

ACTION. — Confidential.

ACTION.

No. 1370, 11

DEPARTMENT OF INDIAN AFFAIRS,

1894

H. G. Tucker

3 Dec.

*Re claim of Ottawa
Chippewas and
Pottawamies to
aggruity from
the U.S. Gov. &*

MEMO

12-24

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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H. G. TUCKER,
BARRISTER, SOLICITOR, &c.
CHAMBERS--1, 2, 3, 4, MOLSONS BANK BLOCK
40 WILSON STREET.
* TELEPHONE 51

156610

Owen Sound, Canada.

Dec. 3rd 1894

189

Hayter Reed Esq.,

Deputy-Superintendent General, Indian Affairs, Ottawa.

Dear Sir:-

Mr Samuel Wahbezee, a Chippewa Indian, on behalf of the Council of the Canadian Indians, has consulted me to-day with reference to the claim of a branch of the Ottawas, Chippewas and Pottawattamies originally domiciled in the State of Michigan, who under the Treaty of 1833 known as the "Chicago Treaty" granted to the Government of the United States some five millions of acres of land set out in that treaty in consideration of Eight hundred thousand odd dollars and some five millions of acres of land situate west of the Mississippi River. It appears shortly after the year 1833, the Indians being dispossessed of their lands granted under the treaty with the Government went to their new home west of the Mississippi, but finding it swampy and devoid of game decided that they could not live there and returned to their old home where being again notified that they must leave, a portion of them came to Ontario and settled in what is known as the Indian Peninsula, some at Saugeen, some at Owen Sound (one a Chief named Na-wash, after whom the village of Na-wash was called, and who named the River which flows into the Western side of the Town, the Pottawattamie). Some 28 chiefs in all out of about 100 came to Canada with their families, councilmen and followers. In the year 1848 a new

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-2-

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treaty was framed abrogating that of 1833. This was signed by the Chiefs of what was then amalgamated into the Pottawatamie Nation, but those who had come to Canada in consequence of their inability to live on the lands given them by the treaty of 1833 did not enter into the treaty of 1846 and never received any of the annuities bounties and other payments provided for under the treaty of 1833. These Indians now claim that as they made a bidding agreement with the United States Government afterwards it was impossible without their presence, co-operation and consent that the balance of the tribe could abrogate the agreement and enter into a new one.

I am taking up the claims of these Indians which has been fought in a desultory way for some year and a half and hope to be able to make a settlement of some kind with the Government of the United States.

Why I write you is because the Indians say your Department has always been friendly to them and has also taken cognizance of this matter, and they believe you have the treaty of 1833 and also of 1846 in your archives. If so, will you please have copies forwarded to me and also give me all information which you may have with reference to their claim or to their migration to Ontario and much oblige,

Your obedient servant,

G. Tucker

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pt. 1)

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156,610

MEMORANDUM.

To *Mr. [unclear]*

Department of Indian Affairs.

Ottawa, 6th Decr 1894.

With regard to the letter of the 3rd, I understand from Mr. S. S. Tucker, the undersigned has to state that there is no record in the Land Branch of the Treaty of 1833 or of 1846. As these Treaties were made with the United States Government there is no reason why copies of the same should be of record here. Mr. Tucker had better write to the Indian Dept. Washington, for copies of these Treaties.

J. W. [unclear]

Mr. Stewart tells me that he has no record of the Treaty copy to, but that there is a report by the late Capt. Watson in regard to the Canadian Potawatamies which might be of use to Mr. Tucker in his investigation

[Signature]

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CANADA

156,680

THIS LETTER HAS BEEN SENT

Ottawa 7th December 1894

Sir,

NY
An. m.
I have to acknowledge the receipt of your letter of the 3rd Instant, respecting the claim of a branch of the Ottawa, Chippewas, and Pottawattamies against the Government of the United States; and in reply I beg to inform you that there is no record in this Department of the treaties of 1835 and 1846 which you state were made between the Indians and that Government.

Your obedient servant

Deputy Superintendent general,
of Indian Affairs.

H.G. Tucker Esq.,

Barrister &c.,

Owen Sound, Ont.,

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CANADA

156610
WALTER S. FIELD
Attorney at Law
ROOM 928, COLORADO BUILDING
WASHINGTON, D. C.

353459



Oct. 21, 1909.

J. S.
Superintendent of Indian Affairs,
Ottawa, Canada.

Ex'd

Dear Sir:-

You may remember that some three or four years ago I had some correspondence with you in relation to the right of the Oneida Indians in your Dominion to share in what was known here as the New York Indian judgment. You may remember me in connection with Guion Miller who acted as commissioner in our Court in the distribution of that fund. At that time I was appearing for the Indians resident in this country who were opposed to sharing the fund with the Indians under your jurisdiction. I opposed the proposition for the payment to the Canadian Indians and the matter went to the Supreme Court of the United States. That Court decided however that your Indians were entitled to share in the fund and in that decision settled the right of non resident members of Indian tribes of the United States.

I write you now to call your attention to the very similar case of what is known as the Pottawatomie Indians of Wisconsin. These Indians have a claim against our government which is recognized by the Interior Department as valid and a proposition has been before Congress the last two or three sessions for its settlement. But the proposition as made does not contemplate the settlement of the rights of this band of Pottawatomies from Canada but proposes to pay to those Pottawatomies now resident in Wisconsin the proportionate share of the fund due them, and either

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leave the Canadian members to look out for their own interest or send it to the Court of Claims for adjudication. Some years ago the members of the band resident in Wisconsin or a few of them met together and passed a resolution attempting to employ an attorney here. Our Interior Department repudiated this action, saying that those persons had no authority to bind either the band of which they were members or the other bands or the individuals of the entire organization of Wisconsin Pottawatomies if they had such an organization. Notwithstanding this action by the Department the attorney has continued to represent the Wisconsin Indians. He is the person who now proposes that those Indians resident in Wisconsin be paid and that out of the payment he receive direct from the Treasury the sum of \$10,000 in full for his services. The view taken by the Supreme Court in the New York Indian cases is fresh in the minds of the members of Congress having charge of Indian matters and I have no doubt that if the Indians in your Dominion see fit to employ an attorney to represent them here they will secure their share of the fund at the same time that the payment is made to those members resident in Wisconsin. The Indians in Wisconsin recently met the Committee of our Senate, sent to Wisconsin for the purpose of investigating their condition. These representatives stated to the Committee that they desire the money when paid to them to be used for the purpose of purchasing them a home and improving the same by the building of houses, fences, etc. Very few of them have any land at the present time and the remainder are camped wherever they can find a piece of land whose owner does not object to their presence.

Mr. W. S. Braddock of Mather, Wisconsin has been for

353459

years intimately acquainted with the condition of these Indians and during the last four or five years has spent the winters in Washington and has given particular attention to the propositions made relative to the payment of this fund. He and his associates are, I believe, well qualified to represent the Indians successfully. I know that he has the confidence of the members of the Committee having this matter in charge and I believe that the representations made by him on behalf of any of these Indians, should they see fit to employ him, will receive full credit in both branches of our Congress. Mr. Braddock will, within the next few days, visit your agent having charge of these Indians near the Great Lakes and I write this letter with the idea that you may see fit to make some suggestions to him relative to his action in the matter when these Indians come to him for advice as they certainly should and will.

Yours truly,

W. L. Field

WALTER S. FIELD
Attorney at Law
ROOM 925, COLORADO BUILDING
WASHINGTON, D. C.



Oct. 23, 1909.



✓ 323-61

Superintendent of Indians Affairs,
Ottawa, Canada.

Dear Sir:-

Since writing you yesterday it has occurred to me that to be perfectly just with you I should have stated the following in addition to what I had to say in that letter:

Some time before any of the money is paid from the Treasury to the Pottawatomie Indians someone will be heard contending that the Canadian Pottawatomes are not entitled to share because they have expatriated themselves and it will be contended that their share of the fund has reverted to the tribe as represented by its membership in the United States. Should Congress provide for payment to the Wisconsin branch as the attorney representing that branch has asked it to do, the proportionate share of the entire fund which would be due to them on account of their numbers and should Congress send to the Court of Claims the question of the right of the Canadian branch, then it would be the duty of the attorney for the Wisconsin branch, if he was true to their interests, to insist in the Court of Claims that the Wisconsin branch was entitled to the entire fund because of the fact that your Indians had left the country. This attorney has been contending that he represented the entire Wisconsin Pottawatome tribe. I call your attention to the above matters in order that you may see that the interests of the two branches are diametrically opposed if his recommendation is carried out. If, however, the entire fund is paid at one time to the entire band as it probably will be

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353461

if your Indians are represented here on the ground by some person
understanding their rights no conflict will be heard of.

Respectfully,

W. L. ...

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CANADA**

156610

Handwritten initials and a checkmark.

Ex'd

Ottawa, October 29th, 1909.

Sir,

I beg to enclose herewith file 156610 of this Department containing two letters dated respectively October 21st and 23rd from Walter S. Field, Attorney at Law, Washington, D.C. These letters have reference to a claim of the Pottawatomie Indians against the United States Government. There is no definite information as to the basis of this claim, and under all the circumstances I thought it best to ask you to advise this Department as to what action should be taken in the premises.

Handwritten notes:
file for to
tel
~~Handwritten signature~~

Your obedient servant,

J. W. McLean

Secretary.

The Deputy Minister,
Department of Justice,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

156610



Enc.

L. Langford

353962

Ottawa Nov. 8th, 1909.

1433-08.

SIR :

I have the honour to acknowledge your letter of the 29th ult. No. 156610 with reference to a claim of the Pottawatomie Indians against the United States Government. There is not sufficient information in the papers that you transmit to enable me to form any opinion in the matter. I would suggest however that as full a statement of the case as possible be prepared and submitted ^{through the proper channel} to the British Ambassador at Washington with a request that he be good enough to obtain for your Department such information as may be available. Probably the information so obtained will be sufficient to enable you to come to a conclusion as to what should be done.

I return the papers.

I have the honour to be,

Sir,

Your obedient servant,

E. H. Newcombe

Deputy Minister.

The Secretary,
Department of Indian Affairs,
Ottawa.

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156,610

Ottawa, November 20, 1909.



Sir,-

I beg to acknowledge the receipt of your favours of the 21st and 23rd ultimo, respectively, regarding a possible claim that the Pottawattamie Indians of Canada have against the United States Government.

In reply I beg to say that this Department is obliged to you for calling our attention to this claim, and that we are looking into this matter.

Your obedient servant,

J. D. McLean
Secretary.

Field
assw.

Walter S. Field, Esq.,

Attorney at Law,

Colorado Building,

Washington, D. C.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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GEO. GRAHAM.

15-6610

GRAHAM & GRAHAM,
LAWYERS.

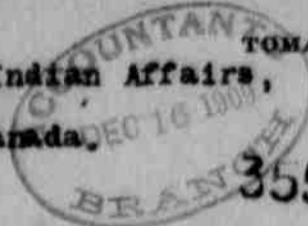


TOMAH, WIS., Dec. 11th, 1909.

Hon. Deputy Supt. General of Indian Affairs,
Ottawa, Canada.

Sir:

Acct



355802

In connection with the pottawatomic matter, concerning which we interviewed you last week, I would like to inquire whether you would deem it advisable to instruct the pottawatomies, through their agents, not to enter into any contract for the procurement of the money that may be due them from the United States pending your report from Mr. Bryce at Washington?

I think this advisable because any contracts they might make might not and probably would not provide for the payment of the money in trusts to the Canadian Government as you suggested, and it would be much more fair to MR. Bradlock and myself for we have opened our plans fully to you and expect to take no steps in the matter until we hear from you further.

Very truly yours,

John G. Graham

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CANADA

Names	I	II	Indian Name	Residence.	I
Charles Kishack,	64	M	Head, Kishkinakaang,	Carter, Wb.	No
" "	51	F	wf., Kakekotok,	" "	" "
" "	31	M	sn., Pense,	" "	" "
" "	9	M	sn., Wemigwans,	" "	" "
" "	70	F	wid., Kabegishigok,	" "	" "
" "	32	F	wid., Wawassamok,	" "	" "
" "	16	M	son, Waban,	" "	" "
Alice	1 1/2	M.	Dau., Kishiabanok,	" "	" "
" "	40	F.	wf., Abroekotok,	" "	" "
" "	3	M	son, Nenaetong	" "	" "
Joe Wisabnsin,	75	M	head, Miaogishia,	" "	" "
" "	53	F	wife, Matinosa,	" "	" "
Wm. Pemmobime,	46	M.	head, Waiakwakamig,	" "	" "
" "	39	F.	wife, Pietewetank,	" "	" "
" "	17	M.	son, Pais,	" "	" "
" "	12	F.	dau., Wawitchiwan,	" "	" "
" "	7	M.	son, Etchitawab,	" "	" "
" "	4	F.	dau., Shibatchiwan,	" "	" "
" "	1/2	M	son, Not Named,	" "	" "
" "	55	F.	wid., Minwe,	" "	" "
John Cook,	37,	M.	head, Tibishkogishig,	" "	" "
" "	11/2	M.	son, Wawieshing,	" "	" "
John Shepodock,	41	M	single, Matchissit,	" "	" "
John Thunder,	45	M.	Head, Pietewetak,	" "	" "
Peter " "	22	M.	son, Pakomagan,	" "	" "
Frank " "	19	M.	son, Kekok,	" "	" "
William " "	26	M.	head, Ashawagishig,	" "	" "
Nina, " "	25	F.	wife, Kabeshkan,	" "	" "
Susan, " "	4	F.	dau., Anmikwa,	" "	" "
John Mann,	51,	M.	head, Kinowans,	" "	" "
" "	32,	F.	wife, Pietossekwa,	" "	" "
" "	18	M	son, Nabawid,	" "	" "
" "	16	M.	son, Neshkawewidang,	" "	" "
" "	12	F.	dau., Peniddiwan,	" "	" "
" "	10	M	son, Kitchigaminc,	" "	" "
" "	6	F.	dau., Ogabediwan,	" "	" "
" "	11/2	F.	" , Not Named,	" "	" "
" "	87,	F.	wid., Pamishe,	" "	" "
John Shawano,	46,	M.	head, Nawakwagishia,	" "	" "
" "	38,	F.	wife, Audjack,	" "	" "
Claud Shawano,	20,	M.	son, Gississ,	" "	" "
May Shawano,	18,	F.	dau?, Mishakotok,	" "	" "
Cora Shawano,	16,	F.	" , Shawanogishigok,	" "	" "
Peter Shawano,	14,	M.	son, Kitchiassin,	" "	" "
Henry, Shawano,	12,	M.	" , Abamange,	" "	" "
Eva Shawano,	10	F.	dau., Wasse,	" "	" "
John Shawano, Jr.	8	M.	son, Nibinegwan,	" "	" "
Clara Shawano,	4	F.	dau., Gishigokwe,	" "	" "
Julia Shawano,	4	F.	" , Ossawabonkwe,	" "	" "
James, Shawano,	3	M.	son, Kwashamon,	" "	" "
Anna Shawano,	1	F.	dau., Webassinok,	" "	" "
" "	62	F	mother, Kagetchiwa,	" "	" "
Sky Shawano,	58	M.	head, Nigamigishig,	" "	" "
Sozeete "	52,	F	wife, -----	" "	" "
George "	16	M.	son, Mishakwad,	" "	" "
Mary Waubegay,	8	F.	G. Dau., Mishwanakwadok,	" "	" "
Scott " "	6	M.	son, Shabowetank,	" "	" "
Joe Penna	83	M.	head, Penabimi.	" "	" "
" "	79,	F.	wife, Pietewetankwe,	" "	" "
George Penna,	43,	M.	single, Kaotakamigo,	" "	" "
Mack Penna,	32,	M.	head, Kebewissadang,	" "	" "
" "	22,	F.	wife, Wassidjiwan,	" "	" "
John Michigan,	87,	M.	head, Kitchigan,	" "	" "
" "	87,	F.	wife, Kishiabanok,	" "	" "
Frank "	30	M.	son, Kassigassige,	" "	" "
Billy Joe,	29,	M.	head, Kishisho,	" "	" "

356460

Names	Age	I	II	Indian Name,	Residence,	I
Joe	38	F.	wife,	Kenodjew,	Carter, Wis.	No
"	11/2	M.	son,	Ogimajonia,	" "	"
Jim Anishhinabe,	63,	M.	head,	Wenessadang,	" "	"
" "	46	F.	wife,	Miaotink,	" "	"
Peter " "	30	M.	son,	Meiatchiwosse,	" "	"
John " "	17	M.	son,	Pemossadang,	" "	"
" "	88	F.	widow,	Animitaw,	" "	"
" "	4	M.	Nephew,	Kitchianakwat,	" "	"
Chewan Shepedock,	50	M.	single,	Otehwan,	" "	"
William " "	62,	M.	head,	Ossawakoang,	" "	"
" "	66,	F.	wife,	Aiassowadink,	" "	"
" "	42	F.	head,	Kissok,	Phlox, Wis.	"
Hattie Kinne,	16,	F.	Dau.	Kiweiasinok,	" "	"
James " "	1	M.	son,	" "	" "	"
Wallace Penma,	55,	M.	head,	Wiganigishig,	Carter,	"
" "	50,	F.	wife,	Nagishigokwe,	" "	"
Fred " "	5,	M.	son,	Wishawass,	" "	"
Elizabeth, "	2,	F.	dau.	Wendassinokwe,	" "	"
John " "	18,	M.	single,	Waponsee,	" "	"
John Manomin,	62,	M.	head,	Ogimabinens,	" "	"
" "	52,	F.	wife,	Animikiwanens,	" "	"
Sam, " "	18,	M.	son,	Wegimaobitang,	" "	"
William Kisheok,	25,	M.	head,	Wiwassig,	" "	"
Mary " "	24,	F.	wife,	Abitashigok,	" "	"
Dan " "	59,	M.	head,	Kiwitashig,	" "	"
" "	57,	F.	wife,	Pitwee,	" "	"
Oscar, " "	18,	M.	son,	Wijitawab,	" "	"
John Ottawa,	58,	M.	head,	Kiwegoshkam,	" "	"
" "	52,	F.	wife,	Pimidjiwan,	" "	"
Ellen " "	17,	F.	dau.	Shawanogishigok,	" "	"
John " " Jr.	13,	M.	son,	Fshkwegabawid,	" "	"
Jimmie " "	23,	M.	son,	Tawani,	" "	"
William, "	25,	M.	son,	Wigwan,	" "	"
Frank Kakkah,	28,	M.	single,	Weskwe,	" "	"
" "	66,	F.	widow,	Ominowegishigokwe,	" "	"
Frank Waubegay,	69,	M.	head,	Weshigabawid,	" "	"
Mos. " "	59,	F.	wife,	Bigonakwatch,	" "	"
William " "	25,	M.	son,	Wassekoang,	" "	"
John " "	10,	M.	son,	Pietewetok,	" "	"
Lizzie " "	7,	F.	dau.	Shawanono,	" "	"
Jim Frank " "	30,	M.	head,	Anakwad,	" "	"
" "	37,	F.	wife,	Womakwe,	" "	"
Henry McIntosh,	10,	M.	son of 108,	Tagow,	" "	"
Susie McIntosh,	8	F.	dau. " "	Nokidjiwan,	" "	"2
John Kakkah,	17,	M.	single,	Sagidjiwe,	" "	"
William Frank	29,	M.	widower,	Wobissige,	" "	"
" "	37,	F.	mother	Kivetinok,	" "	"
John Summit,	55,	M.	head,	Okans,	" "	"
Mary Summit,	46,	F.	wife,	Mani,	" "	"
Tom-Penna,	" "	"	"	" "	" "	"
" "	9,	M.	son,	poniash,	" "	"
Tom Penma,	46,	M.	head,	Abidass,	" "	"
James Young,	33,	M.	head,	Maketegishig,	Phlox, Wis.	"
" "	22?	F.	wife,	Migissakwe,	" "	"
" "	7,	F.	dau.	Matakamigokwe,	" "	"
" "	4,	F.	dau.	Gigiagoss,	" "	"
Jack Mirriele,	13	M.	orphan,	Nenaogishig,	" "	"
Will Wabanum,	63,	M.	head,	Wabanimous,	" "	"
" "	51,	F.	wife,	Mabon,	" "	"
John Bapa,	59,	M.	single,	Papa,	" "	"
" "	59,	M.	single,	Makomis,	" "	"
John Noon,	30,	M.	head,	Nodin,	" "	"
" "	20,	F.	wife,	Kagigeadiwan,	" "	"
George " "	4,	M.	son,	Pitchigs,	" "	"
" "	1/2	F.	Dau.	Not named.	" "	"
" "	37,	F.	widow,	Netiss or Netinok,	" "	"
Tom Noon	61/	M.	single,	Kini,	" "	"

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CANADA

Names,	Age	Sex	Indian name	residence,	No.
Peter Noon,	60,	M.	head, Matchikiniw,	Phlox, Wis.	"
Jim Noon,	37,	M.	head, Kishkinakoang,	" " "	"
Margaret Oneoat,	38,	F.	head, Maginit,	" " "	"
" " "	65,	F.	single, Kigiak,	" " "	"
" " "	68,	F.	single, Kibia,	" " "	"
Bill Young,	41,	M.	head, Kopin,	" " "	"
Jack Waubegay,	39,	M.	head, Pangishim,	" " "	"
Sam Sky,	71?	M.	head, Paigigishig,	" " "	"
" " "	63,	F.	widow, Tibowis,	" " "	"
" " "	34,	M.	head, Makatewabo,	" " "	"
" " "	31,	F.	single, Pitiesho,	" " "	"
Billy Cook,	34,	M.	Head, Animike,	" " "	"
Charlotte Waubegay,	53,	F.	single, Ashibik,	" " "	"
Benjamin Wamixico,	67,	M.	single, Pitawanakwah,	" " "	"
Joe Pennabinee,	42,	M.	head, Eshkoegwanob,	" " "	"
" " "	11,	M.	son, Tehingwe,	" " "	"
" " "	2,	M.	son, Aiatabit,	" " "	"
" " "	80,	F.	Migo,	" " "	"
John Kowabimi,	100,	M.	Bro. Kowabami,	" " "	"
" " "	22,	F.	dau. Miacishigok,	" " "	"
" " "	8,	M.	son, Kaponike,	" " "	"
Mrs. Perote,	41,	F.	cousin, Pitwewegishigok,	" " "	"
John Manis,	39,	M.	head, Pinessis,	Milwaukee, Wis.	"
" " "	32,	F.	wife, Kakekinik,	" " "	"
" " "	12,	M.	son, Kagigegabow,	" " "	"
" " "	10,	M.	son, Shangwesh,	" " "	"
" " "	8,	M.	son, Kekeshiang,	" " "	"
" " "	7,	F.	dau. Pietewetanok,	" " "	"
" " "	19,	F.	dau. Mokidjiwan,	" " "	"
" " "	17,	M.	son, Ogimagigito,	" " "	"
" " "	15,	M.	son, Ishkwe gishig,	" " "	"
" " "	62,	M.	single, Mishikekek,	" " "	"
George Winn,	48,	M.	head, Nodinokoang,	" " "	"
Billy George,	18,	M.	son, Naganwewitang,	" " "	"
" " "	13,	M.	son, Makatewanim,	" " "	"
" " "	8,	M.	son, Pishikins,	" " "	"
" " "	2,	F.	dau. Ashibik,	" " "	"
" " "	82,	F.	widow, Pemassinok,	" " "	2
Jack Alloway,	29,	M.	head, Ketigigwan,	" " "	"
" " "	25,	F.	wife, Animikikwe,	" " "	"
" " "	8,	F.	dau. Kiwekwaanok,	" " "	"
" " "	6,	F.	dau. Wabinok,	" " "	"
" " "	3,	M.	son, Ebonakigabawid,	" " "	"
Jim Alloway, Sr.	50,	M.	Head, Wabigishig,	" " "	"
" " "	46,	F.	wife, Kageiadjawan,	" " "	"
Charlie Alloway,	26,	M.	son, Peshkinno,	" " "	"
Jim " " Jr.	23,	M.	son, Missabe,	" " "	"
" " "	16,	F.	dau. Nenaogishigok,	" " "	"
" " "	14,	F.	dau. Gissasek,	" " "	"
" " "	7,	M.	son, Wikweianakwad,	" " "	"
" " "	2,	M.	son, Pais,	" " "	"
" " "	86,	F.	widow, Mitchiginikwe,	" " "	"
Joe Michigaf,"	34,	M.	head, Abidanakwad,	" " "	"
" " "	23,	F.	wife, Abidassigek,	" " "	"
George Michigan,	3,	M.	son, Mensinobi,	" " "	"
Daniel Morgan,	49,	M.	Head, Shimagan,	" " "	"
Kate " "	6,	F.	dau. Nawakwe iassinok,	" " "	"
Tom Indian,	76,	M.	head, Nawakwe,	" " "	"
" " "	66,	F.	wife, Kagessikok,	" " "	"
Mustache,	62,	M.	head, Shawanange,	" " "	"
" " "	57,	F.	wife, Pawi,	" " "	"
John Mustache,	27,	M.	Head, Kenosid,	" " "	"
" " "	21,	F.	wife, Miskotekwe,	" " "	"
Black Hat,	82,	M.	single, Kithessam,	" " "	"
George Young,	34,	M.	head, Tektiassige,	" " "	"
" " "	29,	F.	wife, Wassidjiwan,	" " "	"

(4)

Names	i-i	I	II	Indian Name,	Residence,	I
Young,	10	F.	dau.	Shawanogishigok,	Minocqua, Wis	no
" "	7	F.	dau.	Hibaossekwe,	" " "	"
" "	5	M.	son,	Mishakwad,	" " "	"
" "	2	M.	son,	Wetekishkang,	" " "	"
Indian George	52	M.	head,	Shawanebine,	" " "	"
" "	28	F.	dau.	Netenokoang,	" " "	"
" "	4	F.	dau.	Miskwanchwato,	" " "	"
" "	62	F.	widow,	Shigok,	" " "	"
Joe Bill,	26	M.	head,	Ossabikoang,	" " "	"
" "	42	F.	wife,	Anamihamik,	" " "	"
" "	12	F.	dau/	Kitchigamikwe,	" " "	"
" "	5	F.	dau.	Manitokwe,	" " "	"
" "	29	F.	dau.	Kigiago,	" " "	"
" "	40	F.	widow,	Potow,	" " "	"
" "	78	F.	mother,	Nadjidabibwe,	" " "	"
" "	38	M.	head,	Mitigomia or Pebokwe,	" " "	"
" "	27	F.	wife,	Tehibaigassinok,	" " "	"
" "	7	F.	dau.	Pineiasam,	" " "	"
" "	5	M.	son,	Shibawasse,	" " "	"
" "	1	F.	dau.	Kakekwe,	" " "	"
Joseph Wabiness,	44	M.	head,	Pietwewitang,	" " "	"
" "	20	M.	son,	Mekiteosse,	" " "	"
" "	18	M.	son,	Meiawabi,	" " "	"
John Mack,	39	M.	son,	Miteonek,	Waukauke, "Wis	"
Charles Wabiness,	34	M.	head,	Ossawanakoang,	Minocqua "Wis	"
" "	26	F.	wife,	Pemosseg,	" " "	"
" "	2	M.	son,	Mitigwabo,	" " "	"
" "	40	M.	head,	Negotwewitang,	" " "	"
" "	12	M.	son,	Kissinadjiwan,	" " "	"
George Washington						
Wixgop	81	M.	single,	Nawakweshkam,	" " "	"
" "	46	M.	head,	Shawanassige,	" " "	"
" "	8	F.	dau.	Oshawashkwaban,	" " "	"
" "	31	M.	head,	Matchige,	Phlox, Wis.	"
" "	23	F.	wife,	Manawakamigog,	" " "	"
" "	1 1/2	F.	dau.	not named.	" " "	"
John Wabiness Pott,	59	M.	head,	Matchisib,	Minocqua " "	"
Ethel Pott,	18	F.	dau.	Ogawayassinohwe,	" " "	"
" "	19	M.	son,	Medweilash,	" " "	"
" "	17	M.	son,	Migisagishig,	" " "	"
" "	6	M.	son,	Nibinowewegishig,	" " "	"
" "	4	M.	son,	Animikiwash,	" " "	"
" "	36	M.	head,	Nandawabi,	" " "	"
" "	51	M.	head,	Negitawanakwand,	" " "	"
" "	41	F.	wife,	Kitchigamikwe,	" " "	"
" "	3	M.	son,	Kia,	" " "	"
" "	51	M.	Head,	Gissie,	" " "	"
" "	12	F.	dau.	Wawassamokwe,	Star Lake	"
" "	9	F.	dau/	Nawage,	" " "	"
" "	3	F.	dau.	Nibinekamik,	" " "	"
Jim Young,	33	M.	Head,	Matchisib,	" " "	"
Mrs. Young,	25	F.	wife,	Wasse,	" " "	"
" "	10	F.	dau.	Kagieassinok,	" " "	"
" "	14	F.	dau.	Makonsikoe,	" " "	"
" "	5	F.	dau.	Tabassassinok,	" " "	"
Bill Young,	27	M.	single,	Kawatakamigo,	" " "	"
Charlie Willay,	41	M.	head,	Kagedjiwan,	" " "	"
" "	25	F.	wife,	Otehanimassinok,	" " "	"
" "	5	F.	dau.	Onaogishigok,	" " "	"
" "	4	F.	dau.	Wabanigishigok,	" " "	"
" "	1	M.	son,	Tabassibiness,	" " "	"
Jim Daniels,	37	M.	head,	Miskobiness,	" " "	"
" "	41	F.	wife,	Obesha,	" " "	"
Frank Daniels,	1 1/2	M.	son,	not named/	" " "	"
" "	12	M.	son,	Nibinekoak,	" " "	"
" "	5	M.	son,	Ossawanakwad,	" " "	"
" "	2	F.	dau.	Shoshkona,	" " "	"

Names	† †	I	II	Indiana Name,	Residence,	I
George Escanaba,	73,	M.	head,	Ghoshkona,	StarLake, Wis.	70
" "	46,	F.	wife,	Sagadjiwehwe,	" " "	"
Johnson,	50,	M.	head,	Wabigishig,	" " "	"
" "	40,	F.	wife,	Tibassam,	" " "	"
" "	21,	M.	son,	Tetegwassige,	" " "	"
" "	19,	M.	son,	Niaw,	" " "	"
" "	17,	M.	son,	Mitagwab,	" " "	"
" "	15,	M.	son,	Nawakwagissis,	" " "	"
" "	13,	M.	son,	Mabanegishig,	" " "	"
" "	11,	F.	dau.	Miawassamok,	" " "	"
" "	9,	M.	son,	Wassagwan,	" " "	"
" "	3,	F.	dau.	Fshpina,	" " "	"
" "	74,	F.	widow,	Kamanakwatch,	" " "	"
" "	18,	F.	orphan,	Madjiossee,	" " "	"
" "	52,	F.	widow,	Wabanows,	" " "	"
" "	42,	M.	head,	Wassishkang,	" " "	"
" "	30,	F.	wife,	Wassegishigok,	" " "	"
" "	12,	M.	son,	Neshkewwitang,	" " "	"
" "	10,	M.	son,	Migwans or Shikagons,	" " "	"
" "	8,	M.	son,	Neskewakosank,	" " "	"
" "	38,	M.	single,	Gabeo,	" " "	"
Charles Burns,	32,	M.	head,	Shagesh,	" " "	"
Willie Mishigand,	27,	M.	head,	Aiabidassang,	Bark River, Wis.	"
Agnes,	24,	F.	wife,	-----	" " "	"
George,	5,	M.	son,	-----	" " "	"
Violet,	11 1/2,	F.	dau.	-----	" " "	"
Abraham,	78,	M.	head,	Wishigand,	" " "	"
Jeanie,	66,	F.	wife,	Ogimakwe,	" " "	"
Moses,	41,	M.	head,	pimadjiwan,	" " "	"
Angeline,	44,	F.	wife,	Saganakwadok,	" " "	"
Elizabeth,	16,	F.	dau.	-----	" " "	"
Maggie,	15,	F.	dau.	-----	" " "	"
Jacob,	13,	M.	son,	-----	" " "	"
Willie,	10,	M.	son,	Oshawaskogishig,	" " "	"
Richard,	29,	M.	head,	Kishagobiness,	" " "	"
Mary,	28,	F.	wife,	-----	" " "	"
Harry,	6,	M.	son,	-----	" " "	"
Jeanie,	3,	F.	dau.	-----	" " "	"
Joseph Philemon,	48,	M.	head,	Neianakwad,	" " "	"
Martha,	41,	F.	wife,	Sosokwa,	" " "	"
Jim Kischeck,	34,	M.	head,	Nanagishig,	" " "	"
Mary Ann,	33 1/2,	F.	wife,	Abidassigok,	" " "	"
Emma,	17,	F.	dau.	-----	" " "	"
Peter,	15,	M.	son,	Iskwassogishigweb,	" " "	"
Agnes,	16,	F.	dau.	-----	" " "	"
Stephen,	10 1/2,	M.	son,	Shebogishig,	" " "	"
Irene,	8,	F.	dau.	-----	" " "	"
William,	6,	M.	son,	Shawanokam,	" " "	"
Mabel,	3,	F.	dau.	-----	" " "	"
Dora May,	1,	F.	dau.	-----	" " "	"
Anthony,	66,	M.	head,	Nanagishig,	" " "	"
Thomas,	36,	M.	head,	Ossaganakwad,	" " "	"
Christina,	31,	F.	wife,	Wawassamok,	" " "	"
Tucy,	15,	F.	dau.	-----	" " "	"
John,	13,	M.	son,	-----	" " "	"
George Kischeck,	12,	M.	son,	-----	" " "	"
Mary,	9,	F.	dau.	-----	" " "	"
Anna,	7 1/2,	F.	dau.	-----	" " "	"
Paul,	2,	M.	son,	-----	" " "	"
Julia,	1 1/4,	F.	dau.	-----	" " "	"
Maggie Mishigand,	72,	F.	widow,	Wishkoban,	" " "	"
Louis Philemon,	34,	M.	head,	Minindowab,	" " "	"
Elizabeth,	43,	F.	wife,	-----	" " "	"
Archie Magonup,	13,	M.	son,	-----	" " "	"
Daniel,	12,	M.	son,	-----	" " "	"
William Philemon,	2,	M.	son,	-----	" " "	"

Names	I	II	(3)		No.
			Indian Name,	Residence,	
Andy Philemon,	5,	M. son,	-Bark-River-Wis.	Bark River, Wis.	"
Sophia " "	3,	F. dau.	-----	" " "	"
Eva " "	1 1/4,	F. dau.	-----	" " "	"
Alex " "	23,	M. head,	Babaniasse,	" " "	"
Hettie " "	17,	F. wife,	-----	" " "	"
Alce " "	1,	M. son,	-----	" " "	"
Sarah " "	84,	F. widow,	-----	" " "	"
Mary Jane Edwards,	31,	F. widow,	-----	" " "	"
Josephine Philemon,	16,	F. dau.	Beshabanok,	" " "	"
Eve Schpenaiss,	79,	F. widow,	Giwegishigokwe,	" " "	"
Abraham Thunders,	24,	M. single,	-----	" " "	"
John Wolfe,	83,	M. " "	Shawanakwad,	" " "	"
Doty Mishigand,	38,	M. head,	Pemassang,	" " "	"
Jessie " "	38,	F. wife,	Miskkwad,	" " "	"
Isaac " "	20,	M. son,	Tabassanakwad,	" " "	"
Maggie " "	16,	F. dau.	Oshawashkogishigok,	" " "	"
Mary " "	14,	F. dau.	Giokomog,	" " "	"
Bessie " "	11,	F. dau.	Niganigishigok,	" " "	"
Fossie, " "	4,	F. dau.	gishigok,	" " "	"
Louis " "	3,	M. son,	Wiwieassige,	" " "	"
" " "	1/2,	M. son,	Wabanakwa,	" " "	"
David Crotch,	67,	M. head,	Nesawakwa,	" " "	"
Margaret " "	46,	F. wife,	Giwitang,	" " "	"
Maggie Sanba,	81,	F. widow,	Mishiginikwe,	" " "	"
Susan Wamixago,	62,	F. " "	Kiniwagishigokwe,	" " "	"
Anna Pahtahewa,	83,	F. " "	Kakokokwe,	" " "	"
John Jacobs,	49,	M. head,	Tehinbadiness,	" " "	"
Eliza Peterson,	46,	F. " "	Kitchikweigan,	" " "	"
John Negahnakwad,	58,	M. single,	Anishinab,	" " "	"
Simon Kahquados,	58,	M. single,	Kakanassige,	" " "	"
Sarah Jane Curtis,	21,	F. niece,	-----	" " "	"
William Ben,	50,	M. head,	Miskominito,	Wausaukee, Wis.	"
Mary Ben,	45,	F. wife,	Maniss,	" " "	"
" " "	9,	F. dau.	Anaogishigok,	" " "	"
" " "	6,	F. dau.	Wassesgishigok,	" " "	"
" " "	4,	M. son,	WassesAkang,	" " "	"
" " "	1/2,	M. son,	not named.	" " "	"
Ben Owewe,	89,	M. head,	Wassinak,	Carter, Wis.	"
" " "	64,	F. wife,	Bimikwaban,	" " "	"
Jim Crow,	58,	M. head,	Shoniens,	Koshena, Wis.	"
" " "	17,	F. dau.	Miskwaban,	" " "	"
" " "	17,	F. orphan,	Kakegabawik,	Carter, Wis.	"
" " "	13,	M. " "	Ossawanakwa,	" " "	"
Alec Summercloud,	46,	M. single,	Besharakwa,	" " "	"
Angeline Wamixago,	79,	F. widow,	Keiash,	" " "	"
John Shine,	64,	M. Pinesswa,	Pinesswa,	" " "	"
" " "	14,	F. dau.	Tabassam,	Crandon, Wis.	"
" " "	13,	F. dau.	Benweitamok,	" " "	"
" " "	8,	M. son,	Nawakweshkam,	" " "	"
Mary Wabee,	39,	F. head,	Pebonfiassinok,	" " "	"
" " "	9?	F. dau.	Wassigek,	" " "	"
" " "	7,	M. son,	Ossaogishig,	" " "	"
" " "	5,	M. son,	Niganigishigokwe,	" " "	"
" " "	3,	F. dau.	Kageiamainok,	" " "	"
Mary Williams,	82,	F. widow,	Kiwanakwachwe,	Wausaukee, Wis.	"
Duncan " "	37,	M. son,	Pinessse,	" " "	"
Tom " "	49,	M. head,	Kiwanakwad,	" " "	"
Joseph, " "	25,	M. son,	Pemossadang,	" " "	"
Moses " "	17,	M. Won,	Wabikang,	" " "	"
Peter Schpenaiss,	25,	M. single,	Piwash,	" " "	"
Jennie Martin Claf,	129,	F. wife,	Kiwakawamok,	" " "	"
" " "	9,	M. son,	Pebamidjiwan,	" " "	"
" " "	7,	M. son,	Mokidjiwan,	" " "	"
Louis Claflin,	14,	M. son,	-----	" " "	"
Libby " "	9,	F. dau.	-----	" " "	"
Jimmie " "	7,	M. son,	-----	" " "	"
John " "	25,	M. son,	-----	" " "	2

