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Letter from the Secretary of War, in answer to a resolution of the House calling for information relative to the sale of the Military Reservation at Fort Ripley

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FORT RIPLEY RESERVATION.

LETTER

FROM

THE SECRETARY OF WAR,

IN ANSWER TO

A resolution of the House calling for information relative to the sale of the Military Reservation at Fort Ripley.

MARCH 30, 1858.—Ordered to be printed.

WAR DEPARTMENT,
Washington, March 29, 1858.

SIR: In reply to a resolution of the House of Representatives, requesting me "to inform the House if any portion of the military reservation at Fort Ripley, in Minnesota, has been sold, and if so, to state at what price the same was sold, and to whom, and if such sale has been confirmed, and if not confirmed, if any reason exists which will prevent the confirmation of the same," I have the honor to transmit a copy of a report from Major Seth Eastman and Mr. A. C. Jones, the agents of this department for the sale of the property, with my decision thereon, annulling and setting aside the sale.

Very respectfully, your obedient servant,

JOHN B. FLOYD,
Secretary of War.

HON. JAS. L. ORR,
Speaker of the House of Representatives.

ST. PAUL, MINNESOTA TERRITORY,
October 26, 1857.

SIR: In obedience to your instructions, contained in your communication of the 27th August, addressed to John C. Mather, the former agent of the War Department for the sale of the military reservation at Fort Ripley, in the Territory of Minnesota, we have the honor to

report : That we caused a survey of the land on the reserve to be made, and divided it, pursuant to instructions, into lots of forty acres each, as far as practicable, of which maps were made and posted up at the place of sale for the inspection of purchasers; that public notice was given of the day, place, manner, and terms of sale, by advertisement in the principal newspapers published in the Territory, and throughout the northwest, to wit: the Crawford County Courier, published at Prairie du Chien, Wisconsin; the St. Paul Advertiser, published at St. Paul, Minnesota Territory; the Pioneer and Democrat, published at St. Paul, Minnesota Territory; the Saint Anthony Express, published at St. Anthony, Minnesota Territory; the Valley Herald, published at Shakopee, Minnesota Territory; the Henderson Democrat, published at Henderson, Minnesota Territory; Sauk Rapids Frontierman, published at Sauk Rapids, Minnesota Territory; the Northern Herald, published at Little Falls, Minnesota Territory; that, previous to the day of sale, we proceeded to Crow Wing, the place of sale, and notified the persons having pre-emption claims on the reserve, which had been allowed by the department, to appear before us on the 19th October, (the day before the sale,) and enter their claims at the government price of one dollar and twenty-five cents per acre, according to the instructions above referred to. They all came forward, paid for their lands, and received certificates for the same, except the Rev. François Pierz, who refused to take any land, except that which had been allowed by the department to Donald McDonald, or his assigns.

We would state, in reference to this matter, that we awarded to the assigns of Donald McDonald the tract of land in dispute, on condition that said assigns of McDonald would deed to the said François Pierz two acres of land (as recommended by Mr. J. C. Mather in his report, to which we would respectfully refer) occupied by the church and grave yard, which they promised to do. We would recommend that our action in the premises be confirmed. Accompanying this report is a communication from the Rev. François Pierz, addressed to us as agents, to which your attention is respectfully called; and we would further state that the said Rev. François Pierz was repeatedly offered the privilege of entering any other tract of land on the reservation which he might select, not exceeding one hundred and sixty acres, at the price of one dollar and twenty-five cents per acre.

Your agents would further report, that on the 20th day of October the lands embraced within the reserve were offered for sale at public auction, to the highest bidder for the same, at the house of Allen Morrison, in the town of Crow Wing, according to advertisements, in lots of forty acres each, or as near thereto as the survey permitted.

That proclamation was made at the opening of the sale, that no claims, aside from those which had been previously entered, would be allowed; that all persons had full right to bid; that competition was invited by government for the lands offered; and that, upon the appearance of combination or of riotous disturbance on the part of the bidders, the lands would be withdrawn and the sale not be permitted to proceed.

That the sale proceeded quietly and without apparent combination,

until the whole lands so offered were disposed of at prices varying from one to twenty cents per acre.

That certificates were issued to a portion of the purchasers only ; the balance we concluded to withhold until we had made our report, and referred the matter to your consideration for confirmation or otherwise.

We have the honor to bē, respectfully, your obedient servants,

S. EASTMAN,
Major United States Army.
A. C. JONES,
Agents.

Hon. JOHN B. FLOYD,
Secretary of War.

Endorsement.

This sale is annulled and set aside.

JOHN B. FLOYD,
Secretary of War.

WAR DEPARTMENT, November 11, 1857.

[Translation.]

To the honorable Commission of Military Reserve :

I have heretofore declared that I do not consent to the sale of my legitimate claim to mission at "Crow Wing"—the south half of the southeast quarter and the south half of the southwest quarter of section 24, township 44, range west 32, where I am established with my improvements by permission of the commanding officer of Fort Ripley ; also, the treaty of 22d of February, 1855, sixth article, giving me the privilege of taking 160 acres of the land sold by that treaty ; also, according to the treaty of 29th of July, 1837, the position of my mission remained on Indian lands till the last treaty of 1855. Furthermore, I have bought my claim of the land office, and paid the government therefore. For these reasons I protest against the sale of my property ; neither do I make any convention with the commission in relation to my legitimate claim.

FRANCOIS PIERZ,
Catholic Missionary

CROW WING, October 21, 1857.