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Damages Sustained By Settlers

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IN THE SENATE OF THE UNITED STATES.

JANUARY 18, 1894.—Ordered to be printed, to accompany S. 131.

Mr. PETTIGREW presented the following

**LETTER FROM THE ACTING COMMISSIONER OF INDIAN AFFAIRS,
RELATIVE TO THE DAMAGES SUSTAINED BY SETTLERS UPON
THE CROW CREEK AND WINNEBAGO RESERVATIONS IN SOUTH
DAKOTA, BETWEEN THE 17TH DAY OF FEBRUARY AND THE
27TH OF APRIL, 1885.**

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 4, 1893.

SIR: I am in receipt, by reference from the Department for report, of a letter dated September 7, 1893, by Senator James K. Jones, chairman of the Committee on Indian Affairs, inclosing copy of Senate bill No. 131, introduced by Senator Pettigrew, which is referred to this Department for its opinion. Following is the full text of said bill:

That for the purpose of paying the damages resulting to the persons who went upon the Crow Creek and Winnebago Indian Reservation, in the State of South Dakota, between the seventeenth day of February and the twenty-seventh of April, eighteen hundred and eighty-five, and were afterwards compelled to remove therefrom by order of the President of the United States, the sum of two hundred thousand dollars is hereby appropriated, or so much thereof as will be necessary, to be expended under the direction of the Secretary of the Interior to such persons as are entitled to the same.

In connection with said proposed bill I have the honor to state that under authority of an act of Congress approved October 1, 1890 (26 Stats., 659), the Secretary of the Interior appointed Henry R. Pease as a special agent of this Department to ascertain the damages sustained by settlers upon the Crow Creek and Winnebago reservations in South Dakota, between February 27, 1885, the date of issuing the Executive order opening a part of said reservations to settlement, and April 17, 1885, the date of the President's proclamation declaring said reservations to be not subject to settlement, and notifying all settlers thereon to vacate within sixty days. Agent Pease entered upon the discharge of his duties on or about December 2, 1890, and under date of December 15, 1892, he submitted his general report, together with the papers, testimony, and affidavits pertaining to the several claims, to this office.

The said act of October 1, 1890, provides that the report of the special agent shall be transmitted to Congress by the Secretary of the Interior, with his recommendations thereon. All the papers embraced in said report of December 15, 1892, have accordingly been examined by this office, and a report upon the several claims will shortly be sub-

mitted to the Department, together with the papers bearing thereon, for transmission to Congress, as required. The claims recommended to be allowed by the agent aggregate about \$178,000.

However, as the proposed bill provides that only so much of the \$200,000 intended to be appropriated for the purpose of paying the losses sustained by the settlers in question as will be necessary shall "be expended under the direction of the Secretary of the Interior to such persons as are entitled to the same," I can see no objection to the enactment of the bill at this time.

Attention is respectfully invited to certain errors in dates existing in line six of said bill, which reads "the 17th day of February and the 27th day of April, 1885," but which should read "the 27th day of February, 1885, and the 17th day of April, 1885." The dates in the preamble to said bill are also incorrect and should be changed to correspond with the text of the bill as noted.

I inclose herewith the letter by Senator Jones, with accompanying print of the proposed bill and a copy of this report.

Very respectfully, your obedient servant,

FRANK C. ARMSTRONG,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.