Name	Age	I	II	Indian Name,	Residence,	I-
Madeline Beaver,	35,	F.	wife,	Namidine,	Wausaukee, Wis.	No
Julia Beaver,	17,	F.	dau.	Kitchigamike,	" " "	"
Peter Martin,	74,	M.	head,	-----	" " "	"
Margaret Martin,	93,	F.	widow,	Madjinage,	" " "	"
Nancy Mixdgo	25,	F.	wife,	Kitikamik,	" " "	"
Jim " "	27,	M.	head,	Wabishkinis,	" " "	"
Maggie " "	7,	F.	dau.	Kiwetink,	" " "	"
Mary Walker,	62,	F.	wife,	Assima,	" " "	"
Josie Mitchell,	39,	F.	widow,	Pitaban,	St. Jaques, Mich.	"
Charlie " "	14,	M.	son,	-----	" " "	"
Louis Greenong,	50,	M.	single,	Peebonessa,	Carter, Wis.	"
Gus Mitchell,	31,	.	" "	Wemigissago,	Wausaukee, Wis.	"
Nancy Williams,	15,	F.		none,	Bark Riv. Mich.	"
George " "	13,	M.		"	" " "	"
John " "	10,	M.		"	" " "	"
Amanda " "	6,	F.		"	" " "	"
Henry Pedoniquot,	62,	M.	head,	Enimikobe,	" " "	"
Mary " "	57,	F.	wife,	-----	" " "	"
Daniel " "	32,	M.	son,	Wabanisse,	" " "	"
Elizabeth " "	33,	F.	wife,	-----	" " "	"
Caroline " "	5,	F.	dau.	-----	" " "	"
Aileen " "	4,	F.	dau.	-----	" " "	"
Elias Henry	3,	M.	son,	-----	" " "	"
Hester, "	16,	F.	dau.	-----	" " "	"
Mary Jane "	12,	F.	dau.	-----	" " "	"
Peter Wandahsega	56,	M.	head,	-----	" " "	"
Mary " " "	20,	F.	dau.	Shabogishig,	" " "	"
John " " "	16,	M.	son,	Ogimans,	" " "	"
Frank " " "	9,	M.	son,	Shawanokam,	" " "	"
Mary " " "	68,	F.	head,	-----	Hoyt, Wis.	"
Joseph " " "	49,	M.	son,	-----	Hoyt, Wis.	"
Agnes " " "	20,	F.	dau.	-----	" " "	"
Nelson " " "	43,	M.	son,	-----	" " "	"
Philip " " "	18,	M.	son,	-----	" " "	"
Mrs. Betsy Trapp,	53,	F.	dau.	-----	" " "	"
Katie Shephard,	25,	F.	dau.	-----	" " "	"
Peter Cloud,	33,	M.	head,	Anakwad,	Trumbly, Mich.	FA 1
Alice George,	19,	F.		-----	Odanah, Wis.	No
Mary Jane "	16,	F.		-----	" " "	"
Delia " "	13,	F.		-----	" " "	"
Charlotte "	10,	F.		-----	" " "	"
Isaiah George,	7,	M.		-----	" " "	"
Methuselak "	4,	M.		-----	" " "	"
Joseph "	2,	M.		-----	" " "	"
Josiah Williams	80,	M.	head,	Pemwewitang,	Sarnia, Ont.	FA 1
Frank Williams,	35,	M.	son,	Wabasse,	" " "	"
Tolla Jane "	6,	F.	dau.	none,	" " "	"
Alec " "	4,	M.	son,	"	" " "	"
Mary Cottswell,	55,	F.	head,	Pimidjiwanohwe,	" " "	"
Adam " "	38,	M.	son,	none	" " "	"
Thomas Mayville,	34,	M.	son,	"	" " "	"
Jack Mayville,	31,	M.	son,	"	" " "	"
Louise Williams,	24,	F.	dau.	"	" " "	"
James Byron "	3,	M.	son,	Kebeshkang,	" " "	"
David Roy "	2,	M.	son,	Shabogishig,	" " "	"
Clarence "	1,	M.	son,	Shabogishig,	" " "	"
Mrs. Jane Stone,	47,	F.	dau.	None,	" " "	"
James " "	23,	M.	son,	"	" " "	No
Wilson " "	2,	M.	son,	"	" " "	"
Thomas " "	21,	M.	son,	"	" " "	"
William Rogers,	32,	M.	head,	Naogishig,	" " "	F
Mrs. Mary "	36,	F.	wife,	-----	" " "	"
Rose " "	11,	F.	dau.	None,	" " "	"
Stafford " "	5,	M.	son,	"	" " "	"
Elma " "	2,	F.	dau.	"	" " "	"

Names	I	II	Indian Name,	Residence		I
Not named	1 da.	M. son,	Nora,	Sarnia, Ont.		F.
Mrs. Margaret Mannie	44,	F. head,	"	"	"	"
Agnes	" 14,	F. dau.	"	"	"	"
Daniel	" 26,	M. son,	Wabos,	"	"	"
Nora	" 4,	F. dau.	nons,	"	"	"
Andrew	" 1,	M. son,	Negishig,	"	"	"
Alexander Rodgers	55,	M. head,	Pishigonebik,	"	"	"
William	" 25,	M. son,	-----	"	"	"
John	" 23,	M. son,	-----	"	"	"
Samuel	" 21,	M. son,	-----	"	"	"
Harry	" 19,	M. son,	-----	"	"	"
John Cloud,	55,	M. bro.	Anakwad,	"	"	"
Henry Oliver,	70,	M. head,	Wemigwans,	"	"	"
George Oliver,	40,	M. son,	-----	"	"	"
Ilwallyn Oliver,	21,	M. son,	-----	"	"	"
Albert Oliver,	10,	M. son,	-----	"	"	"
Mabel Oliver,	7,	F. dau.	-----	"	"	"
Adelaide	" 19,	F. dau.	-----	"	"	"
Josephine	" 18?	F. dau.	-----	"	"	"
Agnes	" 16,	F. dau.	-----	"	"	"
Philip	" 22,	M. son,	-----	"	"	"
David	" 18,	M. son,	-----	"	"	"
Levi	" 54,	M. bro.	-----	"	"	"
Thomas George,	70,	M. head,	Mandokay,	Ravenwood, Ont.		
Milton	" 35,	M. son,	Shawano,	"	"	"
Stafford	" 7,	M. son,	None	"	"	"
Ella	" 4,	F. dau.	"	"	"	"
Frank	" 31,	M. head,	"	"	"	"
Harvie	" 5,	M. son,	"	"	"	"
Eva	" 3,	F. dau.	"	"	"	"
Angus	" 28,	M. head,	"	"	"	"
Gladys,	" 2,	F. dau.	"	"	"	"
Maurice	" 26,	M. head,	"	"	"	"
Phyllis	" 1/2,	F. dau.	"	"	"	"
Mrs Louisa Milligan	33,	F. head,	"	"	"	"
Grant Milligan	5,	M. son,	"	"	"	"
John Milligan,	2,	M. son,	"	"	"	"
Tabitha Shawkeense,	68,	F. head,	Kiwekodji,	"	"	"
Stephen	" 56,	M. son,	Shenwash,	"	"	"
Wesley	" 40,	M. head,	Saganakwad,	"	"	"
Jessie	" 11,	F. dau.	-----	"	"	"
Baxter	" 5,	M. son,	-----	"	"	"
Wilfred	" 2,	M. son,	-----	"	"	"
Moses Wolfe	19,	M. G. son,	-----	"	"	No.
Johis Bruce,	9,	M. son,	-----	"	"	"
Sutton Shawkeense,	48,	M. head,	-----	"	"	F.
Emily	" 24,	F. dau.	nons,	"	"	"
Norah	" 18,	F. dau.	"	"	"	"
Caleb	" 21,	M. son,	"	"	"	"
Lily	" 16,	F. dau.	"	"	"	"
Grace	" 10,	F. dau.	"	"	"	"
Winnie	" 7,	F. dau.	"	"	"	"
Vera	" 3,	F. dau.	"	"	"	"
Amelia Wandahsega	22,	F. dau.	"	"	"	No
Elizabeth Henry,	80,	F. head,	Gikai,	"	"	F.
Adam James,	38,	M. G. Nep.	Kotigigoneb,	"	"	No.
Sarah Southwind,	60,	F. dau.	Ebegoshi,	"	"	F.
Elijah Southwind,	40,	M. son,	Henawishima,	"	"	"
Mrs Lucy Ashquabe,	57,	F. Dau.	"	"	"	"
Petty Greenbird,	30,	M. son,	"	"	"	"
Mary Greenbird,	28,	F. wife,	"	"	"	"
Alfred Greenbird,	5,	M. son,	"	"	"	"
Joel Pewash,	42,	M. son,	"	"	"	"
Mrs Anna Elijah,	40,	F. H. D	"	"	"	"
Wellington	8,	M. son,	"	"	"	"
Mrs. Jessie Eresette	38,	F. H. D #518,	"	"	"	"

Name	Age	I	II	Residence	
Mrs Martin Phoebe Gray,	20,	F.	dau.	Ravenwood, Ont.	Full.
William " "	1 1/2,	M.	son,	" "	" "
Mrs. Elsie King,	38,	F.	dau.	" "	None,
Myrtle " "	1 1/2,	F.	dau.	" "	" "
Rizzie Bressette	16,	F.	dau.	" "	Full,
Fred " "	15,	M.	son,	" "	" "
Edna " "	12,	F.	dau.	" "	" "
Annie " "	10,	F.	dau.	" "	" "
Norman, " "	8,	M.	son,	" "	" "
Thomas " "	1 1/2,	M.	son,	" "	" "
Gifford Henry,	36,	M.	"	" "	None,
James " "	15,	M.	"	" "	" "
George " "	13,	M.	"	" "	" "
Foss " "	11,	M.	"	" "	" "
Mary " "	9,	F.	dau.	" "	" "
Rosie " "	8,	F.	dau.	" "	" "
Debbie " "	5,	F.	dau.	" "	" "
Mrs. Harry King,	45,	F.	head	" "	" "
Percy " "	26,	M.	son,	" "	" "
Willie " "	17,	M.	son,	" "	" "
Louis " "	28,	M.	son,	" "	" "
Joe " "	30,	M.	son,	" "	" "
Eli George,	26,	M.	"	" "	" "
Mrs. Edna Bressette	36,	F.	head,	Rein, Ont.	Full
Christina " "	14,	F.	dau.	" "	" "
Edwin " "	6,	M.	son,	" "	" "
Margaret " "	2 1/2,	F.	dau.	" "	" "
Albert George,	60,	M.	head	" "	" "
Mrs Lucy Cloud,	33,	F.	head	" "	" "
Stanley Cloud,	12,	M.	son,	" "	" "
Mrs. Ida Wild,	33,	F.	head,	" "	" "
Elma " "	3,	F.	dau.	" "	No
Cecelia " "	1 1/2,	F.	dau.	" "	" "
Olive George,	37,	F.	dau.	" "	Full
Moses " "	31,	M.	son,	" "	" "
Robert " "	18,	M.	son,	" "	" "
Mrs Mina Waucaush,	50,	F.	head,	Munsey, Ont.	" "
Frank " "	19,	M.	son,	" "	" "
Edward, " "	17,	M.	son,	" "	" "
Elmira " "	11,	F.	dau.	" "	" "
Andrew " "	6,	M.	son,	" "	" "
Mrs Rizzie Cloud,	27,	F.	"	Stony Point Reserv?	" "
Tommie George,	62,	M.	head,	Georgine P ^o Island,	" "
Simpson " "	22,	M.	son,	" "	" "
James " "	20,	M.	son,	" "	" "
William " "	18,	M.	son,	" "	" "
Annie " "	16,	F.	dau.	" "	" "
Alice Henry	13,	F.	"	Stony Pt?	" "
Sarah George	12,	F.	"	" "	" "
Thomas Saganaki	90,	M.	head	Wikwemikong, Ont.	No.
Mrs. Philemon LaCollie,	56,	F.	dau.	" "	" "
John " "	29,	M.	son,	" "	" "
Mary Ann. " "	13,	F.	dau.	" "	" "
Therese " "	11,	F.	dau.	" "	" "
Josephine " "	1,	F.	dau.	" "	" "
Mrs Mary Madeline Sagima,	23,	F.	head	Wikwemikong, "	" "
John " "	14,	M.	son/	" "	" "
Agathe LaCollie,	21,	F.	"	Wikwemikong,	" "
Joseph " "	19,	M.	son,	" "	" "
Francis " "	17,	M.	head,	" "	" "
Rosie " "	13,	F.	dau.	" "	" "
Catherine " "	15,	F.	"	" "	" "
Florence " "	8,	F.	"	" "	" "
Mrs Mary Wabanosee,	53,	F.	head/	" "	" "
Mitchell " "	25,	M.	son,	Some where in Mich."	" "
Mrs. Jane Atawish,	25,	F.	"	Wikwemikong,	" "

Names	Age	Sex	Relationship	Residence	No.
Mrs. Veronie Babamikawa,	21,	F.	head,	Wickwemikong.	No.
Tulia " "	1/2,	F.	dau #596,	" "	"
James	14,	M.	son #593,	" "	"
Mrs Agnes Nedowash,	51,	F.	dau #579,	South Bay, Ont.	"
" " Shawanday,	25,	F.	dau.	" " "	"
Alec Nedowasn,	14,	M.	son # 599	" " "	"
Jackson " "	12,	M.	son " "	" " "	"
Ambrose " "	10,	M.	" " "	" " "	"
Josephine " "	1,	F.	dau " "	" " "	"
Joseph Saganaki,	49,	M.	head,	" " "	"
Peter Ritchie	60,	M.	head,	Chippewa Hill	"
Sophia " "	30,	F.	wife,	" " "	"
George " "	35,	M.	son,	" " "	"
Edgar " "	5,	M.	son,	" " "	"
Howard " "	3,	M.	son,	" " "	"
Stuart " "	1/2,	M.	son,	" " "	"
Francis " "	18,	M.	son #606,	" " "	"
Peter " "	16,	M.	son " "	" " "	"
Benjamin " "	14,	M.	son " "	" " "	"
Alice " "	12,	F.	dau. " "	" " "	"
Mrs. Mary Oliver,	40,	F.	dau " "	" " "	"
William Ritchie,	24,	M.	son, " "	" " "	"
James Ritchie,	47,	M.	brother #606.	Sangson Ind. Res.	Full
Mrs Mary " "	47,	F.	wife,	" " "	"
Jesse James,	33,	M.	head,	" " "	"
Margaret " "	25,	F.	wife,	" " "	"
Edward " "	7,	M.	son,	" " "	"
Laura " "	3,	F.	dau.	" " "	"
Norman " "	3,	M.	son,	" " "	"
Loisanne	1,	F.	dau	" " "	"
Thomas Ritchie,	20,	M.	son #619,	" " "	"
James " "	12,	M.	" " "	" " "	"
Grace " "	3,	F.	dau " "	" " "	"
Howard " "	7,	M.	son, " "	" " "	"
Mrs Liza Jane Kewaguan,	22,	F.	dau 606,	" " "	"
Lottie " "	3,	F.	" 631,	" " "	"
Anna " "	3,	F.	" "	" " "	"
Henry Ritchie,	43,	M.	head,	" " "	"
Mrs Helen Kayoshk,	22,	F.	dau,	" " "	"
Valentine Ritchie,	7,	M.	son	" " "	"
Henry Wilfred " "	3,	M.	son,	" " "	"
David " "	42,	M.	head,	" " "	"
Susan " "	20,	F.	dau	" " "	"
Mrs Palla Angegabough,	18,	F.	head,	" " "	"
Flora " "	3,	F.	dau.	" " "	"
Livingstone Ritchie,	13,	M.	son #638	" " "	"
Sylvester " "	11,	M.	" " "	" " "	"
Lois -) twins " "	8,	F.	dau. " "	" " "	"
Louisa) " "	8,	F.	dau. " "	" " "	"
Florence " "	8,	F.	dau. " "	" " "	"
Middletton, " "	2,	M.	son, " "	" " "	"
Sampson " "	50,	head,		" " "	"
Jesse " "	32,	head,		" " "	"
Elizabeth " "	18,	wife,		" " "	"
Mrs Amy Snake,	22,	F.	dau 648,	" " "	"
Josephine Ritchie,	20,	F.	" "	" " "	none
Wilson Ritchie	65,	M.	head,	" " "	Full
Andrew " "	34,	M.	son #653,	" " "	"
William Savage Ritchie	8,	M.	son	" " "	"
Ardwin " "	6,	M.	son	" " "	"
Percy " "	4,	M.	son,	" " "	"
Milton " "	2,	M.	son,	" " "	"
Mrs Bertha Cameron,	32,	F.	Dau. #653,	" " "	"
percy " "	14,	M.	son,	" " "	"

Names	(11)			Residence,	I.
	+	I	I I		
Gertie Cameron,	12,	F.	dau.	Saugeen Ind.	Full
Mary "	10,	F.	dau.	" "	"
Florence "	8,	F.	dau.	" "	"
Willie "	5,	M.	son,	" "	"
John "	2,	M.	"	" "	none
Mrs. Louisa Crow,	30,	F.	head,	" "	"
Daniel Brownly,"	23,	M.	son,	" "	"
Marta Richards,	19,	F.	sister #666,	" "	Full
William Fitchie,	30,	M.	single,	" "	"
Mrs. Amanda Shawano,	28,	F.	dau. 653,	Kettle Pt. Res.	"
Nancy "	9,	F.	dau.	" "	"
Isaac Sylvester "	7,	M.	son,	" "	"
Lottie Ellen "	5,	F.	dau.	" "	"
Edgar Wilson "	3,	M.	son,	" "	"
Fiddie Logan "	1 1/2	son,		" "	"
Mrs. Adejide Anyahba,	26,	F.	dau #653,	Saugeen Ind.	"
Ardwin "	7,	M.	son,	" "	"
Mabel "	3,	F.	dau.	" "	"
Elliot Fitchie,	24,	F.	son 653,	" "	"
Austin "	3,	M.	son	" "	"
Zachariah Wahbezee,	29,	M.	bro. 620	" "	"
Liza Jane "	24,	F.	wife	" "	"
Joseph James	35,	M.	head	French River Ont.	"
Beatrice "	14,	F.	dau.	" "	"
"		M.	son	" "	"
"		M.	son	" "	"
John Nashkewa,	50,	M.	head,	Saugeen Ind.	"
Richard "	25,	M.	son #687	" "	"
Abia "	21,	M.	" "	" "	"
Mary "	18,	F.	wife	" "	"
Edward,	18,	M.	son #687,	" "	"
Fileen "	16,	F.	" "	" "	"
Asa "	6,	M.	" "	" "	"
Thomas "	4,	M.	" "	" "	"
Isabella "	2,	F.	dau.	" "	None?
William "	40,	M.	bro. #687,	" "	full
Sophia "	29,	F.	wife,	" "	none
Sarah "	12,	F.	dau.	" "	"
Wilfred "	5,	M.	son	" "	"
Martin "	1,	M.	son	" "	"
Angus "	34,	M.	bro. #687,	" "	full
Liza Jane "	25,	F.	wife,	" "	None
Peter "	8,	M.	son,	" "	"
Louisa "	6,	F.	dau.	" "	"
Oliver "	4,	M.	son,	" "	"
Moses "	36,	M.	bro. #687,	" "	full
Julia "	25,	F.	wife,	" "	none
Amos "	3,	M.	son	" "	"
Infant "	2mo.	M.	son,	" "	"
Matthew "	32,	M.	bro. #687,	" "	full,
Eliza Jane "	26?	F.	wife,	" "	none
Lena "	5,	F.	dau.	" "	"
Archie "	3,	M.	son,	" "	"
David Nashkewa	31,	M.	Bro. 687.	" "	"
Mary Jane "	25,	F.	Wife	" "	"
Ida "	5,	F.	dau.	" "	"
Mrs. Madeline Nashkewa,	70,	F.	Mother of #687.	" "	"
Stephen "	21,	M.	bro. #687	" "	Full
Mrs. Lavine Cameron,	23,	F.	sister "	" "	"
Patrick, "	1,	M.	son,	" "	"
Stephen "	6,	M.	son.	" "	"
Mrs. Ftta Angegabough	25,	F.	head,	" "	"
Beatrice "	1,	F.	dau.	" "	"
Evelyn "	5,	F.	dau.	" "	"
Daniel Nashkewa	27,	M.	head,	" "	"

Names	Age	Sex	Relationship	Residence	Notes
Frank Kahgee,	74,	M.	head,	angeen, Ind.	full,
Mary "	62,	F.	wife,	" "	"
Thomas "	46,	M.	son,	" "	"
Levi James,	25,	M.	head,	" "	"
Mrs Sophia James	23,	F.	wife,	" "	"
Flossie "	5,	F.	dau.	" "	"
Cameron "	3,	M.	son,	" "	"
Infant, "	1/2,	F.	dau.	" "	"
Isaiah Kahgee	21,	M.	son 728,	" "	"
Louisa "	19,	F.	dau. "	" "	"
Susie "	1,	F.	dau. 735	" "	"
Louis "	17,	M.	son, 728,	" "	"
John "	15,	M.	son "	" "	"
Stella "	13,	F.	dau. "	" "	"
James "	11,	M.	son, "	" "	"
Levi "	9,	M.	son, "	" "	"
Joseph "	33,	M.	son 726,	" "	"
Amos "	19,	M.	head	" "	"
Ruby "	17,	F.	wife,	" "	"
Livingstone	17,	M.	son 742,	" "	"
Esther "	14,	F.	dau. "	" "	"
Sarah Kahgee	11,	F.	dau. 742,	" "	"
Leonard "	1,	M.	son	" "	"
Luke Kawaguon,	55,	head,		" "	"
Martha "	31,	F.	wife,	" "	"
Edna "	13,	F.	dau.	" "	"
Thomas Wallace "	3,	M.	son,	" "	"
Russell "	1,	M.	son,	" "	"
Christopher "	26,	M.	son-	" "	"
Albert "	21,	M.	son) by first	" "	"
Stella "	18,	F.	dau) wife	" "	"
Emily	7,	F.	dau	" "	"
Mrs Mary Jane Martin,	31,	F.	dau. # 726	" "	#
Anna "	17,	F.	dau.	" "	"
Sylvester "	15,	M.	son,	" "	"
Lizzie "	13,	F.	dau.	" "	"
John "	11,	M.	son,	" "	"
Mary "	9,	F.	dau.	" "	"
Frank "	7,	M.	son,	" "	"
Sophia "	5,	F.	dau.	" "	"
Thomas Wahbeze	70,	M.	head,	" "	"
Mrs Margaret Root,	42,	F.	dau #755	" "	"
Joseph "	20,	M.	son	" "	"
Albert "	18,	M.	son	" "	"
Sarah "	16,	F.	dau.	" "	"
Alec "	12,	M.	son,	" "	"
Georgianna "	9,	F.	dau.	" "	"
Fred Wahbezee,	37,	M.	head,	" "	"
Marie "	30,	F.	wife	" "	"
Bella "	16,	F.	dau.	" "	None
Lillian "	14,	F.	dau	" "	"
Ida "	12,	F.	dau.	" "	"
Elijah, "	10,	M.	son	" "	"
Ernest "	8,	M.	son,	" "	"
Bessie "	6,	F.	dau.	" "	"
Jacob, "	4,	M.	son,	" "	"
Daniel "	35,	M.	son #726,	" "	"
Mary Jane	30,	F.	wife	" "	Full
Eliza "	1,	F.	dau.	" "	None.
Mrs. Grace Mandowab,	15,	F.	niece #726,	" "	"
Mrs Rachel Paul,	33,	F.	dau. #726,	" "	"
Louisa "	10,	F.	dau.	2	"
John "	8,	M.	son,	" "	"
Isabella "	6,	F.	dau.	" "	"
Adam "	2,	M.	son,	" "	"
Ernest "	1/2,	M.	son,	" "	"

(13)

Names	Age	Sex	Relationship	Residence	Indian Status
Mrs Esther Tobias,	27	F	dau # 726	Sangeen Ind.	Resiv Full
Anna "	10	F	dau.	"	" None
Susan "	8	F	dau.	"	" "
Noah Wahbezee	25	M.	single	"	" "
Mrs Rebecca Henry	27	F	sister #795	"	" "
Russell "	7	M.	son,	"	" "
Victor "	5	M.	son,	"	" "
Louis "	3	M.	son,	"	" "
Elias Wahbezee	17	M.	bro. #785	"	" None
John B. Kewakeshig	53	F	head	"	" "
Annie "	45	F	wife,	"	" "
Mrs Anna Johns	39	F	dau. 801,	"	" full
Louis Kewakeshig,	24	M.	son "	"	" None
Isaiah "	22	M.	son "	"	" "
Sarah Jane "	18	F	dau. "	"	" "
Albert "	16	M.	son, "	"	" "
Paul "	23	M.	nephw "	"	" Full
Mrs Elizabeth "	18	F	wife,	"	" "
Lottie "	3	F	dau.	"	" "
Nettie "	1	F	dau.	"	" "
Paul Pedoniquot,	34	M.	head	"	" None
Mary " "	26	F	wife,	"	" Full
Alec " "	8	M.	dau.	"	" None
Violet " "	4	F	dau.	"	" "
Stella " "	8	F	dau.	"	" "
Jerry " "	2	M.	son,	"	" "
Mrs Nancy Wahbezee,	36	F	sister #812,	"	" Full
Mrs Mary Ahyamba	60	F	sister 415,	"	" None,
Christina "	18	F	dau/	"	" "
Joseph "	14	M.	son/	"	" "
John "	12	M.	son/	"	" "
Joseph Pedoniquot,	14	M.	son,	Cape Crocker Ind.	Resev. "
Christinia "	9	F	dau.	"	" "
Methusalem "	7	M.	"	"	" "
Mike "	5	M.	"	Sangeen Ind.	Resev. "
Zachariah, "	19	M	"	"	" "
James "	33	M.	head	French Bay, Ont.	Full
Pheobe Ann "	22	F	wife	"	" "
Charles Edward "	7	M.	son,	"	" "
Ella May, "	5	F	dau.	"	" "
Luke "	3	M.	son,	"	" "
Thomas "	31	M.	"	Sangeen Ind.	resiv. "
Jacob	29	M.	Children of	"	" "
Joel	27	M.	Peter Pedoniquot	"	" "
Mrs Celia Half Day	35	F	deceased, bro. of #415.	Muncay, Ont.	" "
Elias Pedoniquot,	28	M.	head	Manitoulin Ind.	resiv. No.
Mrs Eliza Naywash	60	F	sister 415,	Sangeen Ind.	Resiv. Full
George "	22	M.	son,	"	" "
Martha "	20	F	dau.	"	" "
Daniel "	18	M.	son,	"	" "
Adam "	35	M.	son, head	"	" "
Albert "	8	M.	son	"	" "
Daniel "	6	M.	son	"	" "
Livingstone	4	M.	son,	"	" "
Mrs John Wahbegona	65	F	head	"	" "
Elikah "	32	M.	son	"	" "
Peter "	10	M.	son	"	" "
Edward "	8	M.	son	"	" "
Andrew "	6	M.	son	"	" "
Mrs Sarah Muskosaga	30	F	dau. #846	"	" "
William "	40	M.	son	"	" "
Henry "	38	M.	son	"	" "
Louisa "	16	F	dau.	"	" "
Joe, "	14	M.	son	"	" "
Mrs Margaret Wabanisi	50	F	head	"	" None

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Names	† †	I	† I	Residences,	I
Peter Wabaniasa,	30	M.	H.	Sangeen Resv.	None
Nancy " "	30	F. wife	Ritchie family,	" "	"
Elijah " "	13	M/	son #860	" "	"
Michael	8	M.	son	" "	"
Peter " " Jr.	6	M.	son	" "	"
Francis " "	4	M.	son	" "	"
Abraham " "	2	M.	"	" "	"
Liza Jane " "	34	F. dau.	#859,	" "	"
Eva " "	8	F. dau	867	" #701	"
Jermiah	32	M.	son # 859	"	"
Mrs Catherine Mandowah	50	F. head	sist. 859	"	Full
Robert John "	37	M.	son	"	"
Mrs Susan Taylor	35	F. dau	H.	Cape Croker Resn.	"
Enoch " "	10	M.	son #872	"	"
Sarah Mandowah	20	F. dau	#870	Sageon Resn.	"
Mrs Lucine Ahyahba	48	F.	sist 859	"	"
Wellington Angahbough	22	M.	Gr son 859	"	"
Elizah " "	20	M.	" " "	"	"
Mrs Mary Kabbige	50	F.	H.	"	"
Victoria " "	7	F.	dau.	"	"
Riley " "	4	M.	son	"	"
Rily " "	1	F.	dau.	"	"
Mrs Agnes Angahbough	25	F.	head D.	"	"
Lizzie " "	7	F.	dau 882	"	"
Jerry " "	5	M.	son	"	"
Percy " "	2	M.	son	"	"
Benjamin Kabbige	25	M.	Neph. 801	"	None
Elias Machesne	27	M.	single	"	None
Solomon " "	23	M.	Bro. 887	"	"
Wellington " "	7	M.	Bro "	"	"
Sarah Jane " "	16	F.	half sist 887	"	"
Annz " "	7	F.	" " "	"	"
Joe Machesne	42	M.	uncle 886	"	"
William " "	33	M/	bro. 892	"	"
Mrs Eliza Noon	39	F.	sister "	"	Full
Edward " "	22	M/	son 894	"	None
Gracie " "	15	F.	dau "	"	Full
Mrs Elizabeth Mandowah	41	F.	sister 892,	"	Full
Amos " "	10	M.	son	"	"
Matthew " "	8	M.	son	"	"
David Machesne	24	M.	bro. 892	"	None
Elijah Pashegahnahquod	56	M.	head	"	Full
Susan " "	40	F.	wife	"	"
William " "	37	M.	son	"	"
Ellen " "	8	F.	dau 903	"	"
Beatrice " "	3	F.	dau.	"	"
Christina " "	1	F.	dau.	"	"
Angus " "	35	M.	son #901	"	"
Mrs Mary Thompson	33	F.	wife dau. 901	"	"
Jack " "	4	M.	-dau son	"	None
Alex	2	M.	son	"	"
Simon Pashegahnahquod	21	M.	son 901	"	Full
Elizabeth " "	19	F.	wife dau.	"	"
Christina " "	17	F.	"	"	"
Maggie " "	15	F.	"	"	"
Jerry " "	13	M.	son,	"	"
Mrs Mary Kaywash	55	F.	sister #901	"	"
Catherine Kwaquom	78	F.		"	"

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Names	+	+	I	II	Residences	I
Mrs Emily Root	29	F. dau. #936,	Sangeen Ind. pasv?		Full	
Ephraim "	8	M. son	"		"	
Edward "	6	F. dau.	"		"	
Riley "	4	M. son,	"		"	
William Pashagahnahquod,	42,	M. neph / #901/	"		"	
Lazarus "	10,	M. son	"		"	
John "	44,	M. son #992	"		None	
Sophia "	35	F. wife, Neice 415 "	"		"	
Elias "	22,	M. son,	"		"	
Mrs Mary-Besito	27,	F. head	"		"	
James "	16,	M. son,	"		"	
Angelique "	14	F. dau.	"		"	
John W. Keeshig	40,	M. head	Cape Croker, Ont.		Full	
Christinia "	36	F. wife	"		"	
Barney "	14	M. son	"		"	
Gregor "	12	M. son	"		"	
Sylvester "	10,	M. son,	"		"	
Virginia "	1	F. dau.	"		"	
Edward "	38,	M. son, bro. 930,	"		"	
Lawrence "	14,	M. son #937,	"		"	
Willis "	12,	M. son,	"		"	
Lily "	11,	F. dau,	"		"	
Electa "	9,	F. dau	"		"	
Johnnie Akiwneza	26	M.) children	"		"	
Willie ") of	"		"	
) #1910	"		"	
Susan "			"		"	
Louie Lamorandiere,	2,	M. son #944	"		"	
William Waukey	86,	M. head	"		"	
Joseph "	60,	M. son	"		"	
Archie "	19,	M. son,	"		"	
Sarah "	16,	F. dau	"		"	
Martha "	14,	F. dau.	"		"	
Mrs Margaret Jackson	58,	F. dau # 946	"		"	
William Waukey Jr.	56,	M. son "	"		"	
Eliza Jane "	54	F. wife	"		"	
Peter Waukey	54,	M. son #946	"		"	
Mary Jane "	28	F. wife	"		"	
Alvina "	5,	M. son,	"		"	
Matilda "	21,	F.) daughters by	"		"	
Caroline "	19) first wife	"		"	
George "	52,	M. son #946	"		"	
Willie "	13,	M. son 959,	"		"	
Jacob "	50,	M. son 946,	"		"	
Theresa	30	F. wife no childr	"		"	
Mrs Sophia Solomon	30	F. dau. 946,	"		"	
Eliza "	5,	F. dau.	"		"	
Elsie "	1,	F. dau.	"		"	
John Pigeon Waukey	60,	M. head	"		"	
Mrs Lucy Elliott,	84,	M. sister 946	"		"	
Mrs Sophia Pwais	58	F. dau. 967	Shawanage Ont.		"	
Sylvester "	25	M. son 968	"		"	
Mrs Susan "	30,	F. wife	"		"	
Stephen Elliott	40	M. son 967	Cape Croker, Ont.		"	
Mary Ann "	42,	M. wife	"		"	
Alvia "	18,	M. son	"		"	
Effie "	16	F. dau.	"		"	
Angus Elliott	38	M. son 967	"		"	
Carrie "	26	F. dau Wife	"		"	
Georgianna "	2,	F. dau.	"		"	
Mrs Susan Waboose,	60	F. sister #946,	"		"	
Mrs Liza McGregor	40,	F. dau.	"		"	

