screamed and said something in Winnebago, and I got some of the Winnebago girls to interpret it and they said she said there was a drunken man coming after her. She acted very strangely, and I think we took her to the hospital right away. I

think she went to the hospital that afternoon, and that was the last I knew of her.

The CHAIRMAN. You were speaking, when Mrs. Lane was testifying in regard to when they discovered that she was gone.

Miss DREYER. Yes, sir. Well, Mrs. Lane supposed she had come to the building and did not say anything about it—at least, I did not know anything about it until the next day, I think it was, on Sunday. This was on Saturday, and Sunday at noon was the first that I knew she had left the hospital. Mrs. Lane supposed she was at the girls' building, and I supposed she was at the hospital; and we went immediately and reported to the office. The superintendent was away that day at Otter Mills, and Mrs. Compton, his wife, telephoned him about the disappearance of Irene, and I think he began searching that very day.

The CHAIRMAN. You stated that she acted queerly when she came into your room. Had she been in the habit of acting queerly?

Miss DREYER. That was the first I had noticed it. She was not a normal child; she never was; but I had never noticed anything like that before.

(The witness was thereupon excused.)

STATEMENT OF SARAH JOHN.

SARAH JOHN, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Tomah Indian School?

SARAH JOHN. Yes, sir; as schoolgirl.

The CHAIRMAN. How long have you been attending that school?

SARAH JOHN. Five years.

The CHAIRMAN. Were you attending it last winter?

SARAH JOHN. Yes, sir.

The CHAIRMAN. Did you know this girl, Irene Little Soldier?

SARAH JOHN. Yes, sir.

The CHAIRMAN. How long have you known her?

SARAH JOHN. Just that fall when she came to school. That is all I can remember of her.

The CHAIRMAN. Were you in the same class with her?

SARAH JOHN. No, sir; she was in the lower class.

The CHAIRMAN. Were you with her much?

SARAH JOHN. No, sir; only just when she came to the hospital. I was the hospital girl.

The CHAIRMAN. You were in the hospital at the time?

SARAH JOHN. Yes, sir.

The CHAIRMAN. Do you remember the occasion of her disappearance?

SARAH JOHN. Just that we missed her in the morning. I was just getting up at the time and I heard some noise. I did not look to see what it was, but I heard a girl going downstairs and thought maybe she was going to breakfast or something of that kind.

The CHAIRMAN. Did you hear more than one?

SARAH JOHN. Just her; and then the nurse was out after a while.

The CHAIRMAN. Were you in the room that she had slept in?

SARAH JOHN. No, sir; I was in a different room.

The CHAIRMAN. Did you know it was her who was going down?

SARAH JOHN. I thought it was her because she was about the only one in the hospital just then.

The CHAIRMAN. What time of the morning was that?

SARAH JOHN. It was about 6 o'clock in the morning.

The CHAIRMAN. When it was first noticed that she had left the school?

SARAH JOHN. The first I heard of it was when I was at Water Mill. We were out there on a pleasure trip.

The CHAIRMAN. What day was that?

SARAH JOHN. On Sunday. The superintendent got a message that she had run away. That was all I knew of her.

The CHAIRMAN. Had she been at the hospital before that?

SARAH JOHN. Yes, sir; several times, off and on, but never stayed very long.

The CHAIRMAN. Did she act queerly when she was there?

SARAH JOHN. Well, she would not talk to us, that was all.

The CHAIRMAN. Do you remember about the weather that morning?

SARAH JOHN. It was a pleasant morning at the time she left, but the day after it was kind of cold.

Senator LA FOLLETTE. What other girls were in the hospital besides you and she on that night before she left?

SARAH JOHN. Just that night?

Senator BROWN. No other girls?

SARAH JOHN. No, sir.

Senator BROWN. Did you ever talk with any of the other girls up there about it, about her leaving?

SARAH JOHN. No, sir.

Senator BROWN. Did you ever talk with her grandmother about her?

SARAH JOHN. No, sir; I could not speak her language.

Senator BROWN. Do you know her grandmother?

SARAH JOHN. I have seen her.

Senator BROWN. Have you any sisters or brothers?

SARAH JOHN. No, sir; but there were some girls up there by the name of Little John—Winnebago girls.

The CHAIRMAN. What is your full name?

SARAH JOHN. My name is Sarah John.

The CHAIRMAN. Is that the name that was given to us to-day?

Mrs. DREYER. That is the one you called for.

The CHAIRMAN. Some of them claimed that Sarah John told the grandmother—that is, they call her grandmother; she was her step grandmother—that the bed was all bloody. Do you know anything about that?

