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In the Senate of the United States. Letter from the Secretary of the Interior, in response to Senate resolution of July 12, 1892, relative to the disposition of moneys appropriated for the benefit of certain Sioux Indians.

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IN THE SENATE OF THE UNITED STATES.

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L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

IN RESPONSE TO

*Senate resolution of July 12, 1892, relative to the disposition of moneys appropriated for the benefit of certain Sioux Indians.*

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JULY 16, 1892.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,  
*Washington, July 15, 1892.*

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate, dated 12th instant:

*Resolved*, That the Secretary of the Interior be directed to report what disposition he has made of the moneys appropriated under section 27, page 1038, Vol. 26, Statutes at Large, Fifty-first Congress, to pay the scouts and soldiers of the Sisseton and Wahpeton, Medawakanton and Wapakoota bands of Sioux Indians, the amount paid each scout, the amount paid any attorney, and the authority in each case for deducting the sum paid to any attorney from the amount due said scouts.

In response thereto I transmit herewith copy of a communication of 14th instant from the Commissioner of Indian Affairs, which contains all the information in possession of the Indian Office relative to the matter.

I have the honor to be, very respectfully,

JOHN W. NOBLE,  
*Secretary.*

The PRESIDENT OF THE SENATE.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, July 14, 1892.*

SIR: I have the honor to acknowledge the receipt, by Department reference of the 13th instant for report, of a resolution of the United States Senate dated July 12, 1892, as follows:

*Resolved*, That the Secretary of the Interior be directed to report what disposition he has made of the moneys appropriated under section 27, page 1038, Volume 26, Statutes at Large, Fifty-first Congress, to pay the scouts and soldiers of the Sisseton and Wahpeton, Medawakanton, and Wapakoota bands of Sioux Indians, the amount paid each scout, the amount paid any attorney, and the authority in each case for deducting the sum paid to any attorney from the amount due said scouts.

In reply I have to say that Special Agent Elrod was, under date of February 19, 1892, notified of the approval by the Department of the

roll of Sioux scouts and soldiers which had been prepared by him under act of March 3, 1891, and directed to proceed without delay with the preparation of the necessary pay rolls and the payment of the funds to the parties entitled thereto. The amount appropriated by the act above referred to was \$126,620. From this amount there was set apart, by order of the Department, \$2,250 for the payment of the necessary expenses incident to the preparation of the roll and payment of funds, leaving the sum of \$124,370 to be paid to those entitled thereto.

The roll approved by this office and by the Department embraced the names of 138 scouts and soldiers. Dividing the above-named amount of \$124,370 among the 138 scouts and soldiers would give a per capita of \$901.23, and this latter amount is that which Special Agent Elrod is presumed to have paid to each scout or soldier who was living at the time of payment, or, in the event of the death of any scout or soldier, said amount, under direction of the Department, was to be paid to the family and descendants of such scout or soldier.

The parties entitled to this money were scattered over several States, and considerable time was necessary to complete the payment, and up to this time the pay rolls of Special Agent Elrod and his final report in regard to the payment have not reached this office. It is presumed, however, that he has nearly completed the work, and that the rolls will be received at an early date. I shall, however, to-day write to the special agent, calling his attention to this matter, and directing that the matter be closed up at once and the necessary reports forwarded to this office.

In regard to that part of the resolution asking "the amount paid any attorney, and the authority in each case for deducting the sum paid to any attorney from the amount due said scouts," I have to say that Special Agent Elrod was not instructed to make any deduction of this character. Information, however, reached this office early in the month of May that such deductions were being made, and under date of May 3, 1892, the following telegram was sent to Special Agent Elrod:

Are you withholding 10 per cent in the payment to the scouts and soldiers? If so, under what authority?

Under date of May 5 Special Agent Elrod replied as follows:

No; except in three or four cases like those in Court of Claims.

In the cases referred to as being in the Court of Claims no payments were made to any attorney, but by direction of the Department 10 per cent of the amount due certain of the Sisseton and Wahpeton Indians was withheld pending the decision of the court as to the justice of the claim of Gen. Sanborn to such 10 per cent, and as it was presumed that Special Agent Elrod was, in the three or four cases referred to by him, simply withholding for the time being 10 per cent of the amount due the parties in question until the disposition of the case in the Court of Claims, no further action has been taken in the matter by this office.

The foregoing is all of the information in the possession of this office in regard to this matter.

The resolution referred to is herewith respectfully returned.

Very respectfully, your obedient servant,

T. J. MORGAN,  
*Commissioner.*

The SECRETARY OF THE INTERIOR.