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Name sp	I-4	I II	Residences	I
Fred John Jones	50	M. head	Cape Croker, Ont.	None
Carl "	26	M. son	"	Full
Arthur "	24	M. son	"	"
Elmira "	22	F. dau	"	"
Irene #	20	F. dau.	"	"
Rosie "	12	F. dau.	"	"
William Pedoniquot	66,	M. head	"	"
Mary "	60	F. wife	"	"
Isai ah "	38	M. son	"	"
Mrs Maggie "	32	F. wife	"	"
Stephen "	9	M. son	"	"
Alec "	7	M. son	"	"
Foster "	2	M. son	"	"
Charles "	26,	M. son #986	"	"
Sarah "	40,	F. wife	"	"
Cleveland "	5	M. son	"	"
Wellington Chegens	22)	children of #994 by	"	"
Llewellyn	20)	first Husband	"	"
Rose Ann "	18	F. dau.	"	"
Maragret "	12	F. dau.	"	"
John Pedoniquot	26	M. twin bro. #993	Christian Island,	"
Peter "	24	M. son #986	Cape Croker, Ont.	"
Percy "	18	M. son "	"	"
Mrs Sophia Kabashkong	34	F. dau. "	"	"
Wellington "	14	M. son	"	"
Hattie	8	F. dau.	"	"
Mrs Sarah Taylor	28,	F. dau. #986	"	"
Ellena "	8	F. dau.	"	"
Mary Louisa	6	F. dau.	"	"
Isadore "	4	M. son 1005	"	"
Ignatins "	2	M. " "	"	"
Mrs Lucy Elliott	20,	F. dau. 963	"	"
Adam Pedoniquot	18,	M. son 1177,	French River Ont.	None
Mrs Methusela "	22,	F. head,	Cape Croker, Ont.	Full
Ers Sophia Shawangishig,	50,	F. sister "986	"	"
Mrs Elma Magis	80,	F. dau. 1015	"	"
Mrs Mary Jane Martin,	30,	F. dau. 1015	"	"
Samuel "	14	M. son	"	None
Peter "	10	M. son,	"	"
Martha "	12	F. dau.	"	"
Thomas "	8,	M. son;	"	"
Paul Williams	40,	M. nephew 1015,	"	"
Henry Johnson,	48,	M. son 1037	"	Full
Julia Ann "	28,	F. wife	"	"
Harriet "	13	F. dau.	"	"
Lennox "	11,	M. son	"	"
Telford "	9,	M. son	"	"
Adeline "	2,	F. dau.	"	"
Morgan "	1/4	M. son	"	"
Mrs. Amelia Wesley	26	F. dau. #1015,	"	"
Henry "	6	M. son	"	"
Fliza "	4	F. dau.	"	"
Susan "	2	F. dau.	"	"
Infant "	1/2	M. son,	"	"
Jacob Richards,	30	M. head,	"	"
Sarah "	17,	F. wife	"	"
Jones Megis	22	M. son 1016	"	None.
Dourinick Johnson,	87,	M. head	"	Full
Theresa "	85	F. wife	"	"
Paul "	50	M. son	"	"
Mrs Susan Lavelle,	52,	F. dau.	"	"
Edwain Johnson	38	M. son	"	"
Rosa "	31	F. wife	"	"
Rufus "	6,	M. son	"	"

		(17)		Residences	
Names					
Alfred Johnson,	4	M. son	Cape Croker, Ont.	Full	
Walter "	2,	M. son	"	"	
Fred "	25,	M. bro. 1041,	"	"	
Frank "	62,	M. bro. 1037	"	"	
Mary "	78,	M. wife	"	"	
Mrs Angelique Solomon,	45,	F. sister #1041,	"	"	
John Ausley Snake	16,	M. son,	"	"	
Mary Louise "	14,	F. dau.	"	"	
Vera "	12,	F. dau.	"	"	
Mrs Matilda Lavallo,	30,	F. dau, sist . 1041.	"	"	(Have received
Fred "	8,	M. son,	"	"	full rights but commented
Mrs. Louise Johnson	30,	F. sist. 989,	"	"	for cash
Matthew "	10,	M. son,	"	"	full
Seraphine "	6,	M. dau.	"	"	"
William "	55,	M. head	"	"	"
Marie "	30,	F. wife,	"	"	"
Oliver "	15,	M. son,	"	"	"
David Black,	90,	M. head	"	"	"
Sara Ann "	90,	M. wife	"	"	"
Peter "	36,	M. son,	"	"	"
Father "	40,	F. wife	"	"	"
Mary "	10,	F. dau	"	"	"
Edward Wolf	28,	M. son #1064	"	None	
Lyman "	4,	M. son	"	"	
Moses Alvin "	1,	M. son	"	"	
George Black	27,	M. bro. #1063	"	"	
Louisa "	20,	Grand Dau. #1061	"	"	
Mrs. Macy Ann Snake,	84,	sister 1062	"	Full	
Mrs. Mary Peters,	52,	F. dau. 1071,	"	"	
Elizabeth "	34,	F. " "	"	"	
Louis Nadjiwan	59,	M. head,	"	"	
Mary Jane "	40,	F. wife,	"	"	
Henry "	22,	M. son,	"	"	
Andy "	19,	M. son	"	"	
Lucy Ann "	21,	F. wife	"	"	
Elijah "	2,	M. son,	"	"	
Mary Florence "	1,	F. dau.	"	"	
Edward Nadjiwan	12,	M. son #1074	"	None	
Jacob Snake,	10,	M.) grandchildren of	"	full	
Catherine "	8,) 1071	"	"	
Isabella "	12,	F. "	"	"	
William Nadjiwan	45,	M. bro. 1074	"	"	
Matilda "	40,	F. wife	"	"	
Sophia "	18,	F. niece 1085,	"	None	
Felix "	20,	M. nephew 1085	"	Full	
Patrick "	10,	M. " "	"	"	
Francis Dominick "	2,	M. cousin	"	"	
Peter "	22,	M. head	"	"	
Hannah "	2,	F. dau. #1091,	"	"	
Charles "	24,	M. bro. 1091	"	"	
Robert "	36,	M. Bro. 1090	"	"	
Rizzie "	12,	F. dau	Garden River Resyn.	"	
Paul "	31,	M. bro. 1090	"Cape Croker, Ont.	"	
Mrs. Margaret Tomah,	60,	F. head	"	"	
Anderson	40,	M. son,	"	"	
James	12,	M. son,	"	"	
Thomas Kozeyah	55,	M. bro. 1071,	"	"	
Elizabeth "	54,	F. wife,	"	"	
Allen Kozeyah	16,	M. son #1100,	"	"	
Elmer "	14,	M. " "	"	"	
Phoebe Ann "	12,	F. dau	"	"	
Prince Albert "	8,	M. son,	"	"	
Isaiah Williams	26,	M. son #1236	"	"	

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Names	Age	Sex	Relationship	Residence	Status	
Eva Williams	26	F.	wife	Cape Croker,	Full/	
Charlotte "	6,	F.	dau.	"	"	
Noah "	4	M.	son,	"	"	
Sophia "	2,	F.	dau.	"	"	
Wellington Elliott	13,	M.	nephew #1101	"	None	
Sylbester King	20,	M/	single	"	"	
Frank "	24	M.	"	"	"	
Albert "	33	M.	head	"	"	
Edward Elliott,	1,	M.	son	"	"	
Solomon Jones,	60,	M.	head,	French River, Ont.	Full	
Alec "	6	M.	son	"	None	
George "	4	M.	son	"	"	
Wallace "	2	M.	son	"	"	
Mrs Nancy Richards	57,	F.	cousin #606	Cape Croker	Full,	
" Susan Lamorindiere	21	F.	dau.	"	"	
Ernestine "	3	M/	son,	"	"	
Mrs Mandy Lavallo,	30,	F.	sister 1120	"	"	
Berlin "	12	M.	son	"	None	
Mary Ann "	11,	F.	dau.	"	"	
Gracie "	8,	F/	dau	"	"	
Norman "	3,	M	son;	"	"	
Marguerite "	1	F.	dau.	"	"	
Mrs Mary McCloud,	60,	F.	head	"	Full	
" Theresa Manitowabi	28	F.	dau.	"	"	
Mrs Victoria Nadjiwadi	12,	F.	dau by 1st husb."	"	"	
George Manitowabi	8,	M.	"	"	None	
John "	6	M/	} children by second husband,	"	"	
Samuel "	4	M.		"	"	"
Anna "	2	F.		"	"	"
Alfred	1/2	M.		"	"	"
Joe Daniel McCloud,	26,	M/	son 1129,	Byng Inlet, Ont.	Full	
Lizzie Victoria "	1,	F/	dau	"	"	
Mrs Maggie Desjardine	22	F.	dau "	Cape Croker, Ont.	"	
Norman McCloud,	20,	M.	single	"	"	
John "	17,	M.	son "	"	"	
Florence "	11,	F.	dau.	"	"	
Mrs Marguerite Desjardine	70,	F.	head	"	"	
Joshna Wadbedick	30,	M.	nephew	"	None	
Mrs Philemona McGregor	70	F.	head	"	Full	
Mrs Susan Johnson,	74,	F.	head	"	"	
Mike "	47	M.	son	"	"	
Mrs Josephine Taylor,	25,	F.	dau.	"	"	
Herman Joseph "	3,	M.	son	"	"	
Morgan "	1,	M/	son,	"	"	
William Johnson	19	M.	son 1147	"	"	
Alexander "	17,	M.	" "	"	"	
Archie Duncan "	15,	M.	son/ "	"	"	
Gracie "	13	F.	dau "	"	"	
Victoria "	10,	F.	dau. "	"	"	
George Lamorandiere	25,	M.	"	"	Full None B	
-Ingersol,--"-----						
Louis "	23,	M.	"	"	"	
Wilfred "	12	M.	"	"	"	
George Ashkewe	50	M.	head	"	None	
Ingersol "	17,	son,	"	"	"	
Peter "	52	M.	head	Lake Simcoe, Ont.	"	
David "	9,	M/	son,	"	"	
Christie "	7	M.	son	"	"	
Henry "	2	M	son	"	"	
Mabel "	1/2,	F.	dau. *	"	"	
Mrs Louisa Descheneaux,	60?	F.	sister #1166	Cape Croker,	Full	
Mrs. Nancy Trapp,	26,	F.	dau. 1165	"	"	
Peter "	3,	M.	son	"	None	
Willis "	2	M.	son,	"	"	

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Names	† †	(19)	† †	Residences,	†
Frank Ashkewe,	45	M.	head	cape Croker,	Full
Lizzie "	40	F.	wife	"	"
Bert "	20	M.	son,	"	"
Sophia "	10	F.	dau.	"	"
Josephine "	6?	F.	dau.	"	"
Ephriam "	8,	M.	son,	"	"
Rueben, "	4,	M.	son,	"	"
Mrs. Mary Paul,	60,	F.	head	"	"
Stephen J. Elliott,	30?	M.	head	"	"
Velocina "	6	F.	dau.	"	none
Gertie "	4	F.	dau.	"	"
Joseph "	1	M.	son,	"	"
Willie "	24	M.	son,	"	"
Harry "	16	M.	son,	"	Full
Louis Solomon	42,	M.	head	"	"
Bernard "	9	M.	son	"	"
Sifred "	7	M.	son	"	"
Almeda Florence "	5	F.	dau.	"	"
William Louis "	3,	M.	son	"	"
Joseph Abysins	1	M.	dau.	"	"
Joseph	40,	M.	head	"	"
Willie Joe "	10,	M.	son,	"	"
Wesley "	26,	M.	son,	"	"
Phileas Proulx	63	M.	head	"	"
Joseph "	32,	M.	son	"	"
James "	26,	M.	son	"	"
Stephen "	24	E.	son	"	"
Maggie "	30	F.	dau.	"	"
Narciss "	1/2	M.	son	"	none
Mrs Sarah Elliott,	34,	F.	head	"	full
Margaret Solomon	12,	F.		"	none
Michael Kewagishig,	6,	M.		"	"
Mrs Lucy Augustus,	38	F.	head	"	full
Verinie "	4,	F.	dau.	"	"
"	2	F.	dau.	"	"
Daniel "	15,	M.	son,	"	None
William #	13,	M.	son,	"	"
John Tomah,	60,	M.	head	"	Full
Mrs Susan Akiwenze	75	M.	head	"	"
Mrs " Jones,	55,	F.	head	"	"
David Akiwenze	53	M.	son	"	"
Joseph "	51	M.	son	"	"
Alexander "	20	M.	son	"	"
Amos-Feng Anthony "	18	M.	son	"	"
Peter "	16	M.	son	"	"
Racine "	14,	M.	son,	"	"
Charles "	12	M.	son	"	"
Henry "	10,	M.	son	"	"
John "	8	M.	son	"	"
Eva "	4	F.	dau.	"	"
Mary "	3,	F.	dau.	"	"
Mrs Theresa Shawanday,	50,	F.	head	Mamitoulin Ont.	"
David " Jr.	9,	M.	son	"	"
Jonas "	7,	M.	son,	"	"
Genevieve "	5,	M.	dau.	"	"
Amy "	3,	F.	dau.	"	"
Jacob Akiwenze	48,	M.	single,	cape Croker,	"
Victoria "	12,	F.	G. Dau. 1208	"	No.
Elizabeth	10,	F.	dau	"	"
Daniel Augustus	38,	M.	head	"	Full
Betsy "	12	F.	dau.	2	"
John "	32	M.	head	"	"
Margaret "	19,	F.	niece 1229	"	"
Mrs Cecelia Davis	30	F.	sister 1229.	"	"

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CANADA

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Names	Age	Sex	Relationship	Residence	Notes
Louis Lavelle,	20	M.	neph/ 1085	Cape Croker,	None
Frank "	18	M.	" "	"	"
Noah Williams	62	M.	bro/ 1015	"	Full
Ananias Kabashkong,	8	M.	neph/ 1236	"	"
Agnes Richards	38	F.	single	"	"
George "	18	M.	son 1238	"	none
Martha "	19	F.	"	"	full
Jonah Elliott,	17	M.	children of deceased	"	"
Lawrier "	12	M.	sister of \$1238	"	"
Morrison "	8	M.	"	"	"
Mrs Elizabeth Elliott,	55	F.	head	"	"
Duncan "	26	M.	son	"	"
Daniel "	21	M.	son,	"	"
Matthew "	18	M.	son,	"	"
Hiram "	16	M.	son,	"	"
Carson "	14	M.	son	"	"
James "	123	M.	son,	"	"
Joseph "	32	M.	Head	"	"
Alfred "	5	M.	son	"	"
Jackson "	32	M.	son	"	"
Peckson-----"				"	"
Martha "	1/4	F.	dau.	"	"
Henry Sims	60	M.	head	"	"
Mrs Sophia Thompson	26	F.	dau.	"	"
Infant "	2wks.	"	"	"	"
Mary Sims	24	F.	dau. 1255	"	"
Adam "	7	M.	son,	"	"
John Sims	45	M.	head.	"	"
Mrs Rachel Seneca	18	F.	dau.	Munsey, Ont.	"
David Sims,	42	M.	head	Cape Croker,	"
Mary "	35	F.	wife,	"	"
James "	19	M.	son	"	"
Peter "	30	M.	bro/ 1260	"	"
Lavina "	8	F.	dau.	"	"
Flossie "	6	F.	dau.	"	"
Mrs Ange lique Sandy,	55	F.	head	Christain Isl. Ont.	"
Hannah "	18	F.	dau.	Christain Isl. Ont	No.
Michall "	31	M.	son	"	"
Elizabeth "	26	F.	wife,	"	"
Grace "	9	F.	dau.	"	"
Louisa "	5	F.	dau.	"	"
Edmund "	3	M.	son,	"	"
Mrs Louise Odjig	45	F.	head	Wikwemikong, Resiv.	Full
Madeline "	18	F.	dau.	"	none,
Jonas "	14	M.	son,	"	"
Domaniak,	12	M.	son	"	"
Rosalie "	10	F.	son,	"	"
Mrs Marcelline Fox,	22	F.	dau.	"	"
Adeline "	6	F.	dau.	"	"
John "	4	M.	son,	"	"
Oniesience,	2	M.	son,	"	"
John B. Angus	53	M.	single	Cape Croker, Ont.	Full
John Proulx,	68	M.	bro. 1193,	"	none,
Mrs Theresa Lamorandiere	45	F.	dau.	Killarney, Manitoulin	"
Mrs. Pama Peck,	23	F.	dau. 1286	"	"
William Lamorandiere,	21	M.	son,	"	"
Charlotte "	19	F.	dau.	"	"
Elizabeth "	17	F.	dau.	"	"
James "	15	M.	son	"	"
Louis "	13	M.	son	"	"
Samuel "	11	M.	son,	"	"
Mary Jane "	9	F.	dau.	"	"
Louis Proulx	43	M.	son 1285,	Address unknown,	"
Alexander "	32	M.	" "	Killarney, Ont.	"
Napoleon "	30	M.	" "	"	"
Charles "	52	M.	" "	"	"

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Names	I	II	Residences	
Mrs. Mary Ann Gaignon,	48,	F. sist. 1285,	St. Louis, Mo.	no.
Mary "	18,	F. dau.	Killarney, Ont.	
Mrs. Mary Bernard,	50,	F. dau "	"	"
Oliver Proulx,	41,	F. dau. 1285,	"	"
Charlotte Marcella "	6,	F. dau.	"	"
Arthur "	4,	M. son,	"	"
Mary "	2,	F. dau.	"	"
John "	1/2,	M. son,	"	"
Stella "	11,	F. dau.	"	"
Yoon,	2,	M. son, (twin)	"	"
Bertha "	3,	F. dau.	"	"
Jane "	36,	F. dau. #1285,	"	"
Augustine "	20,	M.)	"	"
Alfred "	18,	M.)illegit	"	"
Hina "	16,	F.)children	"	"
John "	14,	M.)#1309.	"	"
Willie "	5,	M.)	"	"
Peter Wacowsia	35,	M. head	Morrisville, Ont.	Part
William "	37,	M. son,	"	"
Gabriel, "	10,	M. son,	"	"
Theresa "	8,	M. son,	"	"
Mrs. Sophia Fhdanawass,	45,	F. sister 1315,	"	"
Joseph "	17,	M. son,	"	"
Angeline "	3,	F. dau.	"	"
Annie "	1,	F. dau.	"	"
Mrs. Philemon Sampson	68,	F. head	"	"
Mrs. Rosa Niganawina	50,	F. dau 1323	"	"
William "	20,	M. son	"	"
Mrs. Susan Ashawanashi,	48,	M. dau. 1323,	"	"
Mrs. Maggie Obimawacia	32,	F? dau. 1326,	"	"
Agnes "	15,	F. dau.	"	"
Syvvester "	10,	M. son	"	"
Joseph "	7,	M. son	"	"
Joseph Sampson	41,	M. head,	"	"
Mrs. Alice Kabesse,	44,	F. dau. 1323,	"	"
Noel "	18,	M. son	"	"
Dan? "	13,	M. son	"	"
Mrs. Fethar Meos	46,	F. dau 1323,	Shogohgwaning Rd.	"
William "	28,	M. son	"	"
Joseph "	21,	M. son	"	"
Edward "	14,	M. son,	"	"
John "	12,	M. son	"	"
Alexander "	10,	M. son,	"	"
Albert "	4,	M. son,	"	"
Mrs. Angeline Wabigoni,	66,	F. sister 1323,	"	"
Andrew "	32,	M. son,	"	"
Robert "	30,	M. son,	"	"
Mary Elizabeth "	32,	F. dau.	"	"
Anna "	25,	F. dau. 1342,	"	"
Mary "	15,	F. dau "	"	"
Mrs. Magdeline Cado,	62,	F. sister 1323,	"	"
Paul "	32,	M. son,	"	"
Paul " Jr.	5,	M. son,	"	"
Maggie "	3,	F. dau.	"	"
Edward "	1/3,	M. son,	"	"
Mrs. Mary Ann Simon,	30,	F. dau 1348,	"	"
Ellen, "	6,	F. dau.	"	"
Andrew "	3,	M. son,	"	"
Moses Cado,	6,	M. g. son 1348,	"	"
Mrs. Eliza Simpson,	47,	F. sist. 1315,	"	"
Joe "	12,	M. son,	"	"
Catherine "	3,	F. dau.	"	"
Mrs. Susan Essiban	35,	F. dau. 1315,	"	"
Veronica "	7,	F. dau.	"	"
Sophie "	3,	F. dau.	"	"
James "	3,	M. son,	"	"

Names	Age	Sex	Relationship	Residence	Notes
Mrs. Mary Shabidis,	28	F.	dau. 1315	Sheshegwaning,	Part.
Ernest "	8	M.	son,	"	"
Mrs. Lisette Jacob,	60	F.	head,	Manitoulin, Island,	Full
Razil "	38	M.	son,	"	"
Barnard "	45	M.	son	"	"
Agnes "	11	F.	dau.	"	"
Rosie "	8	F.	ddu.	"	"
Sophie "	6	F.	dau.	"	"
Johnnie "	4	M.	son,	"	"
Mrs. Catherine Park,	38	F.	head	West Bay, Ont.	"
Tillie "	13	F.	dau.	"	"
Louie "	16	M.	son,	"	"
Annie "	14	F.	dau.	"	"
Lizzie "	12	F.	dau.	"	"
Mrs. Veronica-McGregor,	40	F.	head,		
Sarah Jacob,	28	F.	dau 1366,	Manitowaning, Ont.	"
Martha "	22	F.	dau. "	"	"
Mary Ann "	18	F.	" "	"	"
Mrs. Veronica McGregor,	40	F.	head,	Birch Island, Ont.	"
Tillie "	15	F.	dau.	"	"
Augustus "	14	M.	son	"	"
William "	12	M.	son,	"	"
David "	10	M.	son,	"	"
Eli "	4	M.	son,	"	"
Susan "	3	F.	dau.	"	"
Mrs. Katherine Shabidis,	22	F.	sister 1381,	"	"
Alexander "	1 1/2	M.	son,	"	"
Sarah Jacob	41	F.	dau 1366	Sheshegwaning Resiv.	Part
Percy "	39	M.	son "	"	"
Mrs. Mary Madeline Tebassige,	37	F.	dau. "	West Bay, Ont.	Full
Mary Ann "	10	F.	dau.	"	"
Jennie "	6	F.	dau.	"	"
Esther "	6	F.	dau.	"	"
Lily "	4	F.	dau.	"	"
Susie "	2	F.	dau.	"	"
William Vacowsia	37	M.	son 1316,	Sheshegwaning Resiv.	Part
Gabriel "	10	M.	son	"	"
Theresa "	8	F.	dau.	"	"
Mrs. Catherine Pakwakodado,	43	F.	dau. 1366,	West Bay, Ont.	Full
Louie "	15	M.	son	"	"
Ann "	13	F.	dau.	"	"
Elizabeth "	9	F.	dau.	"	"
Mrs. Theresa Tebassige,	20	F.	head,	"	"
Mary Meski,	10	F.	neice 1401	Manitowaning, Ont.	"
Elizabeth Pituwankwat,	77	F.	head	Wikwemikong, Resiv.	None
Moses Ashkimo,	60	M.	Nephew 1407,	Sheshegwaning,	Full
Stephen "	35	M.	son,	"	"
Mrs. Mary Jane Meniskotawa,	32	F.	dau.	"	"
Joe "	10	M.	son,	"	"
Lizzie "	8	F.	dau	"	"
Mrs. Mary Adance	70	F.	head,	Christain Island, Ont.	"
Alexander "	35	M.	son,	"	"
William "	33	M.	son	"	"
Urison "	29	M.	son,	"	"
Benson Moses "	24	M.	son	"	"
Louis Pituwankwat,	57	M.	son 1407,	Wikwemikong,	None
Mrs. Philemon McKenzie,	26	F.	dau.	"	Full,
Mary Jane	2m.	F.	Dau.	"	"
Sam Pituwankwat,	22	M.	son 1407,	"	None
Edward "	20	M.	son "	"	"
Matthew "	8	M.	" "	"	"
Rosa "	6	F.	dau. "	"	"
Paul "	3	M.	son,	"	"

Names	† †	1	1)	Residences	1
Ignatus Pitwamkwat	53,	M.	son 1407,	Wikwemikong,	No.
Joe "	21	M.	son	"	"
George "	19,	M.	son,	"	"
Bazil "	16,	M.	son	"	"
Janas "	14,	M.	son,	"	"
Noses "	12,	M.	son,	"	"
Philip "	10?	M.	son,	"	"
Peter "	8,	M.	son,	"	"
Albert "	5,	M.	son,	"	"
John Ashkima	50,	M.	head	Manitoulin Isl.	Full,
Alice "	17,	F.	dau.	"	"
Mrs Christine Trudeau	45,	F.	dau "	Little Current, Ont.	"
Angus "	24,	M.	son,	"	"
Andrew "	18,	M.	son,	"	"
Lucy "	16,	F.	dau.	"	"
Albert "	5,	M.	son,	"	"
Alec "	3,	M.	son,	"	"
Agnes "	22,	F.	dau.	"	"
Mrs Carrie Assey	30,	F.	head	"	"
John "	8,	M.	son,	"	"
Joe "	6,	M.	son,	"	"
Fred "	4,	M.	son,	"	"
Celia "	3,	F.	dau.	"	"
Louise "	1/4	F.	dau.	"	"
Stephen Pitwamkwat	55,	M.	son,	Wikwemikong	None
Joe "	18,	M.	son,	"	"
Anelia "	4,	F.	dau.	"	"
Mrs Mary Ann Tabassige	49,	F.	dau.	"	Full
Joseph "	32,	M.	son,	West Bay, Ont.	"
Mrs Mary Tabassige	25,	F.	dau.	"	"
Lezar "	7,	M.	son,	"	"
Philemons "	5,	F.	dau.	"	"
Theresa "	4,	F.	dau.	"	"
Chaire "	1,	F.	dau.	"	"
Eli "	35,	M.	son 1453,	"	"
Annie "	3,	F.	dau.	"	"
Martha "	9,	F.	dau	Wikwemikong, Ont.	"
Mrs Mary Mandamin	19,	F.	dau "	"	"
Sarah "	1,	F.	dau.	"	"
Mrs Harriett Neefiss	30,	F.	dau. "	west Bay, Ont.	"
Ignatius "	8,	M.	son,	"	"
Joe "	6,	M.	son,	"	"
Mary Jane "	1/2,	F.	dau.	"	"
Mrs Mary Negoss,	18,	F.	dau 1426)	Manitoulin, Isl.	"
Williamelin "	18,	F.	dau. twin)	"	"
William "	1,	M.	son	"	"
Wilson Ashkima	58,	M.	-son- head	Whitefish, River	"
Mrs. Mat tie Gaiksheonga	40,	F.	niece 1408,	Sucker Creek, Riv.	"
Isaac "	3,	M.	son,	"	"
Mrs Sophia Toulouse,	48,	F.	sister 1472,	Spanish Creek, Ont.	"
Joseph Ashkimo	48,	F.	brother "	Port Arthur, Ont.	"
Edward Samuel "	24,	M.	son	"	"
George "	56,	M.	bro. 1473,	Whitefish River	"
Eli "	26,	M.	son	"	"
Maggie "	6,	F.	dau. 1479,	"	"
Wilson "	1,	M.	son, "	"	"
Simon "	20,	M.	son 1478,	"	"
Abram "	24,	M.	son "	"	"
Joseph "	18,	M.	" "	"	"
Wellington "	7,	M.	" "	"	"
Jonah "	5,	M.	" "	"	"
David "	3,	M.	" "	"	"
Agnes "	1,	F.	dau 1407,	"	"
Mrs Mary Bidassigne	27	F.	" "	"	"
Agatha "	12,	F.	dau.	"	"

(24)

Names	I	II	Residences	
Joseph Bidassige	8,	M. son	White fish River,	Full
Louise "	4,	F. dau.	"	"
Simon Pitwankwat	11,	M. nephew 1407,	Wikwemikong, Ont.	None
Mrs Mary Ann Minakang,	17,	F. niece	"	Full
Charles Tebutch	10?	M. bro. 1497,	"	"
Catherine "	7,	F. sister "	"	"
Dominick Bizion,	19,	M. nephew 1407,	Thessalon, Ont.	"
Louise "	17,	M. bro. 1497	"	"
Alice Trudeau	7,	F. age 1/2 sister,	Wikwemikong,	"
Philemon Bonda	16,	M. nephew 1473,	"	"
Eliza "	14,	F. sister	"	"
Joseph,	18,	M. bro.	"	"
Amable Wemigwans,	70,	M. head,	Maniwakin Bsl. Ont.	None,
Mrs. Sophie Shawanday,	40,	F. dau.	"	Full,
Ellen "	20,	F. dau.	"	"
Mrs Madeline "	37,	F. dau. 1503,	"	"
" Mary Kebeshkam,	35,	F. " "	"	"
Daniel Wemigwans,	27,	M. son "	"	None
Julia "	19,	F. wife,	"	"
Alexander "	1,	M. son,	"	"
Catherine "	20,	F. dau. 1503,	"	"
Felix "	1 1/2,	M. son	"	"
Moses "	50,	M. head	"	"
Thomas "	48,	M. head	"	"
Jocum "	30,	M. son,	"	"
Theresa "	6,	F. dau.	"	"
Victoria,	4,	F. dau.	"	"
Mary "	1/4,	F. dau.	"	"
Stephen "	28,	M. son 1514,	Wikwemikong, Ont.	"
Joe Demah "	7,	M. son,	"	"
Mary "	5,	F. dau.	"	"
Mrs Rosie Shishinishin,	18,	F. dau. 1514,	"	Full
Peter Wemigwans,	16,	M. son,	South Bay, Ont.	None
John "	14,	M. son,	"	"
Paul "	12,	M. son "	"	"
Mary Louise "	10?	F. dau. "	"	"
Frank "	22,	M. son "	"	"
Mrs. Thomas Shaodis	73,	F. head,	"	"
Johnnie -----				
Mrs. Mary Madeline Akogis,	30,	M. G. dau.	"	"
Johnnie "	10,	M. son,	"	"
William "	8,	M. son	"	"
Augustine "	6,	M. son	"	"
Justine "	4,	M. son,	"	"
Paul "	1,	M. son,	"	"
John Shaodis	26,	M. head	Wikwemikong, Ont.	Full
Mary "	26,	M. wife,	"	"
Eli "	10,	M. son,	"	"
paul Shaodis	28,	M. head,	"	"
Bertie "	28,	M. wife,	"	"
Julius "	5,	M. son,	"	"
John "	3,	M. son,	"	"
Peter Shaodis,	40,	M. head,	Wikwemikong,	"
Delphine Victoria "	4,	F. dau.	"	"
Anna "	1,	F. dau.	"	"
John "	35,	M. head,	"	"
Mrs. Susie Cooper,	39,	F. head	Maniwowing,	"
Ignatius "	22,	M. son,	"	"
John "	8,	M. son,	"	"
John Tobie,	88,	M. head,	Nickerson Ont.	None,
Susanne "	93,	F. wife,	"	"
John " Jr.	58,	M. son,	"	"
Philemon W	25,	F. dau.	"	"

Name -	+	+	1	11	Residences	1
Mary Tobie	23,	F.	dau.	Nickerson, Ont.		None
Cecil "	3,	M.	son,	"		"
Tomnie "	20,	M.	son,	"		"
Annie "	18,	F.	dau	"		"
Charles "	12,	M.	son,	"		"
Jimmie "	10?	M.	son,	"		"
Grace "	8,	F.	dau	"		"
Nancy "	2,	F.	dau	"		"
Mrs. Annie Cousinean,	51,	F.	dau. 1549,	"		"
Peter "	25,	M.	son	"		"
Joseph "	21,	M.	son,	"		"
Johnnie "	19,	M.	son,	"		"
Mrs Maggie Dibeau,	15,	F.	dau.	"		"
Mary Ann "	1,	F.	dau.	"		"
Josaph Cousinean,	13,	M.	son 1561,	"		"
William "	11,	M.	" "	"		"
Lily "	9,	F.	dau.	"		"
Andrew "	7,	M.	son "	"		"
Peter Tobie	46,	M.	head,	Honey Harbor, Ont.		"
Susette "	11,	F.	dau.	"		"
Lucy "	9,	F.	dau.	"		"
Arthur "	7,	M.	dau-son,	"		"
Fred "	5,	M.	son,	"		"
Kate "	2,	M.	son,	"		"
Willie "	23,	M.	son,	"		"
Chenis "	2,	F.	dau.	"		"
David " Jr.	21,	M.	son,	"		"
Jimmie "	19,	M.	son	"		"
Sarah "	14,	F.	dau.	"		"
Theophile "	11,	F.	son.	Wikwemikong,		"
Mary "	9,	F.	dau.	"		"
Nora "	7,	F.	dau.	"		"
Ida "	5,	F.	dau.	"		"
Theophile Otter	25,	M.	son,	Honey Harbor, Ont.		"
Annie "	9,	F.	dau.	"		"
Angel "	7,	F.	dau.	"		"
Alice "	5,	F.	dau.	"		"
Francois,	4,	F.	dau.	"		"
Mary "	3,	F.	dau.	"		"
Winnie "	2,	F.	dau.	"		"
Mrs. Susan Vasseur,	37,	F.	sister 1586,	"		"
Maggie "	14,	F.	dau.	"		"
Susanne "	12,	F.	dau.	"		"
Theresa "	10,	F.	dau.	"		"
George "	8,	M.	son,	"		"
David "	3,	M.	son,	"		"
Joe "	1,	M.	son,	"		"
William King,	62,	M.	head,	Parry Sound, Ont.		"
David W. "	33,	M.	son,	"		"
Julia "	25,	F.	wife,	"		"
James Bird, "	9,	M.	son,	"		"
Adeline Florence King,	6,	F.	dau.	"		"
Sylbester "	1 1/2,	M.	son,	"		"
Adam "	34,	M.	son 1600	"		None
Mabel "	11,	F.	dau.	"		"
Sophia "	10,	F.	dau.	"		"
Leonia "	8,	F.	dau.	"		"
Rose "	7,	F.	dau.	"		"
Lilly "	5,	F.	dau.	"		"
Harry Wesley "	3,	M.	son,	"		"
Anna "	1,	F.	dau.	"		"

Names	Age	Sex	Relationship	Residences	Notes
William King Jr.	14,	M.	son 1600	Parry Sound, Ont.	None,
Mrs. Elizabeth Ashewahsigo,	16,	F.	dau "	"	Full
Marie King,	12,	F.	dau. "	"	None
Maggie "	10,	F.	dau. "	"	"
Jonas "	60,	M.	bro. 1600	"	"
John J. "	23,	M.	son,	"	"
Albert "	31,	M.	son,	"	"
Daniel "	22,	M.	son,	"	"
Gaina "	20,	M.	son,	"	"
Alexander "	14,	M.	son,	"	"
Sarah Jane "	7,	F.	dau.	"	"
Mrs. Eliza Menominee	58,	F.	sister 1617,	"	"
Philip "	24,	M.	son,	"	"
Edward "	20,	M.	son,	"	"
Isaac "	10,	M.	son,	"	"
Mrs Susan Megis,	28,	F.	dau. 1624,	"	"
Mrs. Anna Pawis,	40,	F.	sister 1617	"	Full
Charles "	22,	M.	son,	"	"
David "	20,	M.	son,	"	"
Maggie "	18,	F.	dau.	"	"
Anna "	16,	F.	dau.	"	"
Elijah "	10,	M.	dau.	"	"
Alice "	8,	F.	dau.	"	"
Richard King,	45,	M.	bro. 1617,	"	None
Mrs Mary Tabodung,	22,	F.	dau. 1636,	"	Full
Dan "	3,	M.	son,	"	"
Levi King	19,	F.	son,	"	None
Eliza Jane King,	17,	F.	dau. "	"	"
Solomon "	15,	M.	son,	"	"
Louie "	10,	F.	son,	"	"
Moses "	8,	M.	son,	"	"
Walter "	6,	M.	son "	"	"
John "	4,	M.	son,	"	"
----- "	2,	FM.	dau. "	"	"
Robert "	42,	M.	head,	"	"
William "	90,	M.	uncle 1600	"	"
Mrs. Sarah Hawk,	60,	F.	dau.	"	Full
Mrs Catherine Lafrinier,	53,	F.	head	"	None
Mrs Mary Ann Wassagawon,	36,	F.	dau 1649,	"	Full
Mrs Josephine Trimble	32,	F.	" "	"	None
Maggie "	15,	F.	dau.	"	"
Martha "	9,	F.	dau.	"	"
Rachel "	5,	F.	dau.	"	"
Josie "	3,	F.	dau.	"	"
Joe Lafrinier	30,	M.	son 1649,	"	"
Napoleon "	28,	M.	" "	"	"
Mrs. Mary Maronguier,	20,	F.	dau "	"	"
James Nadjiwan	2,	M.	son	"	"
Minnie Lafrinier,	15,	F.	dau. 1649,	"	"
Victoria "	13,	F.	dau "	"	"
Mrs Mary Lafrinier,	40,	F.	dau. 1649,	"	"
Philemon "	10,	F.	dau.	Penatanguishene, Ont.	"
Napoleon "	8,	M.	son,	"	"
Charles "	6,	M.	"	Parry Sound, Ont.	"
Thomas King	41,	M.	son 1647	"	"
Esau "	18,	M.	son,	"	"
Ivè "	16,	F.	dau.	"	"
William "	12,	M.	son,	"	"
Henry "	10,	M.	son,	"	"
Ellen "	8,	F.	dau.	"	"