SARAH JOHN. No, sir; the bed was all clean.

The CHAIRMAN. Did you see the bed?

SARAH JOHN. Yes, sir; because I attended to the beds.

The CHAIRMAN. Then, without knowing anything about her running away, you made up the bed as usual?

SARAH JOHN. Yes, sir.

(The witness was thereupon excused.)

STATEMENT OF MADELINE J. BERZEY.

MADELINE J. BERZEY, having been first duly sworn, testified as follows:

The CHAIRMAN. Are you connected with the Tomah Indian School?

Miss BERZEY. Yes, sir.

The CHAIRMAN. In what capacity?

Miss BERZEY. As assistant cook.

The CHAIRMAN. Were you there last winter?

Miss BERZEY. Yes, sir.

The CHAIRMAN. Did you know this girl, Irene Little Soldier?

Miss BERZEY. That was just when she came to the dining room.

The CHAIRMAN. Do you remember the occasion of her disappearance?

Miss BERZEY. I do not know just when she left. The first I remember of it was when Mr. Vesper went out to look for her.

The CHAIRMAN. Is that all you know about it?

Miss BERZEY. That is all I know about the running away. They did not find her and bring her back. A girl—I do not know what relation the girl was to her—told me. We had supposed that she had perished, and some of the Indians thought so, and the girl said, "No; she was not dead." That there were a party of Winnebagoes who went up to Nebraska from Black River, I suppose, and they took that little girl there, because the girl did not want to come back. One, the girl's mother, who was in the crowd, asked her if Irene was in Nebraska, and she said yes. That girl's name is Minnie Sherman.

Mrs. DEEYER. John Sherman's daughter.

The CHAIRMAN. You say "little girl." She was about as large as you, was she not?

Miss BERZEY. No; not quite, I think.

The CHAIRMAN. Do you know how old she was?

Miss BERZEY. No; I guess she must have been about 12 or 13. I do not know just how old she was.

The CHAIRMAN. You say this Sherman girl told you that?

Miss BERZEY. No; she did not tell me at first; it was a cousin, Nellie Wallace—her cousin. She said Irene was not dead, but that the Indians took her up to Nebraska when they went up there to visit the Winnebago Reservation.

The CHAIRMAN. Are they in the habit of going away with one another?

Miss BERZEY. I do not know whether they took her right then or not, but she said she was up there.

The witness was thereupon excused.

Mr. VESPER. They travel at any time of the year, winter and summer. I have known them to go in the dead of winter.

Senator BROWN. Do you know whether this was reported to the Indian Office or not?

Mr. VESPER. I know that it was reported to the Indian Office at Washington. The letter is on file.

Mrs. LANE. Mr. Compton told me that he had. He said: "Mrs. Lane, tell me all you know about this, all that you remember, because I have to report this to the Indian Office."

The CHAIRMAN. When did the agent leave here the last time? He is not here now, is he?

Mrs. LANE. I do not know what time he did.

The CHAIRMAN. Was it not two weeks Saturday that he went away, or will it be two weeks now?

Mr. HANCOCK. It is two weeks now.

Senator BROWN. Did he know that this investigation was going on at that time?

Mr. HANCOCK. No; he did not. If he did, he did not leave word about it, and he generally leaves word with me.

Senator BROWN. There was criticism here because he was not at the meeting, which I do not think was well made.

Mr. VESPER. I do not think he knew anything about the fact that the committee was coming. We saw it in the papers several times that the committee was coming through, but we could not tell the time.

Mrs. LANE. I did not see it in the Tomah paper until last week.

Mr. VESPER. The only paper I saw it in was the Chicago Tribune.

Senator BROWN. How many Winnebago children are in attendance at the school this year?

Miss DREYER. There are not any. The Winnebagoes do not come in until October or November.

Senator BROWN. How many attended last year?

Miss DREYER. There must have been 125 at least.

Senator BROWN. Winnebagoes?

Miss DREYER. Yes, sir; Winnebagoes, last year.

Senator BROWN. And probably about the same number this year?

Miss DREYER. Probably, but I do not know.

Mr. VESPER. The Winnebagoes do not usually go in until they are through picking cranberries.

The CHAIRMAN. We will insert the roll of the Winnebago Indians at this point.

The subcommittee thereupon, at 4 o'clock a. m., October 6, 1909, adjourned to meet at the room of the Senate Committee on Indian Affairs, Washington, D. C., December 6, 1909, at 1 o'clock p. m.

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