Names	Age	Sex	Relationship	Residences	Status
Mrs Mary Ann Judge,	39,	F.	dau 1647,	Parry Sound? Ont.	None Full
Peter "	20,	M.	son,	"	"
Adam "	18,	M.	son,	"	"
Sarah "	16,	F.	dau.	"	"
Paul "	14,	M.	son,	"	"
Frank "	12,	M.	son,	"	"
Susie "	1/2,	F.	dau.	"	"
Louis King,	70,	M.	bro. 1647,	"	None
Mary Jane "	65,	F.	wife,	"	"
David L. "	50,	M.	son,	"	"
Matthew "	16,	M.	son,	"	"
Adam "	24,	M.	son,	"	"
Emerick, "	22,	M.	son,	"	"
Mrs. Maggie Monague	20,	F.	dau. 1681,	"	Full,
Rufus "	5,	M.	son,	"	"
Beatrice King	2,	F.	dau.	"	None
Russell "	1/2,	M.	son,	"	"
James L. King,	45,	M.	son 1679,	Christain Island, Ont.	"
John L. "	35,	M.	son "	"	"
Mrs. Mary Jane Monague	40,	F.	dau "	"	Full
Augustus "	16,	M.	son,	"	"
Susanne "	7,	F.	dau.	"	"
Annie "	14,	F.	dau.	"	"
Gertie Louise "	5,	F.	dau.	"	"
Douglass "	3,	M.	son	"	"
Daniel "	1/4,	M.	son,	"	"
Mrs. Julia Pamaksega,	28,	F.	dau. 1679,	Parry Sound, Ont.	None
Isabel "	12,	F.	dau.	"	"
Hannah "	10,	F.	dau.	"	"
John King	68,	M.	bro. 1679,	Moon River, Ont.	"
Mrs " "	70,	F.	wife,	"	"
John Jr.	48,	M.	son,	"	"
Walter "	22,	M.	son,	"	"
Fred "	20,	M.	son,	"	"
Ida "	12,	F.	dau.	"	"
Edward "	4,	M.	son,	"	"
Joe "	2,	M.	son,	"	"
Archie "	35,	M.	son	"	"
-----"	1	F.	dau.	"	"
Frank "	25	M.	son,	"	"
Mrs Mary Miximong,	44,	F.	dau 1700	Christain Island, Ont.	"
Charlotte "	13,	F.	dau.	"	"
Charles "	10,	M.	son	"	"
John L. "	8,	M.	son,	"	"
Mary "	6,	F.	dau.	"	"
Andrew "	4,	M.	son	"	"
Joe Sandy	28,	M.	G. son 1700	"	"
Jack King	65,	M.	nephew "	"	"
Mary Jane "	30,	F.	dau.	"	"
Jameson "	10,	M.	son 1719,	"	"
Jacob "	3,	M.	son,	"	"
Elijah "	22,	M.	son 1718	"	"
Marie "	22,	F.	niece 1718,	Wikwemikong, Ont.	"
David Q. King,	39,	M.	bro. 1718,	Christain Island	"
Casey "	18,	M.	son,	"	Full
Sarah "	16,	F.	dau.	"	"
Margaret "	8,	F.	dau.	"	"
John "	52,	M.	bro. 1718,	Parry Sound, Ont.	"
Mrs. Alice Nawakwegishig,	20,	F.	dau.	"	"
Enoch "	16,	M.	son,	"	"
Mrs. Caroline Norton,	46,	F.	sister "	Christain Island,	"

Names			Residences	
Alexander Norton	32,	M. son,	Christain Island,	Full
Mrs Eva "	31,	F/ wife,	"	"
Violet "	9,	F. dau.	"	"
Liza "	2 1/2	F. dau	"	"
Mrs. sophia Pedniquot,	30,	F/ wife 1000	"	"
Florence, "	4	Dau.	"	"
Mary Norton,	20	F. dau. 1731,	"	"
Moses "	8,	M/ son,	"	"
Mrs Charlotte Coppigoge	18,	F. dau. "	"	"
James G. King,	46,	M. nephew 1700	"	None,
Christina Jane "	6,	F. dau.	"	"
Edward "	25,	M. nephew 1741,	"	Full
Fred "	12,	M. bro. 1743,	"	"
Esther "	10,	F. sister "	"	"
Charles G. King,	50	M. bro. 1743	"	None
Simpson "	13,	M. son,	"	"
Alice "	10	F. dau.	"	"
Annie "	3,	F. dau.	"	"
William Sandy	38,	M. son 1268,	"	"
Victoria "	35,	F. wife,	"	"
Thomas "	3,	M. son,	"	"
Henry Jackson,	25,	M. nephew 1751,	"	Full
John Hawk,	26,	M. bro "	"	"
Stephen Hawk,	3,	M. son,	"	"
Mary Jane "	1/2	F. dau.	"	"
Allen "	18,	M. bro 1754	"	"
Wilfred Coppigoge	12,	M. nephew 1751.	"	"
Mrs Annie Coppigoge	48,	F. sister 1741,	"	"
Isaac "	25,	M. son,	"	None
David "	19,	M. son,	"	"
Alfred Phillips	22,	M. nephew 1759,	"	Full
Elmer Peters,	33,	M.	"	"
Elsie Peters	7,	F. dau.	"	"
Rosie "	5,	F. dau.	"	"
Elmer " Jr.	3,	M/ son,	"	"
Percy Edgar Peters,	1,	M/ son,	"	"
Agnes-peters				
Mrs Maggie Sandy,	23,	F. sister 1763,	"	"
Susanna "	4,	F. dau.	"	"
Agnes Peters	16,	F/ sister "	"	"
Peter "	20,	M/ bro "	"	"
John "	11,	M. "	"	"
Thomas "	60,	M. head	"	"
Christane"	24,	F. dau.	"	"
Mrs Louisa Smith,	28,	F.	"	"
Ella "	6,	F/ dau.	"	"
Ernest "	4,	F. s-n,	"	"
Not named "	1/2	M. son,	"	"
Stephen Monague	29,	M. head	"	"
Josiah "	26m	M. head	"	"
Emily "	15,	F. niece 1773,	"	"
Cain Miximong,	20,	M. nephew 1779,	"	None
Louisa "	15,	F. niece	"	"
William Abi,	90	M. head	"	Full
David "	49,	M. son,	"	"
Sarah "	47,	F. wife	"	"
Hannah "	17,	F. dau.	"	"

Names	Age	Sex	Relationship	Year	Residences	Notes
Mrs Christine Sunday,	61	F.	sister	1784	Christain Is. Ont.	None
Mrs Elizabeth Isaac	47	F.	dau	1788	"	"
Mrs Maggie Mishigahkwan,	22	F.	dau	1789	"	"
James	2	M.	son		"	"
"	6	F.	dau.		"	"
John Sunday	43	M.	son	1788	"	"
Annie	20	F.	dau.		"	"
William	18	M.	son,		"	"
John	16	M.	son,		"	"
David	12	M.	son,		"	"
Catherine	10	F.	dau.		"	"
Sarah	8	F.	dau.		"	"
Peter	6	M.	son,		"	"
Mrs Jane Manitowabi	39	F.	dau	1788	Parry Sound Ont?	Full
Sophia	16	F.	dau.		"	"
Stanley Washington "	12	M.	son,		"	"
Sampson	8	M.	son,		"	"
Joe Sunday	35	M.	son "		Christain Is. Ont.	None
Johnson "	33	M.	" "		"	"
Jackson "	28	M.	son "		"	"
Mrs Liza Jane Assance	43	M.	dau	1784	"	Full
Isaac	22	M.	son		"	"
Wilson	20	M.	son		"	"
Julianne	18	F.	dau.		2	"
Sophia	16	F.	dau.)	twins	"	"
Lawrence	16	M.	son,		"	"
Florence	10	F.	dau.		"	"
Noah	8	M.	son,		"	"
Sam	6	M.	son,		"	"
Solomon	4	M.	son,		"	"
James	3	M.	son,		"	"
David Pedoniquat	80	M.	bro.	415,	"	"
Mrs Christine Henry	25	F.	dau.		"	"
Johanna	10	F.	dau.		"	"
Nellie	5	F.	dau.		"	"
David	19	M.	son,		"	"
John Otter	55	M.	head		Parry Sound, Ont.	None
"	70	F.	sister		"	"
Mrs Catherine Norton,	52	F.	sister		Christain Is. Ont.	"
Maggie	23	F.	dau.		"	"
Mrs William King	75	F.	sister	1824	Parry Sound, Ont.	"
Mrs Josephine Bisailon	37	F.			North Star Mines,	"
Jerome	15	M.	son		"	"
Frederick	12	M.	son,		"	"
Phoebe	10	F.	dau.		"	"
Clement	9	M.			"	"
Ernest	7	M.	son		"	"
Albert	4	M.	son,		"	"
Wilfred	1 1/2	M.	son,		"	"
Mrs Elizabeth Assance	34	F.	sister	1829	South Bay, Ont.	Full
Clara	10	F.	dau.		"	"
Stanislas	8	M.	son,		"	"
Eugenie	4	F.	dau.		"	"
Josephine	1	F.	dau.		"	"
Alexander Proulx,	31	F.	sister	1829	Killarney, Ont.	None
Franklin	9	M.	son		"	"
Frederick,	6	M.			"	"
Rosalie	2	F.			"	"
William Demarse	62	M.	head		Wyandotte, Neb.	"
Cora	28	F.	dau.		"	"
Frederick	25	M.	son,		"	"
Edith	22	F.	dau.		"	"

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(34)

Names	I	II	Residences	I
Ezek Demarce	57	M. bro 1846,	Gibraltar, Mich.	None
Mrs Eliza Fryer	50	F. sister "	"	"
George	22,	M. son,	"	"
Mabel	21,	F. dau.	"	"
Alice	12,	F. dau.	"	"
Grace	8,	F. dau.	"	"
Mrs Elizabeth Smith	47,	M. sister "	"	"
Edith	" 22,	F. dau.	"	"
Flora	" 19,	F. dau.	"	"
Emery	" 14,	M. son,	"	"
Allan Bunce	60,	M. head	Sarnia Resiv.	Full
Mrs Flora Rogers	20,	F. dau.	"	"
Mrs Sophia Williams	35,	F. dau.	"	"
Caleb Thompson	15,	M. son by 1st Husb	"	"
Sarah Williams	3,	F. dau.	"	"
William Bunce	18,	M. son 1860	"	"
Nora	" 10,	F. dau.	"	"
Sam Walker	28,	M. nephew "	"	"
William Smith	21,	M.	Kettle Pt. Resiv.	None
George	" 16,	M.	"	"
Mrs Mamie George	19,	F.	"	"
John Joe	15,	M. son 1860	"	"
Stigner Gray	33,	M.	"	"
Mary	" 21,	M.) children of	Sarnia Resiv.	Full
Carrie	" 19,	F.) deceased sister	"	"
Alex	" 17,	M.) #470,	"	"
Mrs Sarah Taylor	42,	F. head	Cape Croker, Res.	"
Solomon Walker,	18,	M. son	"	"

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

1433/1909.
Enclosure.

350450

Ottawa 8th December 1909.



Dear Mr Pedley;

S.S.
Referring to your letter of 2nd instant, Mr Braddock and Mr John G. Graham, of Wisconsin, called upon me with regard to the claim of the Canadian Pottawattomie Indians to moneys said to belong to them in the hands of the United States Government. They left with me the enclosed papers, being a printed report of investigation of claims of Pottawattomie Indians of Wisconsin before the United States House of Representatives, and a list of names of Indians belonging to the Tribe, and resident either in the United States or Canada. The object which these gentlemen had in view apparently was to obtain authority from the Government to represent the Canadian Indians in proceedings which they suggest should be taken before Congress to recover the money. The amount they say is very large, and the Canadian Indians I think they told me represent about two-thirds of the number entitled to share in the distribution. The proposal of Messrs Braddock and Graham was, as I understand it, that if authorized by your department they would attend upon the Canadian Band of Indians and endeavour to make

Frank Pedley, Esq.,
Deputy Supt. General of Indians Affairs,
O T T A W A. O.

arrangements

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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arrangements for the prosecution of the claim, and they suggest that it would add to the probability of success of the proceedings if it could be arranged that the funds when recovered should be placed in trust for the Indians in the hands of the Government or otherwise.

The matter seems primarily one for the consideration of your department, and I informed Messrs Braddock and Graham that I would transmit these papers to you, and render you any professional assistance as might be desired in relation to the matter.

Yours very truly,

E. Hewson

Deputy Minister
of Justice.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156,610

Ottawa, 28 Dec., 1909.

Dear Mr. Newcombe,-

In reply to your letter of 8th instant, regarding the claim of the Canadian Pottawattomie Indians to moneys said to belong to them in the hands of the United States Government, I beg to enclose file 156,610 of this Department, containing the papers in the matter; and have to request that you will be good enough to state whether you consider that Messrs. Braddock and Graham should be authorised to make arrangements with the Canadian Pottawattomies to prosecute their claim. It will be seen from the printed report which accompanied your letter - page 17, et seq. - that the Canadian Pottawattomies are mostly scattered amongst different bands on the north shores of Lake Huron and Manitoulin Island; and, if you consider from the papers that Messrs. Braddock and Graham should be authorised to prosecute the claim of the Pottawattomies, this Department would be glad to be advised as to what you consider would be fair compensation for their services and from what source the same should be paid.

Yours very truly,

E. L. Newcombe, Esq., K. C.,

Deputy Minister

of Justice, Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

We, the undersigned adult members of the Wisconsin band of Pottawatomie Indians and now residing at the places set opposite our names, in the Dominion of Canada, do hereby appoint John G. Graham, an attorney at law, of the City of Tomah, State of Wisconsin, United States of America, our attorney in fact and at law, with full power and authority to represent us and each of us before the various departments, the Congress, and the courts of the United States, in order to obtain for us our proportionate share of any and all funds that may now be due us, by the United States of America, as members of the said band of Pottawatomie Indians, under the various treaties, contracts and agreements between the Pottawatomie Indians and the United States of America.

We do further authorize and empower him as our attorney in fact, to procure a final settlement of all the differences and outstanding accounts existing between us as members of the band of Wisconsin Pottawatomie Indians and the United States, and when settled we do authorize the said John G. Graham to receipt for and receive any and all sums found due us from the United States.

We further authorize and direct our attorney John G. Graham, to assign and turn over to the Deputy Superintendent General of Indian Affairs of the Dominion of Canada, any and all moneys received by him as our attorney in fact, and take his receipt therefor, said sums so received by said Deputy Superintendent General to be held by him in trust for us in accordance with the customs of the department of Indian Affairs of the Dominion of Canada or as may hereafter be agreed upon between us and said department.

And we hereby agree to pay to said John G. Graham for his services the sum of five per cent of all moneys so collected and turned over and we hereby authorize and direct the Deputy Superintendent General of Indian Affairs to pay to said John G. Graham the sum of five per cent of all the amount so collected and turned over, the same to be in full for all services.

THE DEPARTMENT OF INDIAN AFFAIRS
OTTAWA, CANADA

I do hereby approve of the contract hereto annexed and on behalf of the department of the Indian Affairs of the Dominion of Canada, when fully performed, agree to abide by the terms thereof.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
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CANADA**

156610

BRADDOCK & MARVIN

W. S. Braddock REAL ESTATE Geo. A. Marvin
SWAMP LANDS A SPECIALTY

361183

Mather, Wis.

March 28, 1900.



min

[Handwritten signature]

Hon. Frank Pedley,
Deputy Supt. General Indian Affairs,
Ottawa, Can.

My Dear Sir: I beg to transmit herewith copy of the proposed contract with the Pottawatomic Indians residing in Canada for the collection of the money which is claimed to be due them from the United States. This, as will be seen, is drawn to conform with the suggestions made by you in our conference on Thursday last and will, I trust, meet your ideas on the subject.

It is thought that some sort of approval from your department will be desirable after the contract has been signed by the Indians and the form set forth on page 2 of the enclosure is submitted.

Will you kindly inform me at your earliest convenience whether the paper is acceptable and also indicate any changes which your experience suggests as necessary in the premises.

Very truly yours,
W. S. Braddock.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

No. _____

members of the Wisconsin band of Pottawatonic Indians and citizens of _____ do each for himself and on behalf of the minor children members of his family and in his care and custody named under each of our signatures hereto hereby employ John G. Graham, of Tomah, Wisconsin, to represent us and each of us before the various Departments, the Congress, and the courts of the United States wherever necessary in procuring for us our proportionate share of the funds now on deposit in the Treasury of the United States to the credit of the said band of Pottawatonic Indians, and in procuring for us and each of us our proportionate share of all other funds due the said band of Pottawatonic Indians from the United States, and in procuring a final settlement of all differences and all outstanding accounts between the said band and the United States, hereby agreeing to pay to the said John G. Graham for such services the sum of five percentum of all amounts received and collected hereunder, for myself and those for whom I make this contract. I further authorize the said John G. Graham to receipt for and receive any and all sums found due hereunder and authorize and direct him to assign to the government of the Dominion of Canada, to be held in trust for each of us and those for whom this contract is made, the balance which shall be found due after deducting said fee of five per cent.

Dated at _____ 1910.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

We, the undersigned adult members of the Wisconsin band of Pottawatomie Indians and now residing at the places set opposite our names, in the Dominion of Canada, do hereby appoint John G. Graham, an attorney at law, of the City of Tomah, State of Wisconsin, United States of America, our attorney in fact and at law, with full power and authority to represent us and each of us before the various departments, the Congress, and the courts of the United States, in order to obtain for us our proportionate share of any and all funds that may now be due us, by the United States of America, as members of the said band of Pottawatomie Indians, under the various treaties, contracts and agreements between the Pottawatomie Indians and the United States of America.

We do further authorize and empower him as our attorney in fact, to procure a final settlement of all the differences and outstanding accounts existing between us as members of the band of Wisconsin Pottawatomie Indians and the United States. And we hereby each and every of us authorize and direct the United States or whatever tribunal may be appointed thereunder to adjudicate upon this matter to pay direct to the Superintendent General of Indian Affairs for the Dominion of Canada whatever sums may be found due to us or agreed upon by the said John G. Graham in settlement of our claims. And we authorize and direct the said Superintendent General of Indian Affairs to hold the said sums in trust for us in accordance with the custom of the Department of Indian Affairs of the Dominion of Canada, or as may hereafter be agreed upon between us and the said Department.

And we hereby agree to pay to said John G. Graham for his services the sum of five per cent of all moneys so collected and turned over and we hereby authorize and direct the Deputy Superintendent General of Indian

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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- 2 -

Affairs to pay to said John G. Graham the sum of five per cent of all the amount so collected and turned over, the same to be in full for all services, costs, charges and expenses.

I do hereby approve of the contract hereto annexed and on behalf of the department of the Indian Affairs of the Dominion of Canada, when fully performed, agree to abide by the terms thereof.

Sgd Frank Pedley
Deputy Dept General

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Copy.

156,610

*Completed
OK
JAMES*

We, the undersigned adult members of the Wisconsin band of Pottawatomie Indians and now residing at the places set opposite our names, in the Dominion of Canada, do hereby appoint John G. Graham, an attorney at law, of the City of Tomah, State of Wisconsin, United States of America, our attorney in fact and at law, with full power and authority to represent us and each of us before the various departments, the Congress, and the courts of the United States, in order to obtain for us our proportionate share of any and all funds that may now be due us, by the United States of America, as members of the said band of Pottawatomie Indians, under the various treaties, contracts and agreements between the Pottawatomie Indians and the United States of America.

We do further authorize and empower him as our attorney in fact, to procure a final settlement of all the differences and outstanding accounts existing between us as members of the band of Wisconsin Pottawatomie Indians and the United States. And we hereby each and every of us authorize and direct the United States or whatever tribunal may be appointed thereunder to adjudicate upon this matter to pay direct to the Superintendent General of Indian Affairs for the Dominion of Canada whatever sums may be found due to us or agreed upon by the said John G. Graham in settlement of our claims. And we authorize and direct the said Superintendent General of Indian Affairs to hold the said sums in trust for us in accordance with the custom of the Department of Indian Affairs of the Dominion of Canada, or as may hereafter be agreed upon between us and the said Department.

And we hereby agree to pay to said John G. Graham for his services the sum of five per cent of all moneys so collected and turned over and we hereby authorize and direct the Deputy Superintendent General of Indian

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
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CANADA**

Affairs to pay to said John G. Graham the sum of five per cent of all the amount so collected and turned over, the same to be in full for all services, costs, charges and expenses.

I do hereby approve of the contract hereto annexed and on behalf of the department of the Indian Affairs of the Dominion of Canada, when fully performed, agree to abide by the terms thereof.

Frank Pedley,

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
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CANADA**

156,610



Ottawa, April 25, 1910.

Sir,-

I beg to acknowledge the receipt of your favour of the 28th of March last, inclosing draft copy of agreement between John G. Graham and the Pottawatomic Indians residing in Canada for the collection of money which is claimed to be due to them from the United States, and note that you ask me to indicate any changes that might suggest themselves to me.

Incl.

In reply I beg to inclose the agreement with such changes as have occurred to me, and which I think are in keeping with the suggestions made at the time of our interview, and which I trust you will find satisfactory.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

W. S. Braddock, Esq.,

Nather, Wis.,

U. S. A.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

Power of Attorney 378600

Know all men by these presents, That we, the undersigned members of the Wisconsin Band of Pottawatomie Indians, resident in the Dominion of Canada, have made, constituted, and appointed, and by these presents do make, constitute, and appoint WILLIAM H. ROBESON, of Washington, D. C., and A. G. CHISHOLM, of London, Province of Ontario, Dominion of Canada, our true and lawful attorneys, irrevocable, for us, and in our name, place, and stead to prosecute before the Congress of the United States and any or all of the Departments of the Government of the United States, or before any and all of the courts of the United States, or before any officer, commission, convention, or tribunal authorized to take cognizance of said claims, as may be deemed best for our interests, and to collect our claims for our individual shares in the sum or sums due to the said Wisconsin Band of Pottawatomie Indians, sometimes known as the "stray bands," from the United States under the various treaties to which the United States and the said Wisconsin Band of Pottawatomie Indians were parties, and they are particularly authorized and empowered to appear for and represent us in the Congress, the Departments, and the courts of the United States, and wherever else necessary, in the effort to secure the payment of the amounts due us as members of the said Wisconsin Band of Pottawatomie Indians under the treaties of 1833 and the supplementary articles to the same; and for further description of the particular claim, reference is made to House Bill No. 21219 of the Sixty-first Congress of the United States.

And by these presents we hereby give and grant to our said attorneys, WILLIAM H. ROBESON and A. G. CHISHOLM, full power and authority, upon the part of either of them, to sign and verify any one or more memorials, petitions, amended petitions, and all other papers necessary or proper for the due prosecution of said claim; and we further give and grant to our said attorneys, or either of them, full power and authority to do and perform every other act and thing whatsoever requisite and necessary to be done in and about the premises as fully to all intents and purposes as we ourselves might or could do if personally present at the doing thereof; and, having the fullest confidence in our said attorneys, we hereby ratify and confirm all that they or either of them may or shall lawfully do, or cause to be done, by virtue hereof, and we particularly authorize our said attorney, WILLIAM H. ROBESON, to receive and receipt for any warrant, check, draft, certificate, or other medium of payment that may issue in settlement of our said claims; and we hereby revoke and annul all former powers of attorney or authorizations whatever, if any, in the premises.

Witness our signatures and seals this.....day of....., 19...

Signed, sealed, and delivered in the presence of the undersigned after the same had been read over and explained to the said parties, who thoroughly understood the same.

[SEAL.] [SEAL.]
[SEAL.] [SEAL.]
[SEAL.] [SEAL.]
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[SEAL.] [SEAL.]

Province of Ontario

County of

To wit

I.....of the

of.....in the County of.....

do solemnly declare that the within contract was executed by the parties whose signatures are attached thereto on their own behalf and on behalf of their minor children or wards in my presence, and after the same had been carefully read over to the said parties, who thoroughly understood the same and acknowledged the due execution of the said Power of Attorney for the purposes therein expressed, and that I know the said parties and am a subscribing witness to said contract.

And I make this solemn Declaration conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

Declared before me at the.....

of.....in the County of.....

and Province of Ontario the.....

day of.....A. D. 19...

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

Washington, D. C.

February 15, 1911.

378600

Sup't. of Indian Affairs.

Dear Sir:-

You will remember that sometime about a year ago there was some correspondence with your office relative to the matter of securing the rights of the Potterwatomic Indians formerly of Wisconsin, now resident in your Dominion. I think Mr. W. S. Braddock of Nether, Wis. at one time called upon you. My information is that you sent him to the Indian Agent in charge of the Potterwatomic matters. The question was finally taken up here with the British Embassy. As I am informed, Mr. Braddock agreed to take the representation from these Indians also practically from the Dominion with the understanding that the Indians' rights and interests were to be protected when the fund was collected by turning the sum over to the Dominion treasury for safe keeping. This was for the purpose of preventing the squandering of the fund. It was stated that a similar fund obtained by the Oneidas had been paid direct to the Indians and that no good had resulted. Mr. Braddock was in accord here with the persons in charge of the settlement with the United States and everybody agreed that this arrangement to turn the fund over to the Dominion treasury was a wise one. I do not know how far the matter went. I do not know whether the Indians' signatures to the contracts and authorities were obtained or not. It now develops that one Wm. H. Roberson of this City acting with A. C. Chisholm of London, Province of Ontario, are seeking to obtain contracts with these Indians. The contract and power of attorney which I enclose for your information speak for themselves. You will notice the fee provided for is 33 1-3 % while my information is that Mr. Braddock's agreement was for 10%. You will notice further that these contracts and powers of attorney carry no provision whatever for the proper safe-guarding of the fund. It is evidently the intention that the money shall be paid direct to the Indian. If this is done they will secure no home and be wanderers on the face of the Earth as they now are. I trust you will communicate with the proper authorities to the end that the Indians may not be wronged. Mr. Chisholm and Mr. Roberson are the attorneys who acted for the Oneidas in the distribution of their fund some three or four years ago. They had contracts at that time with the Oneidas for 50% and I am informed they collected that amount. I am also informed that the agent in charge in Ontario at that time tried to secure the co-operation of Mr. Chisholm and Mr. Roberson in properly safe-guarding the fund but that they wholly failed to accomplish anything.

Yours respectfully,

W. S. Braddock

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

156,610.

Ottawa, February 23rd., 1911.

Sir,-

In reply to your letter of February 15th. I have to say that I have today written to Mr. Braddeok, Mather, Wis., asking for information as to the outcome of the agreement, approved by this Department, which was to be signed by the Pottawatonic Indians resident in Canada. I thank you for drawing my attention to the Power of Attorney which is proposed to be used by William H. Robeson and A. G. Chisholm in this matter, and I think it well to communicate with the British Embassy in Washington.

Your obedient servant,



THOMAS PEDLEY

Deputy Superintendent General of
Indian Affairs.

G. J. Smith, Esq.,
Washington, D.C.
U. S. A.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

156610.

Ottawa, February 23rd., 1911.

Sir,-

Since writing you on April 25th. last enclosing approved draft copy of Agreement between John G. Graham and the Canadian Pottawatomie Indians, no communication has been received from you on the subject. Did Mr. Graham succeed in obtaining the consent of any Canadian Pottawatomie Indians to this Agreement? Mr. C. J. Smith of Washington has forwarded to the Department a copy of a printed Power of Attorney appointing William H. Robeson and A. G. Chisholm Attorneys to receive any amount paid by the United States Government.

Your obedient servant,

FORBIX PEDLEY

over

Deputy Superintendent General
of Indian Affairs.

gd
[Signature]

W. S. Braddock, Esq.,
Mather, Wis.,
U. S. A.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

EX'D.

Wm. Smith

Ottawa, February 28rd., 1911.

Sir,-

I have to inform you that on April 25th last an approved draft copy of Agreement between John G. Graham and the Pottawatonic Indians residing in Canada was sent to Mr. W. S. Braddeok, Mather, Wisconsin. The purpose of this Agreement, a copy of which is enclosed herewith, was to appoint Mr. John G. Graham attorney for the Pottawatonic Indians in Canada in the prosecution of a claim against the United States Government for arrears of annuity money. Mr. Graham, as you will observe, was to receive 5% on the amount recovered and the whole of said money was to be paid into the hands of the Dominion Government. I am now in receipt of a printed Power of Attorney, forwarded by Mr. G. J. Smith, of Washington, which is intended to effect the appointment of Mr. W. H. Robeson, of Washington, D.C., and Mr. A. G. Chisholm, of London, Ont., as Attorneys in the same matter. No provision is made that the amount recovered shall be paid to the Dominion, and the percentage allowed Messrs. Robeson and Chisholm for their services is 33 1/3 %.

It is thought to be advisable to communicate with the British Ambassador at Washington in order that steps may be taken to protect the interests of the Canadian Indians if anything is recovered in this cause.

Your obedient servant,

over

THOMAS PEDLEY

Deputy Superintendent General
of Indian Affairs.

W.S. Braddeok

The Under-Secretary of State
for External Affairs,
Ottawa.

15-6610



372813
Ottawa, 28th February, 1911.

Sir,

I have received your letter of the 23rd instant asking that communication be had with His Majesty's Ambassador at Washington, in order that steps may be taken to protect the interests of certain Pottawatomie Indians residing in Canada who are prosecuting a claim against the United States Government for arrears of annuity money.

Your letter does not state whether the draft Power of Attorney, copy of which you enclose, which was approved by your Department, was executed by any of the Indians, nor whether the Power of Attorney received from Mr. C. J. Smith of Washington purports to be validly executed, so that it is not clear whether any one is now acting on their behalf in this matter.

While it is possible to infer that the position of your Department is that these Indians, as wards of the Dominion Government, are incompetent to appoint an attorney without the approval of the Department, and that it desires that the United States Government should be made aware of this condition of affairs, so that no payment may be made by that Government except to an agent duly authorised under Canadian Law, I should be glad if you would assume the responsibility of stating precisely the legal position of

the Indians

The Deputy Superintendent General
of Indian Affairs,
O t t a w a .

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pt. 1)

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378819

the Indians, the nature of the injury to their interests which is apprehended, and the means by which it is considered that these interests could best be safeguarded.

I have the honour to be,

Sir,

Your obedient servant,

Joseph Pope

Under-Secretary of State
for External Affairs.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
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CANADA**

EXD

Ottawa, March 6th, 1911.

Sir,-

In reply to your letter of February 28th. I have to inform you that your inference as to the position of this Department, namely, that the Indians are incompetent to appoint an Attorney, ^{without the approval of the Dept} is hardly correct. An Indian is quite competent to appoint an Attorney for the transaction of his business. In an effort to secure a provident arrangement for the payment to the Indians of any amount which might be recovered from the United States Government, the Department approved of a reasonable agreement with an Attorney, the chief point of which was that the consent of the individual Indian would be obtained thereby to pay direct to the Superintendent General of Indian Affairs any sum that might be found ~~to be~~ due. The Indians are seeking to recover a certain amount from the United States Government and they are legally competent to take the necessary action. The nature of the injury to their interests which is apprehended is, that unscrupulous Agents (and the proposed agreement between the Indians and Messrs. Robeson and Chisholm is sufficient evidence that these persons are not acting disinterestedly) will collect an undue share of what may be recovered. It is considered that their interests would be best safeguarded if any decision in the Indians' favour could be accompanied by a direction that the fund for the Canadian Indians should be placed in the hands of the Superintendent General of Indian Affairs to be dealt with as is set forth in the ^{draft} Agreement a copy of which was sent you in my letter of the 22nd. ultimo.

Your obedient servant,

J. D. McLEAN

Deputy Superintendent General of Indian Affairs.

The Under-Secretary of State for External Affairs, Ottawa.

and that the court funds may be and that the court disipated not being under the control of the Superintendent

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

No. _____

Members of the Wisconsin band of Pottawatonic Indians and citizens of _____ do each for himself and on behalf of the minor children members of his family and in his care and custody named under each of our signatures hereto hereby employ John G. Graham, of Tomah, Wisconsin, to represent us and each of us before the various Departments, the Congress, and the courts of the United States wherever necessary in procuring for us our proportionate share of the funds now on deposit in the Treasury of the United States to the credit of the said band of Pottawatonic Indians, and in procuring for us and each of us our proportionate share of all other funds due the said band of Pottawatonic Indians from the United States, and in procuring a final settlement of all differences and all outstanding accounts between the said band and the United States, hereby agreeing to pay to the said John G. Graham for such services the sum of five percentum of all amounts received and collected hereunder, for myself and those for whom I make this contract. I further authorize the said John G. Graham to receipt for and receive any and all sums found due hereunder and authorize and direct him to assign to the government of the Dominion of Canada, to be held in trust for each of us and those for whom this contract is made, the balance which shall be found due after deducting said fee of five per cent.

Dated at _____ 1910.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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156,610

EXD.

March 14, 1911.

Dear Sir,-

Referring to our conversation here on Saturday I find in comparing the form of contract you left with me that it is not the same as the one I inclosed you with my letter of April 25, last; the one which I forwarded to you at that time was, as I stated in my letter of April 25, in accordance with the understanding that we had reached as to its form.

I herewith inclose copy of letter of April 25 in case you have mislaid it.

Yours truly,

Frank Peck

Deputy ~~Superintendent~~ General
of Indian Affairs.

W. S. Braddock, Esq.,

Messrs. Braddock & Marvin,

Mather, Wisconsin, U.S.A.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156610

P.O. 581.

***** Certified copy of a Report of the Committee of the Privy Council, approved by His Excellency the Governor General on the 20th March 1911.



Ex'd



Blair
W. H. Robeson

379934



J. L.

The Committee of the Privy Council have had before them a report, dated 9th March, 1911, from the Secretary of State for External Affairs, submitting that information has reached the Superintendent General of Indian Affairs, that certain Pottawatomie Indians residing in Canada, who have been prosecuting a claim for arrears of annuity money against the United States Government, propose to appoint Mr. W. H. Robeson of Washington, D.C., and Mr. A. G. Chisholm, of London, Ontario, as their attorneys to obtain the moneys due them, and that a condition of this arrangement is that these attorneys shall be paid 33 1/3 % of the amount recovered.

The Minister observes that the Superintendent General of Indian Affairs represents that in April 1910, a draft Power of Attorney - copy of which is submitted - appointing Mr. John G. Graham, of Tomah, in the State of Wisconsin, the Attorney of the Indians for this purpose, received the approval of the Department of Indian Affairs, such Power of Attorney providing that any moneys received should be paid over to the Superintendent General of Indian Affairs, and that the compensation of the Attorney should be 5% of the amount recovered;

W. H.

That the Superintendent General of Indian Affairs is of opinion that the undue rate of remuneration provided for by the proposed agreement with Messrs Robeson and Chisholm affords ground for believing that these attorneys are not acting disinterestedly, and he is apprehensive that

the

The Honourable
The Superintendent General
of Indian Affairs.

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CANADA

379954

the absence of the provision for payment of the moneys to him, whereby the possibility of any control being exercised by him over the funds is prevented, may lead to their further dissipation to the disadvantage of the Indians. He considers that in their interests it would be desirable that any moneys found to be due them should be placed in the hands of Your Excellency's Government to be dealt with in the manner set out in the draft Power of Attorney approved by the Department of Indian Affairs.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Excellency may be pleased to communicate the facts above recited to His Majesty's Ambassador at Washington, to the end that the attention of the United States Government may be drawn to the danger of these Indians who are to a large extent in statu pupillari, their funds being administered by the Dominion authorities, -being induced to enter into an improvident arrangement in regard to their claim, and that that Government may be requested to take any measures possible to ensure that their interests may be protected in the manner indicated by the Superintendent General of Indian Affairs.

All which is respectfully submitted for approval.

Rudolph Bourne

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

W. S. Braddock

Geo. A. Marvin

BRADDOCK & MARVIN

REAL ESTATE

SWAMP LANDS A SPECIALTY

381532



Mather, Wis., *April 13, 1911.*

*Mr. Frank Pedley,
Deputy Supt. Genl. Indian Affairs,
Ottawa, Canada.*

Dear Sir: I beg to acknowledge receipt of your letter enclosing copy of contract and to state that I am having prepared printed copies of the agreement in the form approved by you. I would request, however, to be informed whether you desire to have your acceptance and approval over your signature made a part of the printed contract to be signed by the Indians, or is it intended to be a part only of the original. The name on the printed form would it seems to me, be a great help in securing signatures. I shall go to New York next week on business, and intend to come to Ottawa and take up the matter of these contracts as soon as my other business is completed. I trust however to hear from you before my departure.

*Yours truly,
W. S. Braddock.*

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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152

April 21, 1911.

Dear Sir,-

I beg to acknowledge the receipt of your favour of the 13th instant, and to say in reply thereto that I am of the opinion that it is desirable to have my acceptance and approval over my signature made a part of the printed contract to be signed.

Yours truly,

Frank Peckey

Deputy Superintendent General
of Indian Affairs.

W.S.

W. S. Braddock, Esq.,
Messrs. Braddock & Marvin,
Mather, Wisconsin,
U. S. A.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

378600

CONTRACT BETWEEN THE MEMBERS OF THE WISCONSIN BAND OF POTTAWATOMIE INDIANS RESIDENT IN CANADA AND WILLIAM H. ROBESON AND A. G. CHISHOLM.

In consideration of professional services to be performed or rendered by WILLIAM H. ROBESON, of Washington, D. C., and A. G. CHISHOLM, of London, Ontario, under a certain power of attorney, to which our signatures have been this day appended, authorizing and empowering the said Robeson and Chisholm to represent us, together with other members of the Wisconsin Band of Pottawatomie Indians resident in Canada, in the effort to secure the payment from the United States of our individual shares in a certain fund or funds due from the United States to the members of the Wisconsin Band of Pottawatomie Indians, I hereby agree for myself and for my minor children whose names are hereunto appended to pay to the said WILLIAM H. ROBESON and A. G. CHISHOLM one-third (1/3) of such amount as may be recovered for and received by each of us; that is to say, each individual signing this agreement will pay to the said Robeson and Chisholm thirty-three and one-third (33 1/3) per cent of the amount received by him and by his wife and minor children by reason of the claim referred to.

And in accepting this contract the said WILLIAM H. ROBESON and A. G. CHISHOLM agree to the performance by them of faithful and diligent services in the attempt to secure the amount claimed to be due from the United States by the said Wisconsin Band of Pottawatomies, in accordance with the various powers of attorney executed to them by the individual members of the Wisconsin Bands of Pottawatomie Indians resident in Canada, and to save them harmless from any expense in connection with the prosecution of said claim.

The said.....hereby authorizes the said WILLIAM H. ROBESON to receive and receipt for the draft or Treasury Warrant in payment of his her proportion of the said sum, or of his her infant children or wards as aforesaid, and he hereby authorizes the cashier or manager of any bank to whom such drafts or Treasury Warrants shall be sent, to deduct Thirty-three and one-third per cent therefrom and remit the same to the said WILLIAM H. ROBESON and A. G. CHISHOLM, hereby revoking and annulling all former powers of attorney, contracts, or authorizations whatever, if any, in the premises.

Witness my signature and seal this.....day of....., 19...

Signed, sealed, and delivered in the presence of the undersigned after the same had been read over and explained to the said party, who thoroughly understood the same.

.....



P. O. Address.....

Province of Ontario
County of
To wit

I.....of the.....
of.....in the County of.....
do solemnly declare that the within contract was executed by the said
.....

on his her own behalf and on behalf of his her minor children or wards.....

.....
in my presence, and after the same had been carefully read over to the said party, who thoroughly understood the same and acknowledged the due execution of the said Contract for the purposes therein expressed, and that I know the said party and am a subscribing witness to said Contract.

And I make this solemn Declaration conscientiously believing the same to be true, and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

Declared before me at the.....
of.....in the County of.....
and Province of Ontario the.....
day of.....A. D. 19...

.....
Notary Public.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

ROBINSON HALL CHAMBERS,

59 Dundas Street,

LONDON,

CANADA.

July 18th 1911.

The Secretary,

British Embassy,

Washington, D. C.

Sir,

Enclosed you will find a press clipping under date of July 6th 1911, referring to a Treaty between Great Britain and the United States, for the determination of certain pecuniary claims arising between these two countries. Also, Document 830 of the House of Representatives, 60th Congress, 1st Session, relative to the claims of the Pottawatamie Indians. This document contains a statement of the claims of these Indians which may be shortly outlined however, as follows.

At page 2 of said document, it would appear there is due to the Pottawatamies of Wisconsin, the sum of \$1,964,565.87 made up according to Statements 1 to 6 inclusive, appearing in said documents.

The Pottawatamies of Wisconsin claiming this sum, embrace some 2000 souls, of whom (roughly) 500 reside in the United States and 1500 in the Province of Ontario, Canada, scattered along the shores of Lake Huron and on Manitoulin Island.

These Canadian claimants, or their ancestors, left their former homes in Wisconsin about the year 1846, being forcibly removed from their lands in that State, by the United States Government, the intention of which was, to compel the Indians to remove to Kansas, which they refused to do.

In 1907, 1908, an enrollment of these Pottawatamie

claimants

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claimants, including the Canadians, was made by a special agent of the United States Government. Particulars thereof are found at pp/ 17 et seq. of the enclosed document 830, and at page 20 et seq. will be found a discussion of the rights of Canadian Indians in the pending claim.

As will be noticed, the majority of the claimants reside in this country, and these are represented by myself and attorneys associated with me at Washington.

The occasion of this communication is to enquire, whether it might not be stipulated in the proposed Treaty, that the question of the right of the Canadian Pottawatamies to share in the pending claim, should be submitted to the Court of Claims of the United States, with a right to appeal therefrom to the Supreme Court of the United States, it being provided that if such claimants are entitled by descent to share in the fund, their right to share should be determined on the same basis as their United States brethren; and, that the receipt of benefits from the Canadian Government, or their residence in this country, should not debar them.

I would be obliged for your consideration of this matter, and for a statement of the views of His Excellency, the Ambassador, on the subject.

Believe me,

Yours very respectfully,

A.G.Chisholm.

352572

BRITISH EMBASSY,

WASHINGTON,

October 31, 1911.

127
Sir,

On the 28th of March last Your Royal Highness's predecessor forwarded to me a Minute of Council regarding the claim of the Pottowatomic Indians, resident in Canada to share in certain annuities and other funds under an Act of Congress.

I have since received a letter from Mr. A.G. Chisholm purporting to be written as the representative of the Indians. A copy of this letter is enclosed.

The congressional document referred to by Mr. Chisholm is a letter from the Secretary of the Interior submitting a report on the situation of the annuities and funds and on the investigations which had been made into the situation of the Pottowatomic Indians who are scattered in Wisconsin and Michigan and in Canada.

This document is dated April 1st 1908, and I do not know what action has been taken since that date to settle the claims of the various sections of the tribe, nor do I know whether any dispute has arisen regarding the claims of those of them who inhabit Canada.

But it is evident from the report that the United States Government recognise their liability towards the Indians in Canada on the same footing as those inhabiting the United States, and, if this is so, it seems to me that it might be possible

His Royal Highness,

The Duke of Connaught and Strathearn,

etc., etc., etc.,

the Governor General.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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possible to settle matters between the two Governments without the intervention of lawyers whose fees would probably, as mentioned in the Canadian minute of Council, absorb a considerable part of the monies due to the Indians.

You will notice that Mr. Chisholm in his letter to me does not mention the names of the attorneys who he says are associated with him in Washington, but no doubt the firm referred to in the Minute in Council is that to which he refers; and I would mention in this connection that, if it is necessary to appoint a lawyer to look after the affairs of the Indians in this City, it is not advisable that any appointment should be made without previous consultation with this Embassy.

On receipt of Lord Gray's despatch, I put myself into communication with the United States Government but have so far received no reply. Steps will now be taken to find out the exact position of this question, but it would be of material help to me if Your Royal Highness's Government would put me in possession of the information which may be at their disposal, and would express their views as to the manner in which they consider the rights of the Pottowatomic Indians could best be protected.

The document referred to in Mr. Chisholm's letter is marked "House of Representatives, 60th Congress, 1st Session, Document No. 830".

I have the honour to be,

With the highest respect,

Sir,

Your Royal Highness's most obedient,
humble servant,

(Sd.) James Bryce

156610



R

Handwritten notes:
Put in to [unclear]
7 [unclear]
[unclear]



392572

Ottawa, 10th November, 1911.

Sir,

I enclose, for submission to the Superintendent General of Indian Affairs, copy of a despatch from His Majesty's Ambassador at Washington, dated 31st October 1911, to His Royal Highness the Governor General, on the subject of the claim of the Pottowatomie Indians resident in Canada to share in certain annuities and other funds under an Act of the Congress of the United States.

-127-

The Secretary of State for External Affairs would be glad to be placed in possession of the views of your department as to the best manner in which the rights of the Pottowatomie Indians can best be protected.

I have the honour to be,
Sir,
Your obedient servant,

Joseph A. [unclear]

Under-Secretary of State
for External Affairs.

The Deputy Superintendent General of Indian Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

156,610

Ottawa, 21st November, 1911.

Sir,-

In reply to your letter of the 10th instant, in which you enclosed copy of a dispatch from His Majesty's Ambassador at Washington &c., reference is made to Order of His Excellency in Council dated 20th March, 1911, which set forth the reasons which actuated this Department in endeavoring to secure the destination of any moneys which may be found due by the Government of the United States to the Pottawatomie Indians of Canada.

The concluding part of the Order of His Excellency in Council contains the advice which this Department would wish to repeat and press upon the attention of His Majesty's Ambassador at Washington. It is most desirable that any money found to be due the Pottawatomie Indians of Canada should be paid to this Department and should be administered under the rules and precedents which govern the Trust Funds of the Indians. It was for this purpose that Mr. John G. Graham, of Tomah, in the State of Wisconsin was accredited by this Department and that certain safe-guards were inserted in the approved draft of the power of attorney as between himself and the Indians.

I may say further that it would be advisable that His Majesty's Ambassador should represent to the Government of the United States that the interests of the Canadian Indians would be best protected if the award could be made to the Pottawatomie Band as a whole and not to each individual Indian.

The

The Under-Secretary of State

For External Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

2.

The fact that steps are now being taken to find out the exact position of this question is noted and also the opinion of His Majesty's Ambassador that no legal appointment should be made at Washington without ^{previous consultation with the Embassy} (his advice) by which opinion the Department will be governed.

Your obedient servant,

SECRET
1870-1871

Deputy Superintendent General
Of Indian Affairs.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Mr. A. G. ...
S
15-6610

333265

Ottawa, 25th November, 1911.

Sir,-

With reference to your letter, No. 156610, of the 21st November, on the subject of the claim of Canadian Pottawatonic Indians against the United States Government for a share in certain annuities and other funds, might I draw your attention to the last paragraph but one of Mr. Bryce's despatch of the 31st October, in which he asks to be put in possession of any information at the disposal of the Canadian Government in regard to this claim. I may remind you that the information so far supplied to the Ambassador has been only of a general kind, amounting indeed to little more than an assertion that these Indians were prosecuting such a claim.

To enable His Excellency to discuss the question to advantage with the United States Government it is very desirable that he should be supplied, if possible, with authoritative information as to the circumstances in which the claim arose, its amount, the number of Indians concerned, whether the whole Canadian Band or a part of it only is interested in the claim, and with any other pertinent details available, and if you could furnish me with such particulars I should be much obliged.

I have the honour to be,

Sir,

Your obedient servant,

Joseph Pope

Under-Secretary of State for External Affairs.

The Deputy

Superintendent General of Indian Affairs,

O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

156610

P. 27

Ottawa, November 28, 1911.

Sir,

In reply to your letter of the 25th instant with reference to the claim of the Pottawatomie Indians against the Government of the United States I have to inform you that if the British Ambassador is placed in possession of a copy of Document No. 830, 60th Congress, First Session, House of Representatives, he will have in compendious form a statement of the claim and information with reference to the Canadian Indians who are the claimants. Beyond the information contained in this document there is nothing at the disposal of the Department which could be transmitted which would be of use to Mr. Bryce.

Your obedient servant,

FRANK PEDLEY

FRANK PEDLEY

Deputy Superintendent General
of Indian Affairs,

Joseph Pope, Esq., C.V.O., C.M.G., I.S.O.,
Under-Secretary of State for External Affairs,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA



Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 2nd December 1911.



354120

*Report by
Action to be taken
by External
Affairs*

R.R.

The Committee of the Privy Council have had before them a report, dated 30th November, 1911, from the Secretary of State for External Affairs, to whom was referred a despatch, dated 31st October, 1911, from His Majesty's Ambassador at Washington, on the subject of the claim of certain Pottowatomie Indians residing in Canada against the United States Government for arrears of annuity money, in which His Excellency requested that he might be put in possession of any information in regard to the matter which might be at the disposal of Your Royal Highness's advisers and might receive an expression of their views as to the manner in which the rights of these Indians could best be protected.

The Minister states that the Superintendent General of Indian Affairs represents that beyond the information contained in the United States Congressional Document, No. 830, 60th Congress, 1st Session, which from the Ambassador's despatch appears to be in Mr. Bryce's possession, there is nothing at the disposal of his Department which would be of use to Mr. Bryce; that as regards the manner in which the rights of the Indians can best be protected the Superintendent General desires to reiterate the opinion expressed in the Order in Council of the 20th March, 1911, that it is desirable that any moneys found due to these Indians should be paid over to Your

Royal

The Honourable
The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

10

354120

Royal Highness's Government to be administered by the Superintendent General of Indian Affairs under the rules and precedents governing the Trust Funds of the Indians of the Dominion, as was provided in the draft Power of Attorney attached to the Order in Council referred to; and also to suggest that the United States Government should be informed that it would be in the best interests of the Indians if the award could be made to the band as a whole and not to individual Indians.

The Minister submits further that the Department of Indian Affairs will be guided by the opinion of His Majesty's Ambassador that no appointment of a legal adviser at Washington to look after the affairs of the Indians should be made without previous consultation with the Embassy ✓

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Royal Highness may be pleased to cause a reply to be returned to the Despatch from His Majesty's Ambassador at Washington in the sense of the foregoing.

All which is respectfully submitted for approval.

Roderick Boudreau

Clerk of the Privy Council.

53967²



DEPARTMENT OF JUSTICE,

Ch...
5235

OTTAWA, 13th December, 1911.

354540

Sir;

I have the honour to inform you that the First Schedule of Claims under the Pecuniary Claims Convention with the United States has been approved of by the Senate of the United States, and the preparation of a Second Schedule of Claims is now under consideration. The Minister of Justice desires to know whether your department is aware of any further Canadian claims that it might be proper to have included in this schedule. If so, the Minister will be glad if you will send him such details of the claims as you may have in your possession. This is a circular letter which is being addressed to all the departments of the Government Service here.

I have the honour to be,

Sir,

Your obedient servant,

Francis H. Gisborne

Acting Deputy Minister of Justice.

The Secretary,
Department of Indian Affairs,
OTTAWA.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY

~~53,967-2A~~

December 28, 1911.

Dear Sir,-

I have the honour to acknowledge the receipt of your letter of the 13th instant, inquiring by way of a circular letter from your Department if this Department has knowledge of any further Canadian claims that might be proper to be included in the second Schedule under the Pecuniary Claims Convention with the United States now under consideration.

In reply I beg to say that there is another claim which may be proper to include in such second Schedule, the particulars and details of which are now under consideration and will, in the course of a few days, be presented to your Department.

156610

Yours truly,

Sgd. Frank Pedley,
Deputy Superintendent General
of Indian Affairs.

The Deputy Minister of Justice,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

D.S.G.

This is to remind you of
letter of 28th Dec. to Justice Dept re
details of another claim (Walpole
Island Indians - file No 156610).

G.M.M.
18-1-12.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

398749

Ottawa, January 18, 1912.

Dear Sir,-

Re Claim of Pottawatomie Indians residing
in Canada.

Upon reading a Dispatch from His Majesty's Ambassador at Washington, dated October 31st, 1911, a copy of the Report of the Committee of the Privy Council dated December 2nd, 1911, Report of investigation of claims of Pottawatomie Indians of Wisconsin, by Secretary of Interior to the Commissioner of Indian Affairs at Washington, being Document 830 of the House of Representatives, 60th Congress and 1st Session, together with other papers and correspondence filed in your Department, I have the honour to inform you that there appears to be a large claim for arrears of Annuity due by the United States to this tribe of Indians, and that it is evident that the United States Government recognizes not only their liability towards said tribe, but also towards the band of Pottawatomie residing in Canada as part of said tribe, and entitled to their share of said arrears of Annuity the same

Frank Pedley, Esq.,

Deputy Superintendent General
of Indian Affairs,

Ottawa.

RS

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

as those residing in the United States.

I would therefore advise that the claim of the Pottowatomie Indians residing in Canada be taken into consideration forthwith, along the following points,-

1. The circumstances in which the claim arose.
2. The amount due and the number of Indians in Canada concerned.
3. Whether the whole of the Canadian bands or only a part is interested in the claim.
4. What action has been taken by Congress to settle the claim of all or part of said tribe.

I would further advise that at whatever hearing, reference or tribunal may be appointed to adjudicate upon the matter, your Department and that of the band residing in Canada be represented by Canadian Counsel.

I have the honour to be, Sir,

Your obedient servant,



Potts claims submitted
to the Pecuniary
Claims Convention
-1912-

20th January, 1912.

Dear Sir,

Referring further to your favour of the 13th ultimo, and our reply thereto of the 28th ultimo, regarding any further claims that may be considered as desirable to submit to the Pecuniary Claims Convention, I beg to say that there is a claim now before the Department relating to the Pottawatonic Indians residing in Canada, and I enclose herewith copy of a letter received from Mr. J.C. Judd, who was asked to look into the papers and whose views are in said letter set forth.

Enc.

Your obedient servant,

Francis Bell

Deputy Superintendent General
of Indian Affairs.

The Deputy Minister of Justice,

Ottawa.

*Mr. Judd's
letter on
file 156,610 -
dated Jan 18/1912*

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

A864-3



398925

Ottawa January 22, 1912. 190

S I R :

Referring to your letter of the 20th. instant respecting the claim of the Pottawatomie Indians, I have the honour to request that you will send me the papers relating to the matter and I will have the case looked into at once.

I have the honour to be,

Sir,

Your obedient servant,

Francis H. Gisborne
for D.M.J.

The Deputy
Superintendent General,
Department of Indian Affairs,
Ottawa,

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA



Ottawa, 13th November 1912.

C. A. C.

Sir;

Re Pottawatomies. A. 864-3.

I send you herewith my file, also the file of the Indian Department upon this subject. I wish you would consider the recent correspondence which has taken place with Mr Chisholm and instruct me as to your views.

As I understand it these Pottawatomie Indians are non-treaty Indians and have no reserves or funds in the possession of the Government. It appears that a considerable majority of them have agreed with Mr Chisholm and his associate for the advocating of their claim upon the terms set out in the printed agreement. The questions as to whether the claim can be recovered, and as to the most advisable procedure are matters of considerable doubt, and upon the best consideration which I have been able to devote to the subject up to the present time I am inclined to think that it may not be inadvisable in view of the circumstances for the Government to refrain from any active prosecution of the claim, leaving it to Mr Chisholm and his colleague to work it out either by proceedings before Congress or before the Pecuniary Claims Commission as they may be advised, it being of course understood that in this event the Government assumes no responsibility for any costs. I would like to have a statement of your views upon the subject as early as possible as the question as to whether this claim is to be included in the schedule for arbitration must be determined very soon.

The Deputy Supt General
of Indian Affairs,
O T T A W A.

I have the honour to be,
Sir,
Your obedient servant,

Hewcombe

Deputy Minister of Justice.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

PC 305
received
12th Feb.
1912

P.C. 305.

N-6640
398107

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 12th. February, 1912.



The Committee of the Privy Council have had before them a report, dated 5th February, 1912, from the Secretary of State for External Affairs, submitting - with reference to the Minute of Council of the 2nd December, 1911, on the subject of a claim which certain Pottawattomic Indians residing in Canada are prosecuting against the United States Government for arrears of annuity money - that it would appear that under a Treaty between the United States Government and the Pottawattomic Indians known as the Chicago Treaty, the Indians sold a large quantity of land to the United States and were removed to land situate west of the Mississippi River, but that finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again a number of them fled to Canada where they have since resided.

RR

The Minister observes that Your Royal Highness' Advisers are of opinion that a claim for the share of these Canadian Pottawattomic Indians in the moneys due the tribe under the treaty referred to should be presented to the United States Government in order that it may be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910.

The Minister understands that His Majesty's Ambassador at Washington has sufficient information in regard to this claim to enable him to take the necessary action.

The Honourable
The Superintendent General of Indian Affairs.

The

39810

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Royal Highness may be pleased to transmit a copy hereof to His Majesty's Ambassador at Washington, with a request that the claim may be presented to the United States Government for settlement under the Agreement referred to.

All which is respectfully submitted for approval.

Rodrigue Boudreau

Clerk of the Privy Council.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA**

O.K. authorizing
claim to be submitted
to Pecuniary Claims
Commⁿ

12/2/1912

Object Mr. Peckey 398107

file with regard to this is before
the Justice Dept., that Dept. having recently
asked for it, stating that it was urgent that
the Potawatomi claim be prepared for
the second meeting of the Pecuniary
Claims Commission, which was to take
place very soon. This re. merely refers
to the fact that the U. S. Ambassador at Wash-
ington has sufficient information for
the purpose & advises that a copy of the re.
be sent to the Ambassador - which is being
done through the post-office office.

16-2-12 R. B. M.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

DEPARTMENT OF EXTERNAL AFFAIRS.

THE SECRETARY OF STATE

FOR THE COLONIES

TO THE GOVERNOR GENERAL.

No. Confidential. 30th Mayo 12.

Pecuniary Claims Convention.
Claim of certain Canadian In-
dians to be included in the
Second Schedule.

Referred to the ~~Honourable~~
Superintendent-General of In-
dian Affairs (for information
only.)
(One copy has been referred
By Command to Justice.)

J. A. Cohen
Under-Secretary of State for External Affairs.

OTTAWA, June 11th, 1912.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Records
Please place
original
to file, to send
to Secretary
for final decision
D. W. Garrison
1912

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY.

156610

From the Secretary of State for the Colonies to the Governor General.

405600

CANADA.

Downing Street,

CONFIDENTIAL. (2)

30th May, 1912.



Sir,

I have the honour to request Your Royal Highness to inform your Ministers that His Majesty's Government have had under ^{their} consideration the recommendation contained in the report of the Committee of the Privy Council^a approved on the 12th February, that a claim for the share of certain Canadian Indians in the moneys alleged to be due under a Treaty between the United States and the Pottowatomic Indians should be presented to the United States Government with a view to its inclusion in the Second Schedule of the Pecuniary Claims Agreement.

2. His Majesty's Government concur in the view that the claim should be presented to the United States Government ~~with their concurrence~~ and the Ambassador has been so informed. Their concurrence, however, must not be regarded as in any way waiving their right and intention to ask the Pecuniary Claims Tribunal to attach the fullest weight to the provisions of the Treaty of 1853 which bar all claims arising ~~arising~~ out of occurrences between 1814 and 1853 and to the principle that no claim against His Majesty's Government is cognisable by the Tribunal unless it has been ab initio a claim in respect of a citizen of the United States.

I have, etc., (Sd.) L.HARCOURT.

Governor General

His Royal Highness

The Duke of Connaught and of Strathearn, K.G.,

&c., &c., &c.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

156,610

Frank R. Brown

CXII

Ottawa, 18th June, 1912.

Sir,-

I beg to acknowledge, with thanks, the receipt of a copy of a despatch, dated 30th ultimo, from the Right Honourable the Secretary of State for the Colonies to His Royal Highness the Governor General, on the subject of the inclusion, in the Second Schedule of the Pecuniary Claims Agreement, of the claim of Pottawatimie Indians residing in Canada to moneys alleged to be due them by the United States Government.

Your obedient servant,
Frank R. Brown
Asst. Deputy & Secretary.

Sir Joseph Pope, K.C.M.G., C.V.O., I.S.O.,
Under Secretary of State
for External Affairs,
Ottawa.

JP

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

156610

file sent to goff

November 20th, 1913.

Sir:-

EXD

Re - Pottawattomies.

I have to acknowledge receipt of your letter of the 13th instant, which accompanied the files of this Department and the Department of Justice on the above subject.

Careful consideration has been given the recent correspondence and I have pleasure in stating the conclusions arrived at,

Certain of the Pottawattomie Indians, residents of Canada, who are claimants from the United States, have become incorporated with Bands of Canadian Indians. They have been received into membership with these Bands and have been in receipt of annuities and interest moneys, payable either under the provisions of Treaty or surrender, or under the rules governing the administration of Indian funds. They also occupy

W. L. Newsome

W. L. Newsome
W. L. Newsome, Deputy Minister of Justice, the Reserves

Ottawa, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

the Reserves set apart for the Bands and in every way enjoy full membership, although neither they nor their ancestors ever made Treaty with the British Crown as Pottawattomie Indians. A cursory examination of the list of Indians which was compiled by the Authority of the United States Department of the Interior shows this to be the fact, and it would not be difficult to identify each Indian who appears on the list, and to state whether or not he is a resident on the Reserve, a member of a certain Band, the recipient of moneys paid other members of the Band, or whether he is unattached to any Band of Canadian Indians, and in this event what his particular circumstances are.

It seems to me, considering all the various questions involved, that it might be thought advisable to allow the action already taken to proceed to a conclusion. In this event the claim will either be allowed in the second schedule or will be disallowed.

If the claim is allowed in the second schedule it would then become necessary for you to decide who should prepare the case and how the presentation should be handled. As you are aware there are two parties of Lawyers who have been interested in the prosecution of the claim on behalf of the Canadian Indians, - Mr. A. G. Chisholm of London assisted by

3.

by Mr. William H. Robeson of Washington, and Messrs. Graham and Graham of Tomah, Wis., assisted by Mr. W. S. Braddock of Mather, Wis., and Mr. Walter S. Field of Washington. The Department has recognized the efforts of Messrs. Graham et al and approved of a Power of Attorney to be signed by individual Indians. Their claims for compensation were most moderate and their methods of dealing with the question were apparently fair. Mr. Chisholm's Power of Attorney and Agreement for compensation have never been approved by the Department. The latter would seem to be improvident as it stipulates for the payment of 33 1/3% of the claim to the Lawyers if recovered.

If you agree to proceed with the claim I think the suggestion made by Messrs. Graham and Graham in their letter to you of the 28rd April, 1912, is a good one. * In this connection I might say that a contract signed by the Indians following the lines of our proposed contract which has already met with the approval of Mr. Pedley, assigning their interest to the Government and directing the collection of the claims by the Canadian Government might make your position stronger.*

The signatures to such a contract would be obtained through the Agents or Inspectors of this Department.

I would be glad to hear from you further and to carry

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4.

carry out any action which would devolve upon the Department
in the case. *The papers are
herewith.*

Yours truly,

FRANK PEDLEY

Deputy Superintendent General.

*Enclosure sent consist of
File 156,610 &
papers belonging to Dept of Justice
in article "Docket No A 864"³
also large book with names
of Indians, dated 22nd Dec 1911.*

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

4.

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Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

London,

Dear Sir or Madam/

It is a long time now since the Canadian claimants to a share of the moneys due the Pottawatamies of Wisconsin by the United States, appointed the undersigned their solicitor in this matter. Difficulties unnecessary to set out here, were from the beginning found obstructing endeavours made on behalf of the Canadian claimants to have their right to a share of these moneys determined. It may be some consolation to the Canadians to know that, except for small appropriations made at intervals during the last few years, Congress has done nothing till recently to settle the indebtedness due even the Wisconsin Pottawatamies still residing in the United States. An Act has lately been introduced in Congress for this purpose, by which provision is made for the appropriation of \$447,339.00 the proportionate amount due the Indians still living in the United States, of the total sum of \$1,964,565.87, now admitted to be due the Pottawatamies of Wisconsin by the United States. Three fourths of these Indians now reside in Canada, and unless this fact debars them from sharing in the fund, it is claimed the other three quarters of the principal sum should be divided among the Canadian representatives of the Wisconsin Pottawatamies. These Canadian representatives are informed that every effort is being made to have their right to a share determined as speedily as circumstances permit. The undersigned is very hopeful that these endeavours will prove successful and that the Canadian Indians will eventually receive a share of this money, but in view of the fact that payment has not yet been completed of the share due those still residing in Wisconsin and Michigan, it is obvious it will take some time yet to fully ascertain the rights of the Canadian Pottawatamie. Many inquiries are being made of the undersigned as to the position of this claim, and it is hoped this circular will be a sufficient means of answering these, without a more personal communication.

Respectfully yours

A. G. Chisholm

Solicitor for the Canadian Branch Pottawatamies of
Wisconsin

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1272
March 11th. 1914

Mr. Henry Jackson

Christian Island

Ont.

Dear Sir/

I am very pleased you wrote me, as you have in your letter of the 9th. instant, regarding the Pottawatamie claim against the United States, as doubtless after you receive this reply you will consider whether both your time and money would not be wasted by now visiting Ottawa for the purpose you mention in your letter.

Since receiving instructions from the Canadian claimants my whole aim has been to recover the claim regardless of the particular method pursued, or my own pecuniary interests.

With this object I long since took up the matter of having this claim included among those to be disposed of by the Pecuniary Claims Commission, with the Justice Department at Ottawa and with the counsel representing the Canadian Government in the matter.

I fail to see that you can accomplish anything at Ottawa, by now visiting there in connection with the case, or that there is anything there that you might do, that has not been done ere this.

On July 18th. 1911, I wrote the British Ambassador at Washington regarding the matter, stating,-

" The occasion of this communication is to inquire, whether it might not be stipulated in the proposed Treaty, that the question of the right of the Canadian Pottawatamies to share in the pending claim, should be submitted to the Court of Claims of the United States, with a right to appeal therefrom to the Supreme Court of the United States, it being provided that if such claimants are entitled by descent to share in the fund, their right to share should be determined on the same basis as their United States brethren; and, that the receipt of benefits from the Canadian Government, or their residence in this country, should not debar them".

On August 3rd. 1911, I received a communication from the Embassy in reply stating,-

" I beg to inform you that it will hardly be possible to take action such as you suggest in connection with the recently signed Claims Convention between the United States and Great Britain. The Convention provides for the submission to arbitration of certain pecuniary claims against the two Governments; the Convention is already concluded together with one schedule of claims to be so submitted. The insertion of a provision such as you contemplate

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

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CANADA

* is therefore now impossible. It is however proposed to include
 * other schedules of claims to be submitted to arbitration
 * later in the year. I do not yet know whether the Canadian
 * Government desire to include in any of these schedules the
 * Pottawatamie claims, nor whether these claims are of a nature
 * to deserve inclusion. x x x x Should you wish to prosecute
 * the matter, I would suggest that you should bring the matter
 * to the notice of the Canadian Government for such action as
 * they may think fit*.

As the Dominion Election campaign ensued I delayed any action for some time, but as I thought it pressing, finally wrote the Justice Department at Ottawa on the subject (on October 25th. 1912) asking what was being done and suggesting joint action, i. e. , that the Government should seek to have the claim added to the schedule of claims to be disposed of by the commission, and that pending that, we would go on and seek our jurisdictional act from Congress.

On 31st. October, 1912, the Deputy Minister of Justice wrote me stating,-

* Referring to your letter of the 26th. inst. I may say that
 * under the instructions of the Indian Department, I submitted
 * sometime ago, to the British Ambassador at Washington a
 * claim of the Canadian Pottawatamies in respect to annuities,
 * principal and interest of trust funds, proceeds of sale and
 * allotment of lands, to be included in the second schedule of
 * claims which is to be considered for settlement in connection
 * with the Pecuniary Claims Convention between Great Britain
 * and the United States. The schedule is however, not yet
 * settled and I cannot say whether this claim will be admitted*.

Again on 15th. January 1913, Mr. Newcombe wrote me,-

* I have submitted this claim for arbitration in the Second
 * schedule of the Pecuniary Claims Convention. The British Am-
 * bassador will endeavour to obtain the consent of the United
 * States to the admission of the claim to the schedule*.

On the 7th. February, 1913, Mr. Newcombe sent me two copies of the Pecuniary Claims Convention and the Rules of Procedure thereunder.

For the furtherance of the matter I had written Mr. W. F. O'Connor K. C. , Counsel for the Canadian Government on July 1st. 1913.

He replied to me on July 7th. 1913 stating,-

* The last information I have is that the second schedule of
 * claims under the Pecuniary Claims Convention has not yet
 * been settled. The Pottawatamie claim is one of the claims
 * proposed to be included within the second schedule*.

So the matter stands. The Pecuniary Claims Commission is now sitting at Washington and I presume the application to add this to the schedule will be made to the Commission.

In view of the above, I cannot see that you can do anything at Ottawa in connection with the matter, and I would deprecate any action by the Indians interested which might lead some among them to imagine I was not placing their interests first, or not doing everything I possibly could for them, in seeking to recover this their most just claim.

Mr. Robeson is doing everything he can for the claimants at Washington, at his end of the matter, and between us all I think the Pottawatamies may well arrive at the conclusion their interests are in no way being neglected.

I have been asked to go to Ottawa on a business matter which I have to take up with Mr. Scott, Deputy Superintendent General, and will leave tonight. I will mention this matter to him if you care to have me do so, and if you wish to communicate with me you can reach me at the Grand Central hotel there.

Trusting this statement may be of some use to you, believe me,

Yours very truly

A. G. CHISHOLM
Barrister, Solicitor, &c.

1272

87 1/2 DUNDAS STREET,
UPSTAIRS

London, Canada, May 13th. 1916

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott/

*a
Official
File*

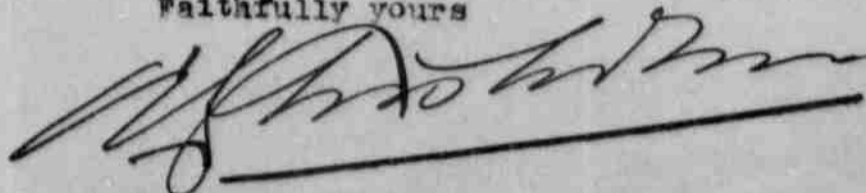
I have yours of the 12th. instant respecting the Jackson matter, returning me the papers I forwarded you in mine of the 10th. inst. You say nothing in your reply as to my request for a copy of the information you received which impelled you officially, in yours of 29th. ult. to ask me to caution Jackson, and furthermore hint that on account of his disloyalty, he might be forcibly removed from Christian Island. You do not give me the name of your informant. I might say Mr. Jackson does not know who it was that requested me to warn him.

You as Deputy Superintendent General have been wantonly imposed upon by a wicked and malicious liar, who has gone out of his way to cast the most grievous aspersions on the character of a man, now shown to be absolutely innocent of such charges.

Is there any reason why such a base libeller should be sheltered? I can conceive of none.

I trust therefore you will now let me have the information requested, without any further steps being taken for this purpose.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

A. G. CHISHOLM
Barrister, Solicitor, &c.

501846

87½ DUNDAS STREET.
UPSTAIRS

London, Canada, August 6th, 1917.....

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

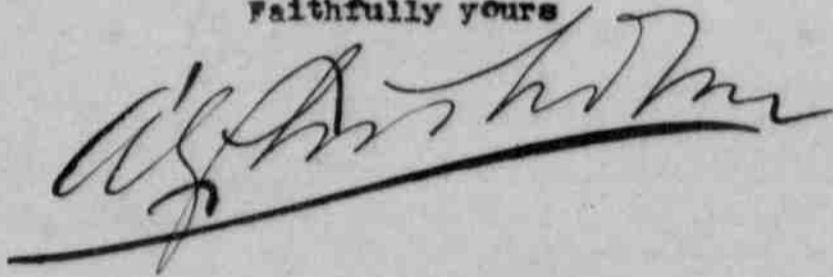
Dear Mr. Scott / re Pottawatamies

The enclosed draft of a circular I intend having printed and addressed to the various claimants in Canada to a share of this fund, speaks for itself.

I am forwarding it to you, so that you may inform me before I do this, whether your Department would have any objection to this action. I would be pleased if you would let me know.

Have you completed your reply to Mr. Newcombe in this matter yet?

Faithfully yours



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pt. 1)

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501850

Enclosures.

Ottawa, 10th July 1917.

Dear Mr Scott;

A. 864-3
Re Pottawatamies.

I have recently had some correspondence with Mr A. G. Chisholm, Barrister of London, and I have received from him a letter, dated 6th instant, enclosing a draft petition to the Secretary of the Interior of the United States, making representations with regard to the claim of the Canadian Pottawatamies against the Government of the United States. I enclose Mr Chisholm's letter and draft petition herewith, and I shall be glad if you will consider and return these documents to me with a statement as to whether, from your point of view, there is any objection to forwarding these as they stand to the British Ambassador with a request that he should take a convenient opportunity to bring the matter to the attention of the United States Government in the hope that they may be able to take the necessary measures for the disposition of the claim.

Yours very truly,

D. C. Scott, Esq., F.R.S.C.,
Deputy Superintendent General
of Indian Affairs,
O t t a w a.

D. M. J.
D. M. J.

OFFICE OF
THE UNDER-SECRETARY OF STATE
FOR EXTERNAL AFFAIRS
CANADA.

501848

Ottawa, 5th November, 1917.

Dear Mr. Scott,

I enclose a letter which I have just received from A.G. Chisholm, Barrister, of London, Ontario. Before taking any steps thereon, I should like to bring the matter to your notice. I do not see why, unless you wish it, this claim should go through the Government. I think it is open for Mr. Chisholm to bring it to the attention of the United States Government without the intervention of our Government at all. However, perhaps you will kindly let me have your views on the subject.

Yours very truly,

Joseph R. Keane

D.C. Scott, Esquire,

Superintendent General of Indian Affairs,

O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

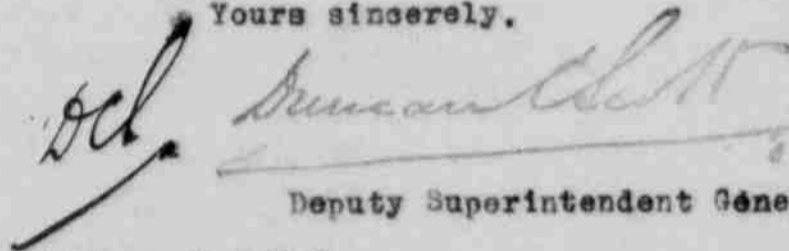
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November 15th. 1917.

Dear Sir Joseph Pope,

I am in receipt of your letter of the 5th. November with enclosure from Mr. A. G. Chisholm, London, Ont. which letter I return to you herewith. The claim about which Mr. Chisholm writes has been jointly dealt with by Mr. Newcombe and myself and owing to pressure of other business we have not yet replied to Mr. Chisholm's communications. I am writing to Mr. Newcombe today and I hope before long we will be able to tell Mr. Chisholm how to proceed. If necessary I will communicate with you further.

Yours sincerely,



Deputy Superintendent General.

Sir Joseph Pope, K.C.M.G.,

Under Secretary of State for External Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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15th November, 1917.

Dear Mr. Newcombe,

I beg to acknowledge the receipt of your letter of the 10th July last, No.A.864-3, which I have been holding for sometime, enclosing a draft petition to the Secretary of the Interior of the United States, making representations with regard to the claim of the Canadian Pottawatamies against the Government of the United States, which was forwarded to you by Mr. A.G. Chisholm, and asking whether from my point of view there would be any objection ^{to} forwarding these as they stand to the British Ambassador with a view of having the matter brought to the attention of the United States Government.

ocf
asw.
In reply I beg to say that there is no objection so far as I can see to having this petition forwarded as it now stands. I would like, however, to

E.L.Newcombe, Esq., M.A., C.M.G., K.C., LL.D.,

Deputy Minister of Justice,

Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
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have your opinion as to whether in the event of the Pottawatamies in Canada being successful in this matter, the amount secured would be paid by the United States Government to this Government for the proper distribution thereof rather than to the Indians direct or their solicitors. I think it advisable that the money should be paid to the Government in order that the Government might be able to protect the Indians from any improvident contracts that they may have made with respect to the prosecution of their claims, and would be glad if provision could be made for such payment in the submission of the case if there is any doubt in the matter.

Enc. I am returning the documents herewith as requested.

Yours very truly,

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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156610

November 16th. 1917.

Dear Sir,

With reference to your communication of the 6th. August last and enclosed draft of circular regarding the claim of the Pottawatamies against the Government of the United States, I have to say that I have communicated with the Department of Justice in connection with the main question, but I do not see that there is any reason why this circular should not be sent out.

Yours very truly,

AGC

Duncan Scott
Deputy Superintendent General.

A. G. Chisholm, Esq.,

Barrister, Solicitor, etc.,

London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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COPY.

London, Canada, Nov. 26th, 1917

E. L. Newcombe, Esq., K.C.,
Deputy Minister of Justice,
Ottawa, Ont.

Dear Sir,-

re Pottawatamies.

I have yours of the 22nd instant. When I mentioned to Mr. Scott, last July, what action claimants sought by the Canadian Government, I spoke of the contracts between the Indians and myself and the disbursement of the moneys in case the Indians recovered. I thought it desirable these matters should be settled now if possible, and explained that owing to the death of Mr. Robeson, my Washington associate, I was free to enter into any arrangement that might be agreed on between the Department and myself. I said that in my opinion, if the Indians were successful, an attempt should be made if at all possible to have the fund paid to the Canadian Government, to be administered for those found entitled to share in the recovery. Mr. Scott, from your communication, would seem to have adopted these views.

Regarding the contracts though, I think it might be remarked there is no occasion under these circumstances to allege they are improvident. The implication is not agreeable, and the contracts embodied terms proposed by claimants themselves, without any bargaining or pressure whatever, on the part of either Mr. Robeson or myself. You will be quite aware of the arrangements usually made by attorneys in the United States regarding such matters, and these contracts would present no new features to a lawyer in that country.

Now.....

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Now, regarding my position: I was to receive 33 1/3 % out of the recovery, to be apportioned between Mr. Robeson and myself. His estate makes no claim against me in this regard, but in case I am paid the one-third above, I am to pay 3% thereof, and several small sums aggregating some \$600.00, to parties who have assisted me in the case. This, my own work on the matter since 1910, and disbursements under \$1000.00, represents my position.

In considering any arrangements that might be made regarding any variation of the above compensation, regard must be had to the fact that I must arrange at Washington for new representation and legal assistance there. As you may be aware, the usual method is by a per centage agreement. I must be free to negotiate on these lines, unless the Indian Department will enable me to arrange that work done there be paid for, according to services rendered on accounts submitted, in fact some such arrangement as was I think made in the Cayuga case, some years ago.

I also informed Mr. Scott I would be quite willing to have the Court of Claims fix the compensation, or in case it did not, or the money was paid by the United States, I would leave the matter to be arbitrated, the expense to be borne by the fund.

In the event of recovery, I told Mr. Scott furthermore, I would do everything I could to have the fund come to the Canadian Government for administration. It must be recollected though, the United States could alone agree to this. Their Court of Claims might quite probably decree personal payment, as in the New York case. In that, payment was made by separate Treasury Warrant in favour of each individual.

Should the Indians recover, it must be understood the compensation agreed on would be for the recovery of
the.....

the fund. After it had been recovered, proceedings would have to be taken to ascertain the individual claimants properly entitled to share. These would occupy, I should judge from past experience, at least a year, and for my services in this connection I should be paid a per diem fee and disbursements.

If I understand Mr. Scott's idea of making provision for payment of legal services "in the submission of the case" correctly, I think this for reasons which may occur to you, to be deprecated. I am (subject to the above) willing to have the matter of compensation defined in the clearest manner, before any further step is taken in the case, but see no occasion for obtruding such arrangements as may be come to, on the United States authorities.

Should you wish any further statement from me before replying to Mr. Scott, I will be pleased to supply any information in my power about the matter. When Mr. Scott and yourself reach a conclusion, possibly you might communicate with me that there might be a thorough agreement on the subject.

Yours very truly,

(Sgd) A. G. Chisholm.

11th January, 1918.

Dear Mr. Newcombe,

Re Pottawatamies

I beg to acknowledge the receipt of your letter of the 8th instant enclosing a copy of Mr. Chisholm's letter of the 26th November last with reference to this matter and note his observations.

In reply I beg to say that the Department is not disposed to insist on any conditions which would embarrass these proceedings in any way nor to object to a proper compensation to those who prosecute these claims, but the Department cannot divest itself of the duty to see if possible that no improvident contracts were made by the Indians in respect of these claims.

Mr. Chisholm intimates that he would be quite willing to have the Court of Claims fix the compensation if this Court would do so, and if not to leave the matter to be arbitrated the expense to be borne by the fund. With respect to this I have to say that the Department would be quite satisfied to have the Court of Claims fix

asw.
John
W. L. Newcombe, Esq., C.M.G., K.C., LL.D.,
Deputy Minister of Justice,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
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CANADA

S.

the compensation or in case it did not, to have the matter determined by yourself or such person or persons as you might be disposed to recommend.

Yours truly,



Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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Copy.

A. G. Chisholm,
Barrister, Solicitor, etc.

London, Canada March 5th 1918.

E.L. Newcombe, Esq., K.C.,
Deputy Minister of Justice,
Ottawa, Ont.

Dear Sir, Re Pottawatamies.

I have yours of the 1st instant with extract from letter from Mr. Scott on this subject, which I have carefully read. I take it that in the event of the fund being recovered by proceedings in the Court of Claims, it is agreed that court should be asked to fix the compensation. That is satisfactory to me. Your letter does not refer to the stipulations I made that such compensation should be for the recovery of the fund and that in subsequent proceedings to prove the right of individual claims to share, this work should be paid for on a per diem basis. Kindly let me know whether you agree to this?

In the event of the Court of Claims not fixing the compensation, I think my proposal that the amount to be allowed should be fixed by arbitration at the expense of the fund, an eminently fair one. It is to be recollected that I have to arrange for an associate American lawyer, and if as a result of these negotiations my contractual relations with my clients, in so far as the compensation to be paid, are altered for their benefit, it would seem just the fund should bear the whole expense of the arbitration, such expense to be on a Solicitor and Client basis. One of the judges of the Exchequer Court could be sole arbitrator, with right to either side to appeal reserved.

A further question has occurred to me. Supposing the Court of Claims did as it directed in the New York case, that the fund should be paid to the individual claimants personally.

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I and my associate there received payment by attaching a draft for a proportionate share of the per centage to the warrant for payment, which was deducted from the individual receiving payment and passed to my credit. How is such an eventuality now to be provided for? Unless this process were to be repeated, when the deduction would naturally be on the basis of the contract, the only solution I can at present see would be for the warrants to be held by the Department, to which they might be delivered, pending the result of an arbitration, when the proper deduction could be made. This suggestion is merely tentative. If yourself or Mr. Scott can offer something more acceptable, I will be very glad to exchange views with you.

I think also provision should be made that in the event of anything happening to me before the matter was wound up, a proportionate amount should be paid my estate, this to be fixed by the Deputy Minister of Justice.

I trust you will accept the assurance, that while I naturally wish to make careful provision in the matter to guard my own interests as well as prevent any subsequent misunderstandings which might occur, my great aim is to enlist the hearty support of your own and the Indian Departments, in the prosecution and realization of this large and just claim for my clients.

Faithfully yours,

(sgd) A.G. Chisholm.

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506650



Enclosure.

~~DAM~~ Mr. *W. Adams*
? *get*

Ottawa, 20th March 1918.

Dear Mr Scott;

I enclose herewith, for your information and such observations as you desire to make, copy of a letter of 5th instant which I received in due course from Mr Chisholm in response to my letter of 1st instant in which I communicated to him the substance of your letter to me of 11th January last.

Yours very truly,

E. Newcombe

D. M. J.

D. C. Scott, Esq., F.R.S.C.,
Deputy Superintendent General
of Indian Affairs,
O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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156610

April 3, 1918.

Dear Mr. Newcombe,- Re Pottawatamies.

I beg to acknowledge your letter of the 20th ultimo inclosing a copy of a letter from Mr. Chisholm in the above matter with reference to the amount of compensation to be paid for the recovery of this claim in the first instance and for the work involved in subsequently ascertaining what individual Indians are entitled to share in the distribution of the sum recovered.

In reply I beg to say that after considering the situation as set forth by Mr. Chisholm, I would suggest that the funds recovered ~~be~~ paid to the Department and that the determination of the whole compensation, both for the recovery of the claim and for the subsequent distribution thereof among those entitled, be referred to one of the judges of the Exchequer Court as sole arbitrator whose award should

ged
asw.

E.L. Newcombe, Esq., C.M.G., K.C., LL.D.,
Deputy Minister of Justice,
Ottawa.

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Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

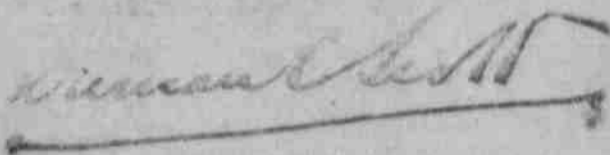
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be final and that the costs of such arbitration be paid out of the fund recovered.

If Mr. Chisholm is favourable to this proposition, I presume that the Court of Claims would be disposed to hand over the fund recovered to the Department rather than to direct that the fund be paid to individual claimants personally as was done in the New York case referred to. In the latter case it appears that the fund was distributed according to the percentage agreed upon between solicitor and claimant, the court taking the precaution to see that both the claimant and the solicitor received their respective percentage.

If you are of the opinion that my suggestion for the adjustment of the compensation in this case might properly be acted upon, you might ascertain if Mr. Chisholm would be agreeable to this proposition.

Yours truly,



Deputy Superintendent General.

but

COPY

G. Chisholm,
Clerk, etc.

London, Canada April 27th 1913.

E. L. Newcombe, Esq., K.C.,
Deputy Minister of Justice,
Ottawa, Ont.

Dear Sir,

Re Pottawatamies A. 864-3.

I have yours of the 15th. instant with extract from Mr. Scott's communication to you on this subject.

After giving the matter consideration, I quite agree with Mr. Scott except on the question of having the Exchequer Court determine with the compensation for recovery of the fund, the amount to be paid in connection with ascertaining the individuals entitled to share in the same. Proceedings for this purpose would be analogous to those in a Master's Office. The practice of the Court of Claims has been to appoint a Commissioner to make up a roll. Each claimant files a statement under oath showing his right to share, in which a great number of questions require to be answered, which frequently necessitate a good deal of research. Two witnesses have to depose such claimant is the party he alleges himself to be and that from their knowledge they believe his statement to be correct. The statement and affidavits are filed with the Commissioner, who then sits at selected points to take viva voce testimony on the claims. On all this material he reports to the Court the approved list of claimants. Either party can then move the Court to add or strike off names, and finally the Court approves and establishes those who actually share. You may be as familiar or more so, than myself with this procedure, which I only set out as above that Mr. Scott will perceive the difficulty and time which naturally must be taken up,

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first in preparing the individual claims and afterwards in establishing them by oral evidence, wherever the Commissioner chooses to sit for the purpose. The only fair way to fix compensation for such services, would be by per diem compensation and payment of travel and expenses, and I trust after perusing this, Mr. Scott will agree in the reasonableness of the position I take.

Should Mr. Scott approve, I would suggest that some sort of document or agreement be drawn up embodying the points settled in this correspondence, which could be signed by the Department and myself. I would then anticipate no further difficulty in the way of an appropriate Order in Council being passed, as suggested by me in an earlier communication to yourself.

I still think I could the more easily make my arrangements on the other side, would Mr. Scott agree that an appeal could be taken from any judgment of the Exchequer Court fixing compensation. I see no reason why such a provision should not be made, and a good many why it should. However, if Mr. Scott is disposed to insist on such a term in the agreement, and that such judgment should be final, I will not further press this point.

Yours truly,

m (sgd) A.G. Chisholm.

10th July, 1918.

Dear Mr. Newcombe,

(A 864 - 3) Re Pottawatamies.

I beg to acknowledge the receipt of your letter of the 8th instant in the above matter.

In reply I beg to say that Mr. Chisholm appears to be agreeable to his compensation for the recovery of the claim, if any, being fixed by a Judge of the Exchequer Court, but seems to think that it would not be feasible to have the Exchequer Court Judge at the same time fix the compensation for services which would have to be rendered subsequently in ascertaining the individuals entitled to share in the fund, and he suggests that the only way to fix the compensation for such services would be by per diem compensation and payment of travelling expenses.

asw.
HL

I appreciate the difficulties that there might be in attempting to fix this compensation in advance and am disposed to think that Mr. Chisholm's suggestion is not

E. L. Newcombe, Esq., C.M.G., K.C., LL.D.,

Deputy Minister of Justice,

Ottawa.

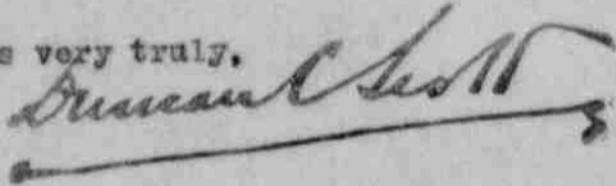
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unreasonable. I would, therefore, consent to this method provided that it is left to the Department of Justice or other proper authority to determine whether the time occupied in ascertaining the individuals entitled to share in the fund is reasonable or subject to whatever provisions you may think proper to insist upon.

Yours very truly,



Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
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*Memo
Lambert will you
Please look over the
completing the
agreement*

Ottawa, September 18th 1912

Dear Mr. Scott,

"Enc. I am sending you herewith a letter of 8th ultimo
which I have received from Mr. A.G. Chisholm, to-
gether with his draft agreement, ~~and petition.~~

I have not had time to consider these, but
Mr. Chisholm is complaining of delay and I wish you
would look over them and let me know what you think
of them at your convenience; at the same time will
you please return the enclosed which you will per-
ceive I am forwarding in the original.

Yours faithfully,

W. Stewart

D. C. Scott, Esq., F.R.S.C.,
Deputy Superintendent General
of Indian Affairs,
O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

Memo
Carleton Hill
Please look over this
completely & let me know
whether you think the
agreement is satisfactory

Ottawa, September 18th 1912

Dear Mr. Scott,
"Enc. I am sending you herewith a letter of 8th ultimo
which I have received from Mr. A.G. Chisholm, to-
gether with his draft agreement, ~~and petition~~ *and petition*.

I have not had time to consider these, but
Mr. Chisholm is complaining of delay and I wish you
would look over them and let me know what you think
of them at your convenience; at the same time will
you please return the enclosed which you will per-
ceive I am forwarding in the original.

Yours faithfully,
Hewambe

D. C. Scott, Esq., F.R.S.C.,
Deputy Superintendent General
of Indian Affairs,
O t t a w a.

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October 15, 1918.

Dear Mr. Newcombe,-

I have to acknowledge the receipt of your letter of September 18 with inclosures from Mr. A.G. Chisholm, of London. I beg to return the inclosures herewith with the following comments,-

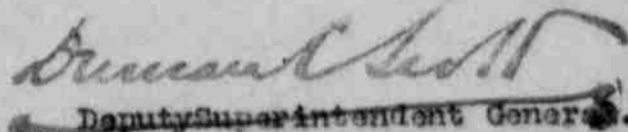
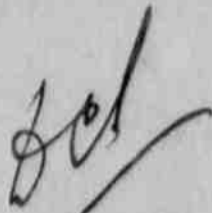
Paragraph No.4 - The position the Department has taken in the previous correspondence is that the decision of the Exchequer Court as to the amount of compensation to be allowed Mr. Chisholm for securing the fund should be final as the fund secured should not be dissipated in litigation. If, however, the Deputy Minister of Justice should consider it proper that there should be a right of appeal to the Supreme Court of Canada I would be disposed to yield to his views in this matter.

Paragraph No.6 - If in the event of the fund being secured, the United States Government is disposed to deliver to each Indian claimant his or her distributed share personally and without the intervention of the Department of Indian Affairs, it is presumed that the said Government would do as was done in the New York Case referred to in Mr. Chisholm's letter to the Deputy Minister of Justice of the 5th March, 1918, that is Mr. Chisholm and his American Associate would receive payment by attaching a draft for a proportionate share of the percentage to the warrant for payment, which was deducted from the individual receiving payment, and passed to his credit. If the Indian claimants receive their distributive shares direct, without the intervention of the Department, I do not think that the Department should give any undertaking to assist in collecting from them such compensation as they may have agreed to pay to Mr. Chisholm and I would suggest striking out the last seven and one half lines of this paragraph beginning with the word "and" after the word "compensation".

Paragraph No.9 - If the proposed assessments should be made I should think it would only be reasonable that Mr. Chisholm should account for the monies so collected when his claim for compensation is made to the Exchequer Court, and I would offer no objections to the proposed assessments subject to this proviso.

In other respects the proposed agreement seems to be satisfactory.

Yours very truly,


Deputy Superintendent General.

E.L. Newcombe, Esq., C.M.G., K.C., LL.D.,
Deputy Minister,
Department of Justice,
Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA



Ottawa, October 2nd, 1918.

Memorandum:-

Mr. Scott,

I have perused Mr. Chisholm's proposed agreement between the Superintendent General and himself with reference to what his status and rights should be in prosecuting the claims of the Canadian Pottawatamie Indians against the United States Government and have the following observations to make:-

Paragraph No.4 - The position the Department has taken in the previous correspondence is that the decision of the Exchequer Court as to the amount of compensation to be allowed Mr. Chisholm for securing the fund should be final as the fund secured should not be dissipated in litigation. If, however, the Deputy Minister of Justice should consider it proper that there should be a right of appeal to the Supreme Court of Canada I would be disposed to yield to his views in this matter.

Paragraph No.6- If in the event of the fund being secured, the United States Government is disposed to deliver to each Indian claimant his or her distributed share personally and without the intervention of the Department of Indian Affairs, it is presumed that the said Government would do as was done in the New York Case referred to in Mr. Chisholm's letter to the Deputy Minister of Justice of the 5th March, 1918, that is Mr. Chisholm and his American Associate would receive payment by attaching a draft for a proportionate share of the percentage to the warrant for payment, which was deducted from the individual receiving payment and passed to his credit. If the Indian claimants receive their distributive shares direct, without the intervention of the Department, I do not think that the Department should give any undertaking to assist in collecting from them such compensation as they may have agreed to pay to Mr. Chisholm and I would suggest striking out the last seven and one half lines of this paragraph beginning with the word "and" after the word "compensation".

Paragraph No.9.- If the proposed assessments should be made I should think it would only be reasonable that Mr. Chisholm should account for the monies so collected when his claim for compensation is made to the Exchequer Court, and I would offer no objections to the proposed assessments subject to this proviso.

In other respects the proposed agreement seems to be satisfactory.

A. S. Williams

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

J.C.

PLEASE ADDRESS
THE DEPUTY MINISTER OF JUSTICE
OTTAWA.

517204
Ottawa, December 9th, 1918.

A. 864-3.

Sir,

"ENCs"

Referring to your letter of the 15th October last, I have the honour to state that I have made changes in the memorandum of agreement as to costs, in accordance with your suggestions. I enclose the draft with the changes referred to and also the agreement in duplicate which is to be signed by you. Please return one of the duplicates for transmission to Mr. Chisholm and retain the other.

I presume that the next step to be taken is to consider the petition submitted by Mr. Chisholm on behalf of the Indians and which is to be referred to the United States Government. If you have not a draft of the petition, I enclose herewith one for your perusal. Kindly let me know whether it is satisfactory.

I have the honour to be,
Sir,
Your obedient servant,

E. Hewson

Deputy Minister of Justice.

The Deputy Superintendent General,
Department of Indian Affairs,
O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

Memorandum of Agreement, made in duplicate the
Eighth day of August, One thousand nine hundred and
eighteen.

Between:-

THE SUPERINTENDENT GENERAL OF INDIAN AFFAIRS.
of the First Part,

and.

ANDREW GORDON CHISHOLM of the City of London,
in the County of Middlesex and Province of Ontario, sol-
icitor, ----- of the Second Part.

WHEREAS the party of the Second Part was a number of
years ago retained by Indians residing in the Province
of Ontario claiming to be members (or the descendants
of members) of the Indians known as the stray Bands of
Pottawatamies of Wisconsin in the United States entitled
to share in the distribution of certain large funds due
said Pottawatamies by the United States, and in pur-
suance and furtherance of said retainer received from
said Indian claimants Powers of Attorney and contracts,
providing for his professional compensation and has ever
since been actively engaged in promoting the claims of said
Pottawatamies now in Canada for a proportional share of
said funds. And whereas in the course of his said
employment the party of the Second Part has brought the
matter to the attention of the party of the First Part and
has asked the assistance of the Canadian Government in
furthering the claims of said Pottawatamies now resident
in Canada and has offered in consideration thereof to
forego his rights under said contracts and submit the
whole question of his compensation for professional services
rendered such claimants to be determined as hereinafter
provided and has also entered into the other provisions
of this agreement, and the party of the First Part
has agreed as is hereinafter provided, NOW THEREFORE the
parties of the first and second parts in consideration of t

Indian Affairs. (RG 10, Volume 2788, File 156,610,
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CANADA

premises agree together in manner following, that is to say.

1/ The party of the Second Part is recognized by the Party of the First Part as Solicitor for said Pottawatamie claimants and as such entitled to receive compensation for his services on their behalf.

2/ The party of the Second Part agree to advocate that any moneys recovered from the United States for said claimants be paid to Canada to be administered for the exclusive benefit of said claimants, but subject nevertheless to the provisions of Section 89 of the Indian Act.

3/ In the event of the right of said claimants to share in said fund being determined by the court of Claims of the United States and that they are declared entitled so to share, said Court of Claims is to be asked to fix the compensation of the party of the Second Part for his professional services rendered said claimants.

4/ In the event of the United States paying said claimants by directing said fund be paid to Canada to be administered on behalf of said claimants, the matter of the compensation for legal services rendered said claimants, to be paid the party of the Second Part is to be referred to the Exchequer Court of Canada, the whole costs of such reference to be paid out of the fund recovered.

5/ The compensation so fixed by said Exchequer Court is to be for the recovery of the fund. The expense of ascertaining the particular individuals entitled to share therein is to be paid by a per diem allowance out of the fund, for legal fee and expenses of travel and maintenance and subject to approval of the Deputy Minister of Justice as to number of days employed and amount of daily fee.

6/ Should the said claimants recover in the said Court of Claims and the Court direct payment of a proportionate share to each claimant entitled thereto personally, the party of the Second Part will endeavour to arrange for distribution to said claimants by the Indian Department at Ottawa, in which event the cheques or warrants for payment will be held till the com-

compensation of the party of the Second Part is determined by mutual agreement or by the Exchequer Court as aforesaid, and said cheques or warrants will only be delivered to the recipients thereof, on payment by such, of a proportionate amount of such compensation.

7/ The party of the First Part agrees to recommend the early passage of an Order in Council by his Excellency the Governor General in Council directing that a petition signed by the party of the Second Part as solicitor for said claimants, setting out the nature and grounds of their claim against the United States, be forwarded through the proper diplomatic channels for presentation to the United States Government, and which petition will ask for payment of said claim or in the alternative, a reference of the same to said Court of Claims of the United States for adjudication thereon, and will further use diplomatic or other proper means at Washington on behalf of the Canadian Government to secure the granting by the American Government of the prayer of said petition.

8/ The Department of Indian Affairs agrees to make payments as above determined to the party of the Second Part for his legal services aforesaid, only out of any moneys belonging to said fund, in its possession or control and which may lawfully be appropriated to that purpose.

9/ The Department of Indian Affairs will raise no objection to the levying of an assessment on said claimants by the party of the Second Part for the purpose of providing for disbursements in connection with the prosecution of said claim, provided it is stated at the time of such levy, that no claimant will be prejudiced by non-payment, and that such assessments are not more than two in number for no more than One dollar per capita on each assessment, and that the Party of the Second Part will at or before referring his claim for compensation as aforesaid to the Exchequer Court duly account to the Party of the First Part and to his satisfaction for all the moneys to be

collected under such levy of assessment.

10/ In the event of the death of the party of the Second Part before the right of said claimants to recover is determined and they do subsequently recover the Estate of the Party of the Second Part is nevertheless to be entitled to recover a proportionate sum for compensation for services rendered said claimants by the party of the Second Part and the provisions of this agreement are to apply to the ascertainment of the amount of said payment of said compensation to said estate.

In witness whereof the said parties have hereunto set their hands the day and year first above mentioned.

WITNESS.

A. S. Williams,
as to the signature of
Duncan C. Scott.

As to signature of
A. G. Chisholm.

E. P. Ashton.

Duncan C. Scott,
Deputy of the Supt. General
of Indian Affairs.

A. G. Chisholm.

156610

11th December, 1916.

Dear Mr. Newcombe,

Re Pottawatamies.

I beg to acknowledge the receipt of your letter of the 9th instant, No.A.864-3, enclosing for execution agreement in duplicate between the Superintendent General and A.G. Chisholm with respect to the prosecution of the claim of the Pottawatamie Indians in Canada against the United States Government, also a draft of the petition to be submitted by Mr. Chisholm on behalf of the said Indians and which is to be referred to the United States Government.

With respect to the draft petition submitted by Mr. Chisholm on behalf of the Indians which is to be referred to the United States Government, I beg to say that some particulars of this petition do not appear to be altogether satisfactory. I am communicating with Mr. Chisholm direct with respect to this matter and will advise you later in reference thereto.

Yours very truly,

ent
E. L. Newcombe, Esq., C.M.G., K.C., LL.D.,
Deputy Minister of Justice,
Ottawa.

James Scott
Deputy Superintendent General

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156610

Leontar

11th December, 1918.

Dear Mr. Chisholm,

Re Pottawatamies.

In perusing the draft petition, which it is proposed to submit on behalf of the Indians to the United States Government, I note the statements in the last part of paragraph 6: "they do not share in any of the benefits bestowed upon its Indians by the Government of Canada," and in the latter part of paragraph 7: "The Pottawatamies of Wisconsin today in Canada, have no reserve, nor does the Canadian Government hold any trust funds on their behalf, and except that it recognizes them as Indians, supervises them accordingly, and affords them the means of education extended to other Indians, bestows no benefits upon them." These statements do not appear to be altogether satisfactory.

It appears from correspondence on file dated 1912 when the matter of having this claim included in the second schedule of the pecuniary claims agreement was considered that certain of the Pottawatamie Indians residents of Canada, who are claimants from the United States had become incorporated with bands of Canadian Indians; that they had been received into membership with these bands and had been in receipt of annuities and interest moneys, payable either under the provisions of Treaty or surrender, or under the rules governing the administration of Indian funds; that they also occupied the reserves set apart for the bands and in every way enjoy full membership, and that it could be shown from the list of such claimants whether a claimant was a resident on a reserve, a member of a band, the recipient of moneys paid other members of the band, or whether he was unattached to any band of Canadian Indians.

W.C.

W.C. Chisholm, Esq.,

Barrister, Solicitor, etc.,

79 Dundas St.,

London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

2.

In view of these facts this petition would require some revision or amendment and I would be glad to consider the petition as amended.

Yours truly,



Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA**

A. G. CHISHOLM
Barrister, Solicitor, &c.

79 DUNDAS STREET,
UPSTAIRS

London, Canada, Dec. 12th. 1918.

518486

Duncan G. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

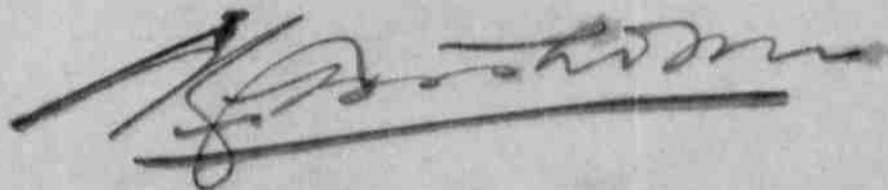
Dear Mr. Scott/ re Pottawatamies.

I have yours of the 11th. instant, 156610, in this matter. I note the statements taken from the petition which you take exception to. These were made after some deliberation on my part.

So soon as I receive back the Agreement between your Department and myself executed, I would like to discuss this matter with you and arrange methods for best carrying out the objects of the petition. It was my intention to see you anyway about the case and your letter mentions just one of the points to be taken up.

In view of this perhaps you will conclude with me it would be as well to go into all this at one time, and when I see you. I do not know whether I can arrange this before the holidays come on, but suppose almost any time in the near future would suit you.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

A. G. CHISHOLM
Barrister, Solicitor, &c.

*1/4 this
of writing postcard*

79 DUNDAS STREET,
UPSTAIRS

London, Canada, Dec. 14/19

517995

Dear Mr. Mackenzie, re Patca notations

Have you ever said saying
Mr. Scott was away, for which
I am obliged. Can you inform
me what the Government does
the Justice Dept. on 28th Oct.
was yet been reported? I
would like to be completed &
for taking any step and have
ward coming get since the
date mentioned -

Faithfully yours

A. G. Chisholm

A. F. Mackenzie Esq.

Ottawa

Ont-

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

December 16th, 1918.

Dear Mr. Chisholm -

I have your letter of the 14th inst., in reference to the Pettawattamie claim. The agreement appears to be satisfactory, but the Department is awaiting a reply from you to its letter of the 11th inst., regarding the petition, before finally closing the matter.

Yours very truly,

Secretary to the Deputy.

A. G. Chisholm, Esq.,
Barrister, Solicitor, etc.,
London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

24th December, 1918.

Dear Mr. Chisholm,

re Pottawatamies.

I beg to acknowledge the receipt of your letter of the 12th instant, the particulars of which have been noted.

In reply I beg to say that probably the situation might be cleared up with some further correspondence before a final interview as you suggest.

I would be glad to know whether in your opinion the success of this claim depends upon the fact as to whether the Pottawatamies of Wisconsin in Canada have reserves or trust funds, or not. I should be glad to furnish any information that there may be in the Department regarding any matters referred to in the Petition if you will indicate what is desired.

asw.

sd

Yours truly,

Deputy Superintendent General

Deputy Superintendent General.

A.G. Chisholm, Esq.,

Barrister, Solicitor, etc.,

79 Dundas St.,

London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

P.O:

Dated

.....

A. G. Chisholm,
Barrister, etc.,
London. Ont.

Dear Sir:

I have received your circular of December, 1918, regarding the claim of the Pottawatamies of Wisconsin against the United States. I enclose you the sum of \$1.00 assessed against me for the purpose of providing disbursements in connection with the prosecution of the claim. Said amount represents \$1.00 for each of the following persons.

Name	Post Office	Amount.
1.....Mrs. Sophia Shawon...	Cape Croker.....	\$1.00
2.....		
3.....		
4.....		
5.....		
6.....		
7.....		
8.....		
9.....		
10.....		

Respectfully,

Sign name here.....

Add Post Office.....

NOTE:- If the names of your children or wards on behalf of whom you claim, are not mentioned above, fill in their names and add \$1.00 for each name so filled in. If any of the above-mentioned parties are dead, mark "Dead" opposite such name and do not send \$1.00 for such party. Claimants not already listed, may have their names added by inserting them above. Please remit by Express or Money Order or Postal Note.

LAW OFFICE
of
A. G. CHISHOLM.
Dundas Street.

London, Ont., December, 1918.

Dear Sir or Madam:

Arrangements have now been completed between the Department of Indian Affairs, Ottawa, on behalf of the Government of Canada, and myself, whereby the claim of the descendants of the Pottawatamies of Wisconsin resident in this country, referred to more particularly in my circular letter dated August 15th, 1918, copy of which was mailed you, will be vigorously pressed for an early settlement; and in furtherance of our own efforts for payment of the claim, the Superintendent General has agreed to recommend the Canadian Government pass an Order-in-Council directing that diplomatic or other proper means be taken at Washington for this purpose.

In consideration of this action of the Government, I have agreed to forego the compensation agreed on in the Contract signed by you with myself, to be paid me by you in the event of the recovery of the claim, and have agreed with the Indian Department, such compensation shall be fixed, according to circumstances, by either the Court of Claims at Washington, or the Exchequer Court of Canada. By a further provision of the Agreement with the Indian Department, the Canadian claimants are to be assessed not more than \$2.00 per head, for the purpose of providing for disbursements in connection with the prosecution of the claim, and of this amount you are now asked to provide \$1.00 for each claimant (wife or child and yourself) represented by you. While no claimant will be prejudiced by non-payment, as a large sum will be immediately required to properly forward the matter, it must be recognized by all concerned, any lack of adequate and prompt response to this assessment, must prove a serious impediment to prosecution of the claim.

Please, therefore, at your early convenience tear off the attached slip and remit me the amount proper to be paid by you as above stated. Doubtless changes have taken place in the roll of claimants now in my possession, since the same was made up. The attached slip is correct, according to information at the time mentioned. You can notify me of any such changes, or of the names of additional claimants, on the attached slip and the same will receive attention. Hoping the above will have your approval.

Respectfully,

A. G. Chisholm.

Solicitor for Canadian Branch Pottawatamies
of Wisconsin.

PRIVATE PAPERS

From 112/18

To 112/18

156610-4 COPY

Recd Leland

OFFICE
of
A. G. CHISHOLM.
Dundas Street.

London, Ont., December, 1918.

Dear Sir or Madam:

Arrangements have now been completed between the Department of Indian Affairs, Ottawa, on behalf of the Government of Canada, and myself, whereby the claim of the descendants of the Pottawatamies of Wisconsin resident in this country, referred to more particularly in my circular letter dated August 15th, 1918, copy of which was mailed you, will be vigorously pressed for an early settlement; and in furtherance of our own efforts for payment of the claim, the Superintendent General has agreed to recommend the Canadian Government pass an Order-in-Council directing that diplomatic or other proper means be taken at Washington for this purpose.

In consideration of this action of the Government, I have agreed to forego the compensation agreed on in the Contract signed by you with myself, to be paid me by you in the event of the recovery of the claim, and have agreed with the Indian Department, such compensation shall be fixed, according to circumstances, by either the Court of Claims at Washington, or the Exchequer Court of Canada. By a further provision of the Agreement with the Indian Department, the Canadian claimants are to be assessed not more than \$2.00 per head, for the purpose of providing for disbursements in connection with the prosecution of the claim, and of this amount you are now asked to provide \$1.00 for each claimant (wife or child and yourself) represented by you. While no claimant will be prejudiced by non-payment, as a large sum will be immediately required to properly forward the matter, it must be recognized by all concerned, any lack of adequate and prompt response to this assessment, must prove a serious impediment to prosecution of the claim.

Please, therefore, at your early convenience tear off the attached slip and remit me the amount proper to be paid by you as above stated. Doubtless changes have taken place in the roll of claimants now in my possession, since the same was made up. The attached slip is correct, according to information at the time mentioned. You can notify me of any such changes, or of the names of additional claimants, on the attached slip and the same will receive attention. Hoping the above will have your approval.

Respectfully,

A. G. Chisholm.

Solicitor for Canadian Branch Pottawatamies
of Wisconsin.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

156610

79 DUNDAS STREET AN AFFAIRS
DEPT. OF
JAN 8 1919
1330208

A. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, July 2nd. 1919.

*See letter
of Jan 2/19*

517988

James C. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott / Pottawatamies, 156610.

I would like to be informed whether there is any reason
the Agreement in this matter between the Department and myself,
should not now be executed by the Department and returned to
me? If so, will you please let me know?

With best wishes for the New Year,

Faithfully yours

A. Chisholm

Indian Affairs. (RG 10, Volume 2788, File 156,610,
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PUBLIC ARCHIVES
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CANADA

G. CHISHOLM
Barrister, Solicitor, &c.

79 DUNDAS STREET,
UPSTAIRS

London, Canada, Jan'y. 3rd. 1919.

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

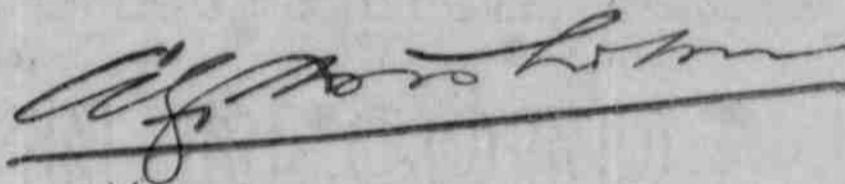
Dear Mr. Scott/

re Pottawatamies.

In reply to your specific question, in yours of the 24th. ult. as to whether "the success of this claim depends upon the fact as to whether the Pottawatamies of Wisconsin in Canada have reserves or trust funds or not", I would say "No".

The fund is a communal one to be divided among those found entitled to share. Some six hundred of the claimants in Canada receive no benefits from our Government.

Faithfully



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CANADA

518484

79 DUNDAS STREET.

UPSTAIRS

A. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, Jan'y. 3rd. 1918.

518482

Duncan C. Scott Esq.

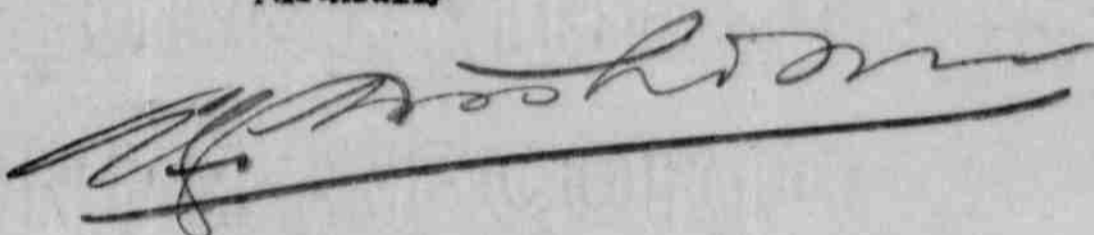
Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott / re Pottawatamies.

I omitted to mention in my earlier letter today, that I think the prayer in the petition will have to be slightly amended, before it is finally despatched. I allude to Par. "b", which I think should be amended to meet more clearly the conditions mentioned in my former letter. When you finally agree to the form of petition and send it to me for re-writing and execution I can see to this.

Faithfully



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156610

A. S. CHISHOLM
Barrister, Solicitor, &c.

79 DUNDAS STREET,
OTTAWA

JAN 7 1919

RECORDS

London, Canada, Jan. 3rd. 1919.

518075

file
Duncan G. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott / re Pottawatamies.

I just have yours of the 24th. ult. now. Thanks very much for your offer to furnish any information in the Department regarding matters referred to in the Petition. It is quite possible I may have occasion to ask you for this.

Referring more particularly to your comments on the petition in yours of the 11th. ult. and my reply to you the statements taken exception to, were made after some deliberation on my part: I might say the outstanding reason for not more clearly defining the status in Canada of these Pottawatamic claimants is that it is quite possible legislation conferring jurisdiction on the Court of Claims to determine the right of Pottawatamies now in Canada to share, might be based on the statements made in this petition. Should it eventually become necessary to seek such legislation, which I trust it will not be, I would wish that such would give jurisdiction to pass upon the claims of all Indians known as Pottawatamies of Wisconsin at the time of the Treaty of September 27th. 1833, or their descendants now resident in Canada, arising from the unexecuted obligations of the United States in favour of these Indians. I wish the petition to contain nothing that would

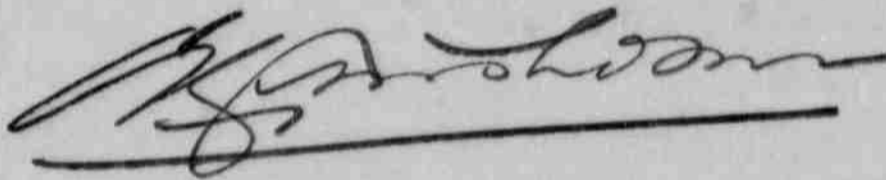
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show the status of these descendants in this country, has been altered by affiliations acquired here. The Court of Claims has in the past attached more importance to this question of subsequent affiliation, than I think is warranted, and indeed its decisions thereon have not been confirmed by any judgment of the Supreme Court that I know of, but we must take the fact as undoubted. Should the rights of these people here, be finally determined by the Court of Claims, that Court would direct who could claim as Pottawatamies of Wisconsin, and its decree would carefully define this, but till this happens I see no reason why the present petition should contain statements which might furnish evidence, or ground for argument, that under United States decisions, a large number of such claimants on their own showing, could not be entitled. And, you will remember this petition goes to the United States and the case it presents, is to be determined in the light of these decisions. The statement at the concluding part of Paragraph 6 of the petition, and of the last part of Paragraph 7, to which you more particularly refer, are strictly correct. If such descendants share in any annuity or trust funds in this country, they do so as members of a Chippewa, or other Band of Indians with which they have since affiliated, and not as Pottawatamies of Wisconsin, who as such are unknown to your Department. And, on the other hand the Courts of the United States hold, have repeatedly decided that being wards of that country, they cannot suspend that relation without the consent

of the United States, and till that is expressed cannot divest themselves of their status of American Indians, nor possess the power to expatriate themselves. So, in the face of all this I think it better to the statements in the petition as broad as accuracy will permit. It all comes down to the question of who are Pottawatamie Indians, and till the United States says the contrary, we say all the descendants of those Pottawatamies who were there when the treaty was made, constitute these Indians. I submit this is the correct position to take and hope you will now accept this view of the matter.

Faithfully yours



A handwritten signature in cursive script, appearing to read "G. M. Johnson", is written over a horizontal line.

156610

14th January, 1919.

Dear Mr. Chisholm,

re Pottawatamies.

I beg to acknowledge the receipt of your letter of the 3rd instant, with reference to the above matter, and note that you do not wish the Petition to contain anything that would indicate that the status of the said Indians had been altered here or that would show that they could not now be entitled.

In reply I beg to say that my view was that the statements in paragraphs 6 and 7 as referred to in my letter of the 11th ultimo were too broad to be accurate and that it would be advisable to strike them out altogether without substituting anything therefor which might prejudice the claim, or, in the alternative, to qualify these statements to some extent as set forth in the explanation given on page 2 of your letter in the next to the last sentence.

I would be glad to know if my view of the matter appeals to you.

I may point out that the Pottawatamies of Walpole Island have a separate fund, and have the same rights on the Island as the Chippewas.

Yours truly,

James D. Stewart

Deputy Superintendent General.

A. G. Chisholm, Esq.,

Barrister, Solicitor, etc.,

79 Dundas St.,

London, Ont.

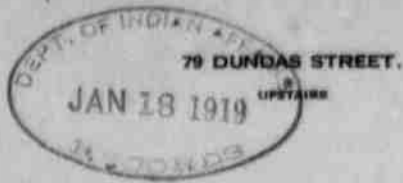
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CANADA

A. G. CHISHOLM
Barrister Solicitor, etc.

156610

518625



London, Canada, Jan. 17th. 1919.

James G. Scott
Mr. Scott
Duncan G. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott / Pottawatamies 156610.

I have yours of the 14th. instant and note the views you express as to the statements appearing in Paragraphs 6 and 7 of the Petition. I am anxious to meet your wishes as far as possible and it seems to me, if these paragraphs were amended as written hereunder, you should have no further hesitation about approving the petition. Insert before the last sentence of Paragraph 6,-

"Except for certain isolated individuals who have been adopted into scattered Chippewa Bands of Indians in the Province of Ontario" - they do not do.

Add to the concluding sentence in Paragraph 7,-

"Except as mentioned in the preceding Paragraph".

With these changes, if you approve of the petition, please have these words written in and return to me marked "approved", and I will return to you re-written and executed.

I note what you say about the Pottawatamies on Walpole. These people have nothing to do with the claim under discussion.

Faithfully yours

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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To,

The Honourable,

The Secretary of the Interior of the United States.

The Petition of Andrew Gordon Chisholm of the City of London in the Dominion of Canada, Solicitor, on behalf of certain Canadian representatives of the Wisconsin Band of Pottawatamie Indians, whose ancestors resided in the State of Wisconsin at the time of the making of certain Treaties with the United States by said Pottawatamie Indians (set out and referred to in the report of the Secretary of the Interior to the House of Representatives, embodied in House Document 830, 60th Congress, first session) but who afterwards removed to Canada; for a proportionate share in the sum found due to said Pottawatamies of Wisconsin by the United States, as set out in said House Document 830, or for other relief,

H U M B L Y S H E W E T H:

1. That at the time of the making of the said Treaties, the forefathers of said Indians resided in the State of Wisconsin, and were equally entitled with the forefathers of the Pottawatamies of Wisconsin, who still remain in said State of Wisconsin and in the State of Michigan, to all benefits and advantages derived or to be derived by said Pottawatamies of Wisconsin, under said Treaties.

2. That by their removal to Canada said Indians claim their forefathers did not forfeit the benefits and advantages, derived or to be derived by them as members of the said Pottawatamies of Wisconsin, under said Treaties. That the Court of Claims of the United States has held (15th May, 1905, in the case of the New York Indians versus the United States) that under similar circumstances, the Oneida Indians of New York by their migration to Canada, in or about the year 1842, where they have since resided, did not forfeit their right to their

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pt. 1)

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proportionate share of the New York Indian fund, found due to the New York Indians by the United States; and that the United States accordingly paid to said Oneida Indians still residing in Canada, their said proportionate share of said fund. That said Court of Claims also held in said case of the New York Indians,-

"Our Indians were and have been the wards of the United States, and the Indian has no right of expatriation."

3. That the United States has not declared that by their removal to Canada, said Canadian representatives of said Pottawatamie Indians of Wisconsin, had forfeited their right to share in the benefits and advantages of said Treaties.

4. That up till a comparatively recent period, notwithstanding the continual assertion by said Indians of their claims in these respects, the United States had not admitted there were any moneys due the Pottawatamies of Wisconsin by the United States. That it was only after the institution of a most careful investigation by the United States, the Secretary of the Interior, made his report to the Congress of the United States, dated the 1st April, 1908, embodied in said House Document 830, above referred to.

5. From said report, it would appear:

a/ The total proportionate shares of the annuities, trust funds and other moneys paid to or expended for the Tribe to which they belong, in which the claimant Pottawatamie Indians of Wisconsin had not shared, was the sum of \$1,964,565.87.

b/ That a roll of said Pottawatamie Indians prepared by authority of Act of Congress (34 Stat.L. 380) under the direction of the Secretary of the Interior, submitted to the Commissioner of Indian Affairs, December 18th, 1907, showed 1880 found entitled to enrollment, and that by a supplemental roll dated January 18th, 1908, 127 additional names were added, making a total of 2007 persons enrolled.

c/ That the Secretary of the Interior in his report above referred to stated,-"These rolls are believed by the Commissioner of Indian Affairs to be as nearly

correct and complete as it is practicable to make them. Of the total number enrolled 457 reside in Wisconsin and Michigan and 1550 in the Dominion of Canada."

6/ That for the purpose of compiling said rolls, the Agent of the Secretary of the Interior visited Indian communities at the following places in the Province of Ontario, Canada, namely, - Sarnia, Kettle Point, Stony Point, Muncey, Lake Simcoe, Southampton, Cape Croker, Grand Manitoulin Island, Thessalon, Killarney, Whitefish River, Birch Island, Spanish River, French River, Byng Inlet, Moose Point, Shawanaga, Parry Island, Honey Harbour and Christian Island.

6. The Pottawatamie Indians of Wisconsin, now resident in Canada, claim that they are and always have been under United States law, members of the United Nation of Chippewa, Ottawa and Pottawatamie Indians, now known as the Pottawatamie Nation, and that they have never knowingly or intentionally abandoned any of their rights in and to the tribal estate in whatever form it has from time to time existed, whether in lands, annuities, interest on trust funds, or otherwise, and assert that notwithstanding their residence in Canada, they are still treated by the government of that Dominion, as United States and foreign Indians. Except for certain individuals who have been adopted into scattered Chippewa bands of Indians in the Province of Ontario they do not share in any of the benefits bestowed upon its Indians by the Government of Canada.

7/ The migration of numbers of the Pottawatamies of Wisconsin to Canada, was occasioned by their eviction by the United States, from their lands in Wisconsin. At the time, it was the policy of the United States to remove all Indians, West of the Mississippi. The forefathers of the Pottawatamies of Wisconsin were dissatisfied with such proposal. They refused to go and when driven off their lands, some fled to inaccessible parts of Wisconsin and Michigan, and others and the greater part crossed the Lakes to Canada, where their descendants on whose behalf this Petition is brought, still remain. The Pottawatamies of Wisconsin today in Canada, have no reserve, nor does the Canadian Government hold any trust funds on their

behalf, and except that it recognizes them as Indians, supervises them accordingly, and affords them the means of education extended to other Indians, bestows no benefits upon them, except as mentioned in the preceding paragraph.

8. Some years ago, the Pottawatamies of Wisconsin resident in Canada, duly appointed the undersigned as their Solicitor, to endeavour to procure for them a proportionate share of the moneys alleged to be due said Pottawatamies of Wisconsin by the United States, and the undersigned has ever since by personal effort and through Attorneys at Washington, endeavoured to forward their claim for such proportional share. A letter received by the undersigned from the Commissioner of Indian Affairs at Washington, of which the following is a copy, explains the then position of this claim.

Refer in reply to
the following-

Department of the Interior,
Office of Indian Affairs,
Washington, June 19, 1917.

Land contracts
47401 - 1917
W M W

A. G. Chisholm, Esq.,

Barrister, Solicitor, &c.

87½ Dundas St. (upstairs) London, Canada.

Dear Sir,

Receipt is acknowledged of your further letter of May 12th, 1917, with respect to the claim against the United States of the Canadian Branch of Wisconsin Pottawatamie Indians.

In answer you are advised that the total amount found due that part of the Pottawatamie Nation which failed to remove to Kansas in accordance with their Treaty of September 26th, 1833, (7 Stat. L. 431) was reported to the Congress as \$1,964,565.87. The Census or Roll which was made at the time of the said report showed roughly about 2000 Indians ----- 3/4 residing in Canada, and the remainder in the States of Wisconsin and Michigan. The amount due the United States branch, or remaining one-fourth, was reported as \$447,339.00.

The Congress has from time to time made various appropriations in settlement of the amount found due the Branch residing in the United States, but has taken no action whatever concerning the claim of the 3/4 of these refugee Indians residing in Canada.

For your full information a copy of H.R. 2313, 65th Congress, 1st. Session, for the purpose of settling the balance still due the United States Branch of the Tribe, is enclosed.

By the Act of March 2, 1917, (Public #369) making appropriation for the Indian Department, the sum of \$100,000.00 was provided for clearing land, purchase of houses, building material, implements &c. and for the payment per capita of not exceeding \$25,000.00 to these Indians in the United States.

From the appropriations above mentioned for the sole use and benefit of the Wisconsin Pottawatami in the United States, lands have been purchased and annuities paid, and farming implements, &c. are being provided. However, as above indicated, Congress has in no way recognized the claim of the so-called Canadian branch nor have any appropriations been made for the same.

Very truly yours,

sd. E.B. Meritt,

Assistant Commissioner.

The Bill known as H.R. 2313, 65th Congress, 1st Session, attached to said letter did not become law, and one similar thereto was introduced on February 4th, 1918, in the United States Senate, as an amendment to the pending Indian Appropriation Bill (H.R. 8696) which Amendment was also not enacted; but the Indian Appropriation Act approved May 25th, 1918, (Pub No. 159) provided that the sum of \$75,000.00 should be expended for the benefit of these Indians in partial settlement of the claim of that portion of the Wisconsin Band of Pottawatamie Indians still residing in the States of Wisconsin and Michigan.

9. The Canadian Branch of the Pottawatamies of Wisconsin respectfully submit they are equally entitled to payment by the Government of the United States, with their brethren still residing in the States of Wisconsin and Michigan, and should receive from the United States, a proportionate amount of said sum of \$1,964,565.87, found and acknowledged to be due by the United States to that part of the Pottawatamie Nation which failed to remove West of the Mississippi; and submit that neither by act of their own, or by law of the United States, did they by their flight to Canada, transfer their proportional interest in said amount, to their brethren of Wisconsin and Michigan, or forfeit their right to receive payment of the same.

10. That your Petitioner represents over 1500 individuals claim-

ing to be members of the Canadian Branch of the Pottawatamies of Wisconsin.

Your Petitioner would therefore pray,-

- a/ That said Canadian Branch of said Pottawatamie Indians of Wisconsin, be paid their proportionate share of the amount of \$1,964,565.87, due by the United States to those Pottawatamies of Wisconsin, whose forefathers failed to remove West of the Mississippi, with interest.
- b/ That in case said Canadian Branch of said Pottawatamie Indians of Wisconsin is not paid such proportionate share, or their right to be paid the same is not acknowledged by the United States, said Canadian Branch of said Indians may be enabled to prosecute their claim therefor, before the Court of Claims of the United States, with the right of appeal to either party to the Supreme Court of the United States, and that proper steps may be had and taken for this purpose.
- c/ That in the event of payment being made to said Canadian Branch of said Pottawatamie Indians of Wisconsin, of a proportionate share of said amount of \$1,964,565.87 and interest, the same should be made to the Government of Canada to be administered by it as a fund for the benefit of the individuals composing said Canadian Branch of said Pottawatamie Indians of Wisconsin.
- d/ That for the purpose of the prayer of your Petitioner your Honourable Department may be pleased to give such further or other directions for the relief of said Canadian Branch of said Pottawatamie Indians as may seem just and reasonable.

And, your Petitioner will ever pray,-

Dated, August 1916.

156610

20th January, 1919.

Dear Mr. Chisholm,

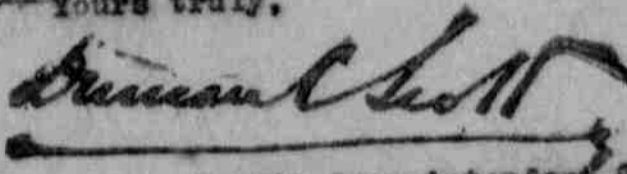
re Pottawatamies.

I beg to acknowledge the receipt of your letter of the 17th instant in the above matter, and note the amendments which you suggest in modification of paragraphs 6 and 7.

In reply I beg to say that the petition, as thus amended, seems to be satisfactory. The petition, as amended, has accordingly been approved and I am returning the same herewith. I am also enclosing one copy of the agreement between the Superintendent General and yourself with respect to the prosecution of this claim.

enc.

Yours truly,



Deputy Superintendent General.

A. G. Chisholm, Esq.,

Barrister, Solicitor, etc.,

79 Dundas St.,

London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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15-6610
7. CHISHOLM
Barrister, Solicitor, &c.

78 DUNDAS STREET,
UPSTAIRS

518871

London, Canada, Jan'y. 23rd. 1919.



Mr. Scott
Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott / Pottawatamies 156610.

I have yours of the 20th. instant enclosing Petition approved of and agreement executed. I shall have the Petition re-written and return to you signed by myself.

I suppose you will now proceed without delay to draft the Order in Council, the terms of which must have a very important influence in facilitating the negotiations to be had with the United States Government on the subject of this claim.

It is very necessary that the representations to be made in this Order in Council should endeavour to secure that in seeking equal treatment for the Canadian Pottawatamies with their brethren still in the United States, that Government should first agree to that principle, as well as the desirability of the Canadian Government administering any trust to be constituted, before referring it to the Indian Office (as might be possible) to report on the subject.

I mention these features of the matter (there are others which will doubtless occur to you) to emphasise the importance of very careful collaboration in the preparation of this Order in Council, and will be glad to have your assurance in this respect at some early date.

Faithfully yours

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

No. 156610

~~1919~~
6th February, 1919.

OK
Dear Mr. Chisholm,

Pottawatamies.

I beg to acknowledge the receipt of your letter of the 23rd instant in the above matter, and note your reference to the Order in Council which you suggest should now be proceeded with.

In reply I beg to enclose a copy of the Order in Council which was passed on the 12th February, 1912, with reference to this claim. In view of this it does not appear that any further Order in Council is necessary. I may say that this is the view of the Deputy Minister of Justice. The next step in the proceedings would appear to be the forwarding of the petition to the British Ambassador at Washington through the proper channel.

enc.

Yours truly,

Wm. C. Bennett

Deputy Superintendent General.

W.C.
A. G. Chisholm, Esq.,
Barrister, Solicitor, etc.,
79 Dundas St.,
London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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156610

79 DUNDAS STREET,
UPSTAIRS

G. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, Feb'y. 6th. 1919.

~~519541~~

DEPT. OF INDIAN AFFAIRS
FEB 10 1919

519541

by

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott / Pottawatamies 156610.

In this matter I enclose you petition from myself signed,
together with copy of the same, which may be of some use to
you.

I decided to make no alteration in the prayer of the
petition, as I mentioned to you I thought of doing.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

J. CHISHOLM
Barrister, Solicitor, &c.

*Enter volume
to A & M*

156610
79 DUNDAS STREET,
UPSTAIRS
INDIAN AFFAIRS
FEB 8 1919
London, Canada, Feby. 7th. 1919.

519533

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott/

Pottawatamies No. 156610.

I have just received yours of the 6th. instant with copy Order in Council (P. C. 305 of 13th. Feby. 1918) and would ask you to take no steps towards forwarding the petition to Washington, till I have an opportunity of considering whether or not I have any observations to make on the view of the Deputy Minister of Justice, it does not seem necessary to pass a further Order in Council to meet the changed circumstances of the case.

I will write you on the subject at the beginning of the coming week.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

A. G. CHISHOLM
Minister, Solicitor, &c.

156610

79 DUNDAS STREET,
UPSTAIRS

FEB 10 1919

London, Canada, Feby. 8th. 1919.

519538

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott / Pottawatamie No. 156610.

I wrote you yesterday in this matter asking you to take no steps towards forwarding the petition to Washington, till I had an opportunity of considering whether or not I had any observations to make on the view of the Deputy Minister of Justice, it did not seem necessary to pass a further Order in Council, to meet the changed circumstances of this case.

I have since gone into the matter and find the Order in Council already passed and on the terms of which, I assume any future action is proposed to be taken is P. C. 305 of 18th. February, 1913. This Order in Council refers to a previous Minute of Council of 2nd. December, 1911, * on the subject of a claim which certain Pottawatamie Indians residing in Canada are presenting against the United States Government for arrears of annuity money*, which Minute of Council I have not seen.

P. C. 305 goes on to recite,-

* It would appear that under a treaty between the United States Government and the Pottawatamie Indians known as the Chicago Treaty, the Indians sold a large quantity of land to the United States and were removed to land situated West of the Mississippi River, but that finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again a number of them fled to Canada where they have since resided*.

If the above statement were correct, it would exclude the Pot-

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tawatamies of Wisconsin from the benefits of fifteen other treaties, besides the Chicago Treaty, under all of which they base their present claim for relief.

These treaties date from August 3rd. 1795, to January 17th. 1846. The present claim is on behalf of the Canadian branch of these Pottawatamies of Wisconsin, for their proportionate share of the benefits to be received by the whole people of the Pottawatamies, of which the branch of these people known as the Pottawatamies of Wisconsin were wholly deprived.

The Treaty of September 26th. 1833, known as the "Chicago Treaty" was only one of these and apart from certain cash payments to be made by the United States as therein provided, specified only for payment of the yearly sum of \$14,000.00 for the term of 20 years, whereas under the whole of such treaties the Pottawatamies were to receive from the United States annuities amounting to \$96,510.00.

It is admitted by the United States the Pottawatamies of Wisconsin did not from 1838 onward, receive their proportionate share of these moneys, and this forms a portion of the claim now made by the Canadian branch.

Possibly I should set the matter out in detail. The total claim admitted as due these people by the United States was in 1908, the sum of \$1,964,565.87, calculated as follows,-

Proportionate share in the total annuities of the Tribe under the several treaties from 1795 to 1846-----	798,412.12
Proportionate share in the sum of \$120,000, payable under Articles 5 and 6 of the Treaty of June 17th. 1846-----	41,961.85
Product of two sums of \$174,888.73 and \$480,943.93, interest and balance of \$643,000.00 due under Article 7 of the Treaty of June 17th. 1846, to the Pottawatamies calculated from 1848 to 1907 --	655,832.66
Proportionate share in the sum of \$441,411.49 paid by the A. T. & S. F. Railway Coy. and Deil et al. to the United States under the provisions of Article 5 of Treaty of 1861. (This was from sale of surplus lands acquired under treaty of 1846) -----	156,427.43
Proportionate share in the sum of \$236,218.56 the value of 236,218 56/100 acres of land to be allotted the Pottawatamies under Article 4 of the treaty of June 17th. 1846 -----	84,065.71
The amount the Pottawatamies of Wisconsin should have received out of the principal of \$643,000.00 remaining from the purchase price of the land ceded to the United States under the treaty of June 17th. 1846 -----	227,866.10
	<u>L</u>
	<u>\$1,964,565.87</u>

From the above you may perceive the statement in P.C. 305, as to the basis of the claim of these people is inaccurate and misleading.

Shortly, the claim of the Canadian branch of the Pottawatamies of Wisconsin may be stated to be, that this sum of \$1,964,565.87 should be divided among approximately 2000 claimants, among whom some 1500 reside in Canada: to be paid with interest since April, 1908.

I again refer you to the above quotation from P. C. 305,
* The Indians ----- were removed to lands situate west

" of the Mississippi River, but finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again, a number of them fled to Canada where they have since resided."

The whole of this statement just quoted is incorrect, for the simple reason that the Indians in question never did remove from Michigan and Wisconsin till they came to Canada, and that it was because they so failed to remove, the United States, as now admitted without warrant of law, deprived them of the benefits of the treaties above mentioned.

I again quote from P. C. 305,-

" The Minister understands that His Majesty's Ambassador at Washington has sufficient information in regard to this claim to enable him to take the necessary action".

Regarding this statement, I observe the date of P. C. 305, to be 12th. February, 1913. Just six months before this (Aug. 3rd. 1911) I received a letter from the British Embassy, Washington, signed by Lord Eustace Percy, dealing with this case, in which he stated,-

" The Embassy though it has had some correspondence with an American firm of lawyers on the subject, is not in possession of full particulars or indeed any statement as to these claims".

I have no assurance the Embassy is any better informed today than it was in August, 1911.

Further, the whole object of P. C. 305, as it states, was,

" that a claim for the share of these Canadian Pottawatamie Indians in the moneys due the Tribe under the Treaty referred to should be presented to the United States Government in order that it may be included in the Second Schedule to the Pecuniary Claims Agreement of the 10th. August, 1910".

The object of the present petition is either payment of

the claim, or its reference to the court of claims of the United States, for adjudication.

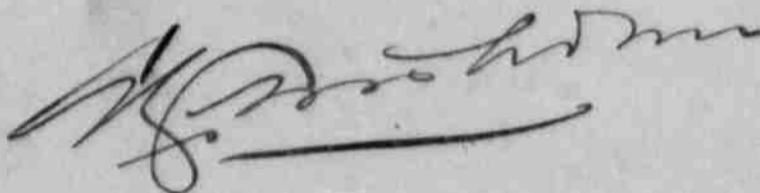
On 15th. August, 1916, the Deputy Minister of Justice wrote me referring to the case,- " It is I think hopeless to attempt to do anything so far as concerns the International Arbitration".

Under the above circumstances, as solicitor for these claimants, you may understand I raise a very considerable objection to the petition on behalf of these claimants, going forward under the aegis of this Order in Council of 13th. February, 1912, and most certainly desire that a further one should be passed, which would accurately set out the claims and the object of the petition.

As I mentioned to you in a former communication on the subject, I would suggest some collaboration in the drafting of such new Order in Council.

Hoping for your sympathetic consideration of these views,

Faithfully yours



156,610-

February 13, 1919.

Dear Mr. Chisholm,-

In reply to your letter of the 8th instant, I have to say that I have come to the conclusion that it might be well for you to draft a new Order in Council; I am quite willing to submit it to the Honourable the Superintendent General.

Yours very truly,

J. C. [Signature]
[Signature]
Deputy Superintendent General.

A. G. Chisholm, Esq.,
Barrister, Solicitor, &c.,
79 Dundas Street,
London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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156610

Wickemikong
 Department of Indian Affairs
 Ottawa, Ont.



519999

I write to inquire about the "Wisconsin Indians' Claim".

A. G. Chisholm in whose hands the affair is, has written asking one (\$1) dollar from every claimant, and says that he is foregoing what he was to receive, i.e., one third of the claim.

A few lines from you would be desirable to prove the truth or in other words to prove that the claim is good.

Yours Respectfully
 Chas. S. King.

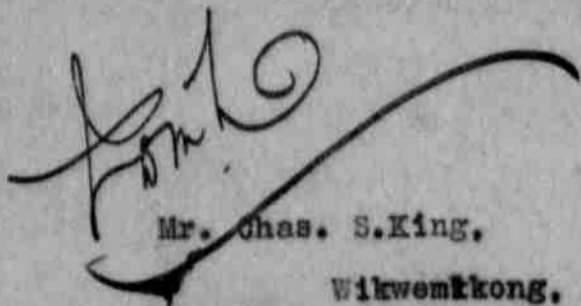
156610

Ottawa, 20th February, 1919.

Sir,

In reply to your letter of the 2nd instant, I beg to inform you that Mr. A.G. Chisholm, Barrister of London, has undertaken the prosecution of the claims of certain Pottawatamies resident in Canada against the United States Government. The Department, of course, cannot undertake to say whether Mr. Chisholm will be successful or not, but, in order to prosecute the claim on behalf of the Indians, he is evidently asking each Indian for a small fee to enable him to do so.

Your obedient servant,



J. D. McLean
Asst. Deputy and Secretary.

Mr. Chas. S. King,
Wikwemikong,
Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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Ottawa, 26th February, 1919.

Sir,

I beg to acknowledge the receipt of your letter of the 19th instant, enclosing a circular from Mr. A.G. Chisholm, Barrister of London, with respect to the prosecution of a claim against the United States Government on behalf of the Canadian Branch of the Pottawatamies of Wisconsin, addressed to Mr. Charles Froulx, Sr., Collins Inlet, asking for a contribution for the purpose of prosecuting this claim, and note your enquiry with respect to this matter.

In reply I beg to say that Mr. Chisholm has for some time been working on a claim which it is proposed to make against the United States Government in favour of certain Pottawatamie Indians who a number of years ago came to this country from the State of Wisconsin. Mr. Chisholm is asking for a nominal sum from the interested parties who are able and disposed to contribute for the payment of preliminary expenses which he has to incur. I may say that Mr. Chisholm has furnished the Department with a copy of the Petition, which it is proposed to present to the United States Court of Claims through the proper Government channels, and has entered into an agreement with the Superintendent General in respect of these claims whereby the interests of the Indians are considered to be properly safeguarded. Enclosures returned herewith.

Your obedient servant,

J. D. McLean

Asst. Deputy and Secretary.

The Financial Editor,
Saturday Night,
Toronto, Ont.

The Committee of the Privy Council have had before them a report, dated.....1919, from the Superintendent General of Indian Affairs on the subject of a claim which certain Pottawatamie Indians residing in Canada are prosecuting against the United States Government for their proportionate share of moneys of which they allege that Government without warrant of law deprived the Indians known as the stray Bands of Pottawatamie Indians of Wisconsin, and in which moneys said Canadian Pottawatamie Indians claiming to be descendants of said Pottawatamie Indians of Wisconsin, assert a right to share.

The Superintendent General observes that as a result of an investigation directed by the Congress of the United States into these claims, the Secretary of the Interior of the United States, under date of April 1st, 1908, reported to the Speaker of the House of Representatives, of the United States, that the proportionate shares of the Wisconsin Pottawatamies in the Tribal funds and annuities not received by them was the sum of \$1,964,565.87, and that from the enrollment of said Wisconsin Pottawatamies in the United States and Canada carried out as directed by Congress, these Indians numbered in 1908, 2007 souls, of whom 1550 resided in Canada, and that by a subsequent enrollment dated January 18th, 1908, the names of 127 additional claimants residing in Canada, were added to this roll.

The Superintendent General further observes that the Office of Indian Affairs at Washington states that the Congress of the United States has from time

to time made various appropriations in settlement of the branch of said Wisconsin Pottawotamies residing in the United States, but has taken no action whatever concerning the claim of the three quarters of these refugee Indians residing in Canada: that in 1918, a further appropriation of \$75,000.00, was made by the Congress of the United States in partial settlement of the remainder of the amount due said branch residing in the United States.

The Superintendent General further observes that he has had under consideration a petition on behalf of the Canadian Branch of said Pottawotamie Indians of Wisconsin, prepared by the Solicitor for these Indians asking the Government of the United States to pay them a proportionate share of the moneys reported to the Congress of the United States to be due the Pottawotamies of Wisconsin, or that said Canadian Branch be allowed to prosecute their claim therefor before the Court of Claims of the United States; which petition said Solicitor requests to be presented to the United States Government, and said Solicitor has asked this Government to assist in the forwarding of the objects of this petition at Washington.

The Committee, on the recommendation of the Superintendent General of Indian Affairs, advise that your Excellency may be pleased to transmit said Petition, with a copy of this order in Council and the Report of the Superintendent General dated the.....1919, to His Majesty's Ambassador at Washington, with a request that the same may be presented to the Gover

of the United States for its consideration.

The Committee would further recommend that your Excellency empower the Superintendent General to state that the Government of Canada, in the event of the Government of the United States agreeing to pay said Canadian Branch of said Pottawotamies of Wisconsin, a proportionate share of the amount due the Pottawotamies of Wisconsin, by the United States, and paying the same to Canada, will administer the same for the exclusive benefit of those individuals of said Canadian Branch of said Pottawotamie Indians of Wisconsin, as may be found entitled to share therein, *subject to payment of such amount as may be found due by said Indians for legal services.*

The Committee would further recommend that your Excellency would direct that the Department of Indian Affairs be instructed to render such assistance as possible in furthering the prosecution of this claim at Washington and that a copy of this Order in Council and the Report of the Superintendent General dated the.....1919, be handed the Solicitor for said Canadian Branch of the Pottawotamies of Wisconsin and that he be advised to place himself in communication with the British Embassy at Washington regarding the conduct of the matter before the Government of the United States.

The Superintendent General of Indian Affairs begs to report that he has had under consideration the claim of the Indians residing in Canada who claim to be descendants of certain Pottawotamie Indians at one time residing in the States of Wisconsin and Michigan, but who being required by the United States to remove west of the Mississippi River in or before the year 1838, refused to go, and fled to this Country where their descendants, numbering now some 2000 souls reside, scattered among different bands of Chippewa Indians in the Province of Ontario.

These Indians and their brethren still remaining in the States of Wisconsin and Michigan are known in the United States as the stray Bands of Pottawotamies of Wisconsin, who for many years asserted the Government of the United States had without warrant of law, deprived them of their share of the annuities and trust funds, which should have been paid them as a constituent part of the United Pottawotamie Nation in the United States.

As a result of an investigation directed by the Congress of the United States into these claims, the Secretary of the Interior of the United States, under date of April 1st, 1908, reported to the Speaker of the House of Representatives, of the United States, that the proportionate shares of the Wisconsin Pottawotamies in the tribal funds and annuities not received by them was the sum of \$1,964,565.87, and that from the enrollment of the Wisconsin Pottawotamies in the United States and Canada, carried out as directed by Congress, these Indians numbered in 1908, 2007 souls

of whom 1550 resided in Canada. Subsequently, under date of January 18th, 1908, the names of 127 additional claimants residing in Canada were added to this roll.

The descendants of these Pottawotamies in Canada had retained a Solicitor in this country and associated with him an Attorney at Washington in the endeavor to have their right to a distributive share of the amount said to be due them by the United States, determined by the Court of Claims of the United States, and the attention of this Government being directed to the matter it was made the subject of a Minute of Council on the 2nd December, 1911, and the Committee of the Privy Council on a report from the Secretary of State for External Affairs, dated 5th February, 1912, by a report approved by His Royal Highness the Governor General on 12th February, 1912, directed that a claim for the share of these Canadian Pottawotamic Indians in the moneys due the tribe by the United States should be presented to the United States Government in order that it might be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910, and on the recommendation of the Secretary of State for External Affairs advised His Royal Highness might be pleased to transmit a copy of said claims to His Majesty's Ambassador at Washington, with a request that the same might be presented to the United States Government for settlement under the Agreement referred to.

Owing to the outbreak of war in 1914, the sittings of the Pecuniary Claims Commission for the transaction of its business ceased, and when these sittings will be resumed, if ever, is problematical.

Under date of June 19th, 1917, the Solicitor for these Canadian Pottawotamic Indians was advised by the Office of Indian Affairs at Washington, the Congress of the United States "has from time to time made various appropriations in settlement of the amount found due the Branch residing in the United States, but has taken no action whatever concerning the claim of the three quarters of these refugee Indians residing in Canada". In 1918, a further appropriation of \$75,000.00 was made by the Congress of the United States in partial settlement of the remainder of the amount due said Branch residing in the United States.

A petition on behalf of "the three quarters of these refugee Indians residing in Canada", shortly setting out the facts of the case was prepared by the Solicitor for these Indians, addressed to the Honourable the Secretary of the Interior of the United States, and submitted by said Solicitor for approval of the Department of Indian Affairs in this Country, with a request that the same might be forwarded to the Government of the United States through the British ambassador at Washington and which petition "prayed said Canadian Branch of said Pottawotamic Indians might be paid their proportionate share of the amount of \$1,964,565.87, or that in case they were not paid such proportionate share or their right to be paid the same ~~amount~~^{amount} acknowledged by the United States, said Canadian Branch of said Indians might be enabled to prosecute their claim therefor, before the Court of Claims of the United States, with the right of appeal to either party to the Supreme Court of the United States, and that in such event proper steps might be had and taken for that purpose".

Said Petition further prayed that in the event of the United States paying said Canadian Branch of said Indians such proportionate share, the same should be made to the Government of Canada, to be administered by it as ~~fund~~ ^{afford} for the benefit of the individuals composing said Canadian Branch of said Pottawotamic Indians of Wisconsin.

The Superintendent General reports that in connection with the Petition referred to he has made a very careful investigation into the facts of the claim of these Indians and has determined to give his approval to said Petition and request of said Solicitor and an agreement for the conduct of the furtherance of the same and its objects has been executed by himself and said solicitor.

The Superintendent General has to observe regarding this claim that it arose out of treaty obligations entered into by the United States with the Pottawotamic Indians, before the ancestors of the Canadian Branch of said Indians took refuge in Canada, and that there would appear no reason why payments made by the United States to these Indians still residing in that Country in settlement of their proportion of the amount due by the United States to the Pottawotamies of Wisconsin, should not have been equally made to the Canadian Branch of these Indians, save that the latter have made their homes in this Country for some years past.

The Superintendent General observes that the President of the United States in his address of 4th. July, 1918, enunciated four great principles for which

the allied nations were fighting, among them:-

"3/ The consent of all nations to be governed in their conduct towards each other by the same principles of honor and of respect for the common law of civilized society that governs the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed - - - and a mutual trust established on the handsome foundation of mutual respect for right".

The Superintendent General expresses the belief that in the application of the principles mentioned and upon consideration of the facts regarding this claim the Government of the United States will conclude there is no reason their residence in Canada should be a cause for not according to the Canadian Branch of the Pottawotamies of Wisconsin equality of treatment with their brethren forming the United States Branch of said Indians, in payment of a proportionate share of the moneys due the Pottawotamies of Wisconsin by the United States.

The Superintendent General would recommend he be authorized to state that the Government of Canada, in the event of the Government of the United States agreeing to pay said ^{Canadian} Branch of said Pottawotamies of Wisconsin, such proportionate share of the amount due the Pottawotamies of Wisconsin by the United States, and paying the same to Canada, will administer the same for the exclusive benefit of those individuals of said Canadian Branch of said Pottawotamie Indians of Wisconsin, as may

be found entitled to a share therein, *subject to payment of such amount as may be found due by said Indians for legal services.*

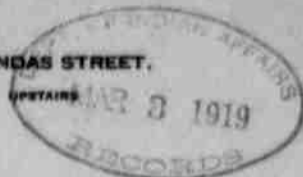
The Superintendent General recommends that a copy of said petition with a copy of this report and Order in Council be forwarded to the British ambassador at Washington for presentation to the Government of the United States on behalf of the individuals forming the Canadian Branch of said Pottawatamies of Wisconsin, as expressing the views of the Canadian Government regarding their claims referred to, and that the British Ambassador be asked to urge the same on the attention of the Government of the United States.

The Superintendent General would also recommend that the Department of Indian Affairs be empowered to render such assistance as possible in furthering the prosecution of this claim at Washington and that a copy of this report and Order in Council thereon be furnished the Solicitor for said Canadian Branch of the Pottawatamies of Wisconsin and that he be advised to place himself in communication with the British Embassy at Washington regarding the conduct of the matter before the Government of the United States.

G. CHISHOLM
Barrister, Solicitor, &c.

15-6610

79 DUNDAS STREET.



London, Canada, March 1st, 1919.

520517

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott / re Pottawatamies- 156,610-

In accordance with the request in your letter of the 13th. ultimo in this matter, I now enclose you two copies each of draft of Report of the Superintendent General and Order in Council thereon, as I would have them go through.

I am an amateur at such drafting and can only hope that they will so far meet with your approval that you may be willing to submit them to the Superintendent General for his endorsement. Quite possibly you may have some suggestions to make to me for some amendments, but in the work of drafting I have sought to insert only what I really thought was important to be brought out, and proper to carry out the purposes of the Order in Council.

Faithfully yours

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA



156610

520857

Secretary

Wikeverikong Oit
March 8/19.

Department of Indian Affairs,
Ottawa, Canada.

Dear Sir: -

Received your letter
No-156610 dated February 20th 1919. Thanks for the
information.

In reply I refer to the fact that
when Mr. A. B. Chisholm undertook the prosecution
of the Pottawatamies' Claim, he said he would not
ask anything but in the event of the recovery of
said claim, his compensation would be one-third
of the amount. Now he is foregoing the compensation
and asks a fee of one dollar from each Indian.

If he succeeds can he still claim the one
third? and if he does not succeed I suppose the
money^(fee) will have been given him for nothing.

Yours Truly

Mr. Chas. S. King

copy.

79 Dundas Street,
London, Canada, Feby.8th, 1919.

Dugan C. Scott, Esq.,
Deputy Superintendent General Indian Affairs,
Ottawa, Ont.

Dear Mr. Scott,

Pottawatamies No.156610.

I wrote you yesterday in this matter asking you to take no steps towards forwarding the petition to Washington, till I had an opportunity of considering whether or not I had any observations to make on the view of the Deputy Minister of Justice, it did not seem necessary to pass a further Order in Council, to meet the changed circumstances of this case.

I have since gone into the matter and find the Order in Council already passed and on the terms of which, I assume any future action is proposed to be taken is P.C.305 of 12th February, 1912. This Order in Council refers to a previous Minute of Council of 2nd December, 1911, "on the subject of a claim which certain Pottawatamie Indians residing in Canada are presenting against the United States Government for arrears of annuity money", which Minute of Council I have not seen.

P.C. 305 goes on to recite,-

"It would appear that under a treaty between the United States Government and the Pottawatamie Indians known as the Chicago Treaty, the Indians sold a large quantity of land to the United States and were removed to land situated west of the Mississippi River, but that finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again a number of them fled to Canada where they have since resided."

If the above statement were correct, it would exclude the Pottawatamies of Wisconsin from the benefits of fifteen other treaties, besides the Chicago Treaty, under all of which they base their present claim for relief.

These treaties date from August 3rd.1795, to January 17th 1846. The present claim is on behalf of the Canadian branch of these Pottawatamies of Wisconsin, for their proportionate share of the benefits to be received by the whole people of the Pottawatamies, of which the branch of these people known as the Pottawatamies of Wisconsin were wholly deprived.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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The Treaty of September 26th, 1833, known as the "Chicago Treaty" was only one of these and apart from certain cash payments to be made by the United States as therein provided, specified only for payment of the yearly sum of \$14,000.00 for the term of 20 years, whereas under the whole of such treaties the Pottawatamies were to receive from the United States annuities amounting to \$96,510.00.

It is admitted by the United States the Pottawatamies of Wisconsin did not from 1838 onward, receive their proportionate share of these moneys, and this forms a portion of the claim now made by the Canadian branch.

Possibly I should set the matter out in detail. The total claim admitted as due these people by the United States was in 1908, the sum of \$1,964,565.87, calculated as follows:-

Proportionate share in the total annuities of the Tribe under the several treaties from 1795 to 1846	798,412.12
--	------------

Proportionate share in the sum of \$120,000, payable under Articles 5 and 6 of the Treaty of June 17th. 1846	41,961.85
--	-----------

Product of two sums of \$174,888.73 and \$480,943.93, interest and balance of \$643,000.00 due under Article 7 of the Treaty of June 17th. 1846, to the Pottawatamies calculated from 1848 to 1907	655,832.66
--	------------

Proportionate share in the sum of \$441,411.49 paid by the A. T. & S. F. Railway Coy. and Deil et al. to the United States under the provisions of Article 5 of Treaty of 1861. (This was from sale of surplus lands acquired under treaty of 1846).....	156,427.43
--	------------

Proportionate share in the sum of \$236,218.56 the value of 236,218 56/100 acres of land to be allotted the Pottawatamies under Article 4 of the Treaty of June 17th. 1846	84,065.71
--	-----------

The amount the Pottawatamies of Wisconsin should have received out of the principal of \$643,000.00 remaining from the purchase price of the land ceded to the United States under the treaty of June 17th. 1846	227,866.10
--	------------

 \$1,964,565.87

From the above you may perceive the statement in P.C. 305, as to the basis of the claim of these people is inaccurate and misleading.

Shortly, the claim of the Canadian branch of the Pottawatamies of Wisconsin may be stated to be, that this sum of \$1,964,565.87 should be divided among approximately 2000 claimants, among whom some 1500 reside in Canada; to be paid with interest since April, 1908.

I again refer you to the above quotation from P.C. 305,

"The Indians were removed to lands situate west of the Mississippi River, but finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again, a number of them fled to Canada where they have since resided."

The whole of this statement just quoted is incorrect, for the simple reason that the Indians in question never did remove from Michigan and Wisconsin till they came to Canada, and that it was because they so failed to remove, the United States, as now admitted without warrant of law, deprived them of the benefits of the treaties above mentioned.

I again quote from P.C. 305,-

"The Minister understands that His Majesty's Ambassador at Washington has sufficient information in regard to this claim to enable him to take the necessary action."

Regarding this statement, I observe the date of P.C. 305, to be 18th February, 1912. Just six months before this (Aug. 3rd, 1911) I received a letter from the British Embassy, Washington, signed by Lord Eustace Percy, dealing with this case, in which he stated,-

"The Embassy though it has had some correspondence with an American firm of lawyers on the subject, is not in possession of full particulars or indeed any statement as to these claims."

I have no assurance the Embassy is any better informed today than it was in August, 1911.

Further, the whole object of P.C. 305, as it states, was, "that a claim for the share of these Canadian Pottawatamie

4.

"Indians in the moneys due the Tribe under the Treaty referred to should be presented to the United States Government in order that it may be included in the Second Schedule to the Pecuniary Claims Agreement of the 10th August, 1910."

The object of the present petition is either payment of the claim, or its reference to the Court of Claims of the United States, for adjudication.

On 15th August, 1916, the Deputy Minister of Justice wrote me referring to the case, - "It is I think hopeless to attempt to do anything so far as concerns the International Arbitration."

Under the above circumstances, as solicitor for these claimants, you may understand I raise a very considerable objection to the petition on behalf of these claimants, going forward under aegis of this Order in Council of 12th February, 1912, and most certainly desire that a further one should be passed, which would accurately set out the claims and the object of the petition.

As I mentioned to you in a former communication on the subject, I would suggest some collaboration in the drafting of such new Order in Council.

Hoping for your sympathetic consideration of these views.

Faithfully yours,

A. G. Chisholm,

864/3.

156610

21st March, 1919.

Dear Mr. Newcombe,

I am enclosing herein copy of the original Order in Council filing the Pottawattamie claims under the Pecuniary Claims Agreement of the 18th August, 1910. Mr. Chisholm, who is preparing this claim, does not consider that the said Order in Council is satisfactory. His objections are set forth in his letter of the 8th ultimo, a copy of which is enclosed herein. In pursuance of this letter the Department asked Mr. Chisholm to prepare what he considered would be a satisfactory memorandum to Council.

enc.

asw.

I am enclosing herein the draft memorandum to Council as suggested and prepared by Mr. Chisholm, and would be glad to have your views as to whether it is satisfactory. I may say that it impresses me as being altogether too long, and, if you concur in this view, I would be glad to have you strike out such parts as can be properly omitted. The facts set forth in this proposed memorandum to Council seem to be at variance with what is set forth in the Order-in-Council of the 12th February, 1912, and I presume that the latter should be rescinded rather than amended.

Yours very truly,

oc

D. C. [Signature]

Deputy Superintendent and General.

E. L. Newcombe, Esq., C.M.G., K.C., LL.D.,

Deputy Minister of Justice,

Ottawa.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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CANADA

copy-156610

P.C. 305.

Certified copy of a Report of the Committee of the Privy Council, approved by His Royal Highness the Governor General on the 12th February, 1912.

The Committee of the Privy Council have had before them a report, dated 5th February, 1912, from the Secretary of State for External Affairs, submitting - with reference to the Minute of Council of the 2nd December, 1911, on the subject of a claim which certain Pottawatamie Indians residing in Canada are prosecuting against the United States Government for arrears of annuity money - that it would appear that under a Treaty between the United States Government and the Pottawatamie Indians known as the Chicago Treaty, the Indians sold a large quantity of land to the United States and were removed to land situate west of the Mississippi River, but that finding the land swampy and devoid of game, they returned to their old homes and being compelled to leave again a number of them fled to Canada where they have since resided.

The Minister observes that Your Royal Highness' Advisers are of opinion that a claim for the share of these Canadian Pottawatamie Indians in the moneys due the tribe under the treaty referred to should be presented to the United States Government in order that it may be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910.

The Minister understands that His Majesty's Ambassador at Washington has sufficient information in regard to this claim to enable him to take the necessary action.

The Committee, on the recommendation of the Secretary of State for External Affairs, advise that Your Royal Highness may be pleased to transmit a copy hereof to His Majesty's Ambassador at Washington, with a request that the claim may be presented to the United States Government for settlement under the Agreement referred to.

All of which is respectfully submitted for approval.

Rodolphe Boudreau,

R.B.

Clerk of the Privy Council.

The Honourable

The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156610

EXD
Ottawa, March 24, 1919.

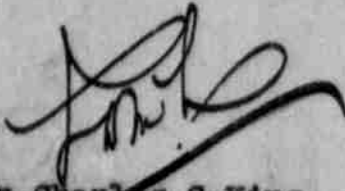
Sir,-

In reply to your letter of the 8th instant, I beg to say that Mr. Chisholm has entered into a contract with the Department for prosecution of claim against the United States Government on behalf of the Canadian Branch of the Pottawotamies of Wisconsin, and, according to this contract, if he succeeds he will be entitled to whatever sum the Court thinks proper to allow him; he will not be entitled to the one-third. Of course the Indians are not bound to contribute anything in the way of fees but those who are interested in the matter will no doubt be willing to make this small contribution to enable Mr. Chisholm to begin the prosecution of the claim.

Your obedient servant,

J. D. McLean

Asst. Deputy and Secretary.


Mr. Charles S. King,
Wiwemikong, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

A. G. CHISHOLM
Barrister, Solicitor, &c.

79 DUNDAS STREET.

UPSTAIRS

MAR 31 1919

London, Canada, March 27th. 1919.

521821

Duncan C. Scott Esq.

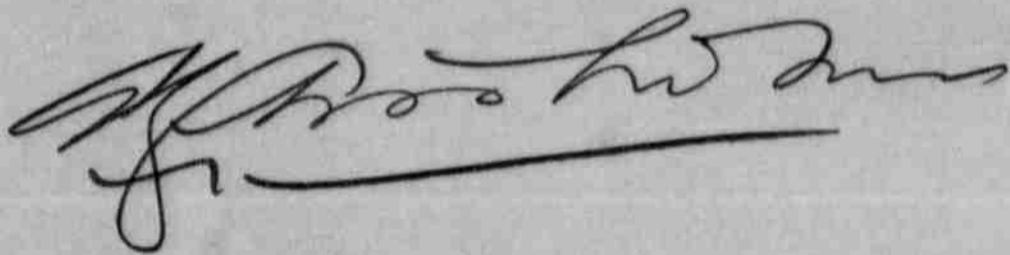
Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Sir/ re Pottawatamies - 156,610-

I have not heard from you with your views regarding the draft report and O. in C. I sent you in this matter on the 1st. instant. I would be pleased to have your opinion and any news you may be able to furnish me, as to what progress is being made regarding the passage of the Order in Council.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

156610

March 28, 1919.

Dear Mr. Chishelm -

I have your letter of the 27th inst., regarding the Pottawatamie Order in Council.

I have referred this matter to the Department of Justice where it is under consideration at present.

Yours very truly

Duncan Chishelm

Deputy Superintendent General.

bed
A. G. Chishelm, Esq.,
Barrister, Solicitor, &c.,
London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

LAW OFFICE
OF
A. G. CHISHOLM
DUNDAS STREET.

London, Ont., December, 1918.

Dear Sir or Madam:

Arrangements have now been completed between the Department of Indian Affairs, Ottawa, on behalf of the Government of Canada, and myself, whereby the claim of the descendants of the Pottawatamies of Wisconsin resident in this country, referred to more particularly in my circular letter dated August 15th, 1918, copy of which was mailed you, will be vigorously pressed for an early settlement; and in furtherance of our own efforts for payment of the claim, the Superintendent General has agreed to recommend the Canadian Government pass an Order-in-Council directing that diplomatic or other proper means be taken at Washington for this purpose.

In consideration of this action of the Government, I have agreed to forego the compensation agreed on in the Contract signed by you with myself, to be paid me by you in the event of the recovery of the claim, and have agreed with the Indian Department, such compensation shall be fixed, according to circumstances, by either the Court of Claims at Washington, or the Exchequer Court of Canada. By a further provision of the Agreement with the Indian Department, the Canadian claimants are to be assessed not more than \$2.00 per head, for the purpose of providing for disbursements in connection with the prosecution of the claim, and of this amount you are now asked to provide \$1.00 for each claimant (wife or child and yourself) represented by you. While no claimant will be prejudiced by non-payment, as a large sum will be immediately required to properly forward the matter, it must be recognized by all concerned, any lack of adequate and prompt response to this assessment, must prove a serious impediment to prosecution of the claim.

Please, therefore, at your early convenience tear off the attached slip and remit me the amount proper to be paid by you as above stated. Doubtless changes have taken place in the roll of claimants now in my possession, since the same was made up. The attached slip is correct, according to information at the time mentioned. You can notify me of any such changes, or of the names of additional claimants, on the attached slip and the same will receive attention. Hoping the above will have your approval.

Respectfully,

A. G. CHISHOLM,

SOLICITOR FOR CANADIAN BRANCH POTTAWATAMIES OF WISCONSIN.

P. O.

Dated

A. G. CHISHOLM,
Barrister, etc.,
London, Ont.

Dear Sir:

I have received your circular of December, 1918, regarding the claim of the Pottawatamies of Wisconsin against the United States. I enclose you the sum of \$ 1.00 assessed against me for the purpose of providing disbursements in connection with the prosecution of the claim. Said amount represents \$1.00 for each of the following persons:

	Name	Post Office	Amount
1	Mrs. Sophia Shawon	Cape Croker	1.00
2			
3			
4			
5			
6			
7			
8			
9			
10			

Respectfully,

Sign name here

Add Post Office

NOTE.—If the names of your children or wards on behalf of whom you claim, are not mentioned above, fill in their names and add \$1.00 for each name so filled in. If any of the above-mentioned parties are dead, mark "Dead" opposite such name and do not send \$1.00 for such party. Claimants not already listed, may have their names added by inserting them above. Please remit by Express or Money Order or Postal Note.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

Cape Croker, Ont. 25th April
1919

156610



W

523126

Dear Sir,

I enclose a letter
(circular) from Mr. A. G.
Chisholm, sent to Mrs
Sophie Shawson. He sent
lots of those circulars in all
the Indian Reserves.

Will you be kind
enough to let me know
if it is true that the Indian
Department has made some
arrangements with him
so to help him to have
those Stouatoums receive
their money? So to know

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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myself in not advice to give to
my people about the matter

Thanking in advance

Sincerely yours,
J. C. Labstog

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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CANADA

156610

M

FILE

April 29th. 1919.

Dear Father Cadot,

I have your letter of the 25th. instant regarding the Pottawatamie claim, and in reply I would state that Mr. Chisholm has entered into a contract with the Department for the prosecution of a claim against the United States Government on behalf of the Canadian Branch of the Pottawatamies of Wisconsin. The Indians are not bound to contribute anything in the way of fees, but those who are interested in the matter will, no doubt, be willing to make a small contribution to enable Mr. Chisholm to begin the prosecution of the claim.

ASM
del

Yours very truly,

Superintendent General.

Rev. J. C. Cadot, S.J.,

Cape Croker,

Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

The Committee of the Privy Council have had before them a report, dated.....1919, from the Superintendent General of Indian Affairs on the subject of a claim which certain Pottawatamie Indians residing in Canada are prosecuting against the United States Government for their proportionate share of moneys of which they allege that Government without warrant of law deprived the Indians known as the stray Bands of Pottawotamie Indians of Wisconsin, and in which moneys said Canadian Pottawotamie Indians claiming to be descendants of said Pottawotamie Indians of Wisconsin, assert a right to share.

The Superintendent General observes that as a result of an investigation directed by the Congress of the United States into these claims, the Secretary of the Interior of the United States, under date of April 1st, 1908, reported to the Speaker of the House of Representatives, of the United States, that the proportionate shares of the Wisconsin Pottawotamies in the Tribal funds and annuities not received by them was the sum of \$1,964,565.87, and that from the enrollment of said Wisconsin Pottawotamies in the United States and Canada carried out as directed by Congress, these Indians numbered in 1908, 2007 souls, of whom 1550 resided in Canada, and that by a subsequent enrollment dated January 18th, 1908, the names of 127 additional claimants residing in Canada, were added to this roll.

The Superintendent General further observes that the Office of Indian Affairs at Washington states that the Congress of the United States has from time

to time made various appropriations in settlement of the branch of said Wisconsin Pottawotamies residing in the United States, but has taken no action whatever concerning the claim of the three quarters of these refugee Indians residing in Canada: that in 1918, a further appropriation of \$75,000.00, was made by the Congress of the United States in partial settlement of the remainder of the amount due said branch residing in the United States.

The Superintendent General further observes that he has had under consideration a petition on behalf of the Canadian Branch of said Pottawotamie Indians of Wisconsin, prepared by the Solicitor for these Indians asking the Government of the United States to pay them a proportionate share of the moneys reported to the Congress of the United States to be due the Pottawotamies of Wisconsin, or that said Canadian Branch be allowed to prosecute their claim therefor before the Court of Claims of the United States; which petition said Solicitor requests to be presented to the United States Government, and said Solicitor has asked this Government to assist in the forwarding of the objects of this petition at Washington.

The Committee, on the recommendation of the Superintendent General of Indian Affairs, advise that your Excellency may be pleased to transmit said Petition, with a copy of this order in Council and the Report of the Superintendent General dated the.....1919, to His Majesty's Ambassador at Washington, with a request that the same may be presented to the Government

of the United States for its consideration.

The Committee would further recommend that your Excellency empower the Superintendent General to state that the Government of Canada, in the event of the Government of the United States agreeing to pay said Canadian Branch of said Pottawotamies of Wisconsin, a proportionate share of the amount due the Pottawotamies of Wisconsin, by the United States, and paying the same to Canada, will administer the same for the exclusive benefit of those individuals of said Canadian Branch of said Pottawotamie Indians of Wisconsin, as may be found entitled to share therein, *subject to payment of such amount as may be found due by said Indians for legal services.*

The Committee would further recommend that your Excellency would direct that the Department of Indian Affairs be instructed to render such assistance as possible in furthering the prosecution of this claim at Washington and that a copy of this Order in Council and the Report of the Superintendent General dated the.....1919, be handed the Solicitor for said Canadian Branch of the Pottawotamies of Wisconsin and that he be advised to place himself in communication with the British Embassy at Washington regarding the conduct of the matter before the Government of the United States.

Draft.
Memorandum prepared
by Mr. C. C. Johnson 1.

The Superintendent General of Indian Affairs begs to report that he has had under consideration the claim of the Indians residing in Canada who claim to be descendants of certain Pottawotamie Indians at one time residing in the States of Wisconsin and Michigan, but who being required by the United States to remove west of the Mississippi River in or before the year 1838, refused to go, and fled to this Country where their descendants, numbering now some 2000 souls reside, scattered among different bands of Chippewa Indians in the Province of Ontario.

These Indians and their brethren still remaining in the States of Wisconsin and Michigan are known in the United States as the stray Bands of Pottawotamies of Wisconsin, who for many years asserted ^{that} the Government of the United States had without warrant of law, deprived them of their share of the annuities and trust funds, which should have been paid them as a constituent part of the United Pottawotamie Nation in the United States.

As a result of an investigation directed by the Congress of the United States into these claims, the Secretary of the Interior of the United States, under date of April 1st, 1908, reported to the Speaker of the House of Representatives, of the United States, that the proportionate shares of the Wisconsin Pottawotamies in the tribal funds and annuities not received by them was the sum of \$1,964,565.87, and that from the enrollment of the Wisconsin Pottawotamies in the United States and Canada, carried out as directed by Congress, these Indians numbered in 1908, 2007 souls

of whom 1550 resided in Canada. Subsequently, under date of January 18th, 1908, the names of 127 additional claimants residing in Canada were added to this roll.

The descendants of these Pottawotamies in Canada had retained a Solicitor in this country and associated with him an Attorney at Washington in the endeavor to have their right to a distributive share of the amount said to be due them by the United States, determined by the Court of Claims of the United States, and the attention of this Government being directed to the matter it was made the subject of a Minute of Council on the 2nd December, 1911, and the Committee of the Privy Council on a report from the Secretary of State for External Affairs, dated 5th February, 1912, by a report approved by His Royal Highness the Governor General on 12th February, 1912, directed that a claim for the share of these Canadian Pottawotamie Indians in the moneys due the tribe by the United States should be presented to the United States Government in order that it might be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910, and on the recommendation of the Secretary of State for External Affairs advised His Royal Highness might be pleased to transmit a copy of said claims to His Majesty's Ambassador at Washington, with a request that the same might be presented to the United States Government for settlement under the Agreement referred to.

Owing to the outbreak of War in 1914, the sittings of the Pecuniary Claims Commission for the transaction of its business ceased, and when these sittings will be resumed, if ever, is problematical.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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Under date of June 19th, 1917, the Solicitor for these Canadian Pottawotamie Indians was advised by the Office of Indian Affairs at Washington, ^{that} the Congress of the United States "has from time to time made various appropriations in settlement of the amount found due the Branch residing in the United States, but has taken no action whatever concerning the claim of the three quarters of these refugee Indians residing in Canada". In 1918, a further appropriation of \$75,000.00 was made by the Congress of the United States in partial settlement of the remainder of the amount due said Branch residing in the United States.

A petition on behalf of "the three quarters of these refugee Indians residing in Canada", shortly setting out the facts of the case was prepared by the Solicitor for these Indians, addressed to the Honourable the Secretary of the Interior of the United States, and submitted by said Solicitor for approval of the Department of Indian Affairs in this Country, with a request that the same might be forwarded to the Government of the United States through the British Ambassador at Washington and which Petition "prayed said Canadian Branch of said Pottawotamie Indians might be paid their proportionate share of the amount of \$1,964,565.87, or that in case they were not paid such proportionate share or their right to be paid the same ~~amount~~ ^{was not} acknowledged by the United States, said Canadian Branch of said Indians might be enabled to prosecute their claim therefor, before the Court of Claims of the United States, with the right of appeal to either party to the Supreme Court of the United States, and that in such event proper steps might be had and taken for that purpose".

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Said Petition further prayed that in the event of the United States paying said Canadian Branch of said Indians such proportionate share, the same should be made to the Government of Canada to be administered by it as ^{agreed} ~~agreed~~ for the benefit of the individuals composing said Canadian Branch of said Pottawotamie Indians of Wisconsin.

The Superintendent General reports that in connection with the Petition referred to he has made a very careful investigation into the facts of the claim of these Indians and has determined to give his approval to said Petition and request of said Solicitor and an agreement for the conduct of the furtherance of the same and its objects has been executed by himself and said Solicitor.

The Superintendent General has to observe regarding this claim that it arose out of treaty obligations entered into by the United States with the Pottawotamie Indians, before the ancestors of the Canadian Branch of said Indians took refuge in Canada, and that there would appear no reason why payments made by the United States to these Indians still residing in that Country in settlement of their proportion of the amount due by the United States to the Pottawotamies of Wisconsin, should not have been equally made to the Canadian Branch of these Indians, save that the latter have made their homes in this Country for some years past.

The Superintendent General observes that the President of the United States in his address of 4th July, 1918, enunciated four great principles for which

the allied nations were fighting, among them:-

"3/ The consent of all nations to be governed in their conduct towards each other by the same principles of honor and of respect for the common law of civilized society that governs the individual citizens of all modern states in their relations with one another, to the end that all promises and covenants may be sacredly observed - - - and a mutual trust established on the handsome foundation of mutual respect for right".

The Superintendent General expresses the belief that in the application of the principles mentioned and upon consideration of the facts regarding this claim the Government of the United States will conclude there is no reason ^{that} their residence in Canada should be a cause for not according to the Canadian Branch of the Pottawotamies of Wisconsin equality of treatment with their brethren forming the United States Branch of said Indians, in payment of a proportionate share of the moneys due the Pottawotamies of Wisconsin by the United States.

The Superintendent General would recommend, ^{that} he be authorized to state that the Government of Canada, in the event of the Government of the United States agreeing to pay said ^{Canadian} Branch of said Pottawotamies of Wisconsin, such proportionate share of the amount due the Pottawotamies of Wisconsin by the United States, and paying the same to Canada, will administer the same for the exclusive benefit of those individuals of said Canadian Branch of said Pottawotamie Indians of Wisconsin, as may

be found entitled to a share therein, *Subject to payment of such amount as may be found due by said Indians for legal services -*

The Superintendent General recommends that a copy of said petition with a copy of this report and Order in Council be forwarded to the British Ambassador at Washington for presentation to the Government of the United States on behalf of the individuals forming the Canadian Branch of said Pottawotamies of Wisconsin, as expressing the views of the Canadian Government regarding their claims referred to, and that the British Ambassador be asked to urge the same on the attention of the Government of the United States.

The Superintendent General would also recommend that the Department of Indian Affairs be empowered to render such assistance as possible in furthering the prosecution of this claim at Washington and that a copy of this report and Order in Council thereon be furnished the Solicitor for said Canadian Branch of the Pottawotamies of Wisconsin and that he be advised to place himself in communication with the British Embassy at Washington regarding the conduct of the matter before the Government of the United States.

Ottawa May 3rd. 1919.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to submit herewith a petition from certain Pottawatamie Indians residing in Canada setting forth a claim against the Government of the United States for arrears of annuity money under certain treaties between that Government and the said tribe of Indians, including the treaty known as the Chicago Treaty. It is to be observed that in an order of the Governor in Council bearing date the 12th day of February, 1912, it is narrated that under a treaty with the United States known as the Chicago Treaty the said tribe of Indians sold a large quantity of land and were removed to land situate west of the Mississippi River but that finding the land swampy and devoid of game they returned to their old homes, and being compelled to leave again a number of them fled to Canada where they have continued to reside, and it was by the said order directed that a claim for the share of these Canadian Pottawatamie Indians in the moneys due the tribe under the said Chicago treaty should be presented to the United States Government in order that it might be included in the second schedule to the Pecuniary Claims Agreement of the 13th August, 1910. In accordance with the recommendation therein contained a copy of this order was transmitted to His Majesty's Ambassador at Washington with a request that the claim might.....

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might be presented to the United States Government for determination under the said Pecuniary Claims Agreement. It would appear from the said Petition herewith that the claim as described by the order in Council and as transmitted to Washington is inadequately stated inasmuch as the rights of the Indians are based not on the Chicago treaty alone but also upon fifteen other treaties, under all of which they base their claim for relief.

The undersigned has therefore the honour to recommend that a copy of the order based upon this recommendation, if approved, together with the said petition be transmitted to His Majesty's Ambassador at Washington with a request that the claim as now put forward may be presented to the Government of the United States for determination under the said Pecuniary Claims Agreement, or if that course be not feasible, that the petition be referred to the Court of Claims of the United States or to some other appropriate tribunal for adjudication, the claim as now made to be in substitution of the one set out in the said order of the Governor in Council of the 12th February, 1912.

Superintendent General of
Indian Affairs.

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156610

DEPT. OF INDIAN AFFAIRS
MAY 7 1919
RECORDS

J.C.

THE DEPT. OF INDIAN AFFAIRS
MINISTER OF JUSTICE

Ottawa, May 2nd, 1919.

Handwritten notes:
1864-3
Mr. [unclear]
[unclear]

523630

Dear Mr. Scott,

"ENC"

Replying to your letter of the 21st ultimo upon the subject of the Pottawatamie claims, I have the honour to submit herewith draft of a report to Council which I think will meet the requirements of the case. I suggest that Mr. Chisholm be asked to prepare a petition fully setting forth the claims of the Indians and to sign the same on their behalf, in order that it may be sent to Council with the report and then be forwarded to the ~~Embassy~~^{British} Embassy at Washington. It might be well to send him a copy of the proposed report to Council so that he may have the same before him when preparing the petition.

Papers returned.

Yours truly,

E. Hewson

Deputy Minister of Justice.

Duncan C. Scott, Esq.,
Deputy Superintendent General,
Department of Indian Affairs,
O t t a w a.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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Mr. Williams
You will see report
Mr. Chisholm
in the letter of which
there is a copy & his
draft is in enclosure

17/9/19
17/9/19

13th May. 1919.

Dear Mr. Chisholm,

re Pottawatamies.

See.

Your letter of the 8th February last setting forth reasons why the Order in Council of the 12th February, 1912, in the above matter was not considered sufficient, and your draft report to Council were forwarded to the Deputy Minister of Justice for his view as to whether this draft would be satisfactory to him. I am enclosing herein a copy of a draft report to Council, as revised by the Deputy Minister of Justice, which it is proposed to send to Council with your Petition on behalf of these Indians. I would be glad to know whether this appears to you to be satisfactory and in accord with the Petition.

Yours truly,

A. G. Chisholm, Esq.,
Barrister, Solicitor, etc.,
Dundas St.,
London, Ont.

Deputy Superintendent General.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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May 3rd,

9.

TO HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

The undersigned has the honour to submit
4th August 1911 *The Solicitor Gen*
herewith a petition from certain Pottawatamie Indians
residing in Canada setting forth a claim against the
Government of the United States for arrears of annuity
money under certain treaties between that Government
and the said tribe of Indians, including the treaty
known as the Chicago Treaty. It is to be observed that
in an Order of the Governor in Council bearing date the
12th day of February, 1912, it is narrated that under
a treaty with the United States known as the Chicago
Treaty the said tribe of Indians sold a large quantity
of land and were removed to land situate west of the
Mississippi River but that finding the land swampy
and devoid of game they returned to their old homes,
and being compelled to leave again a number of them fled
to Canada where they have continued to reside, and it
was by the said Order directed that a claim for the
share of these Canadian Pottawatamie Indians in the
moneys due the tribe under the said Chicago treaty should
be presented to the United States Government in order
that it might be included in the second schedule to the
Recuniary Claims Agreement of the 18th August, 1910.
In accordance with the recommendation therein contained
a copy of this order was transmitted to His Majesty's
Ambassador at Washington with a request that the claim
might.....

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might be presented to the United States Government for determination under the said Pecuniary Claims Agreement. It would appear from the said petition herewith that the claim as described by the order in Council and as transmitted to Washington is inadequately stated inasmuch as the rights of the Indians are based not on the Chicago treaty alone but also upon fifteen other treaties, under all of which they base their claim for relief.

The undersigned has therefore the honour to recommend that a copy of the Order based upon this recommendation, if approved, together with the said petition, be transmitted to His Majesty's Ambassador at Washington with a request that the claim as now put forward may be presented to the Government of the United States for determination under the said Pecuniary Claims Agreement, or, if that course be not feasible, that the petition be referred to the Court of Claims of the United States or to some other appropriate tribunal for adjudication, the claim as now made to be in substitution of the one set out in the said order of the Governor in Council of the 12th February, 1912.

The undersigned would further recommend that the original petition be returned to the Dept. of Indian Affairs and that the certified copy, which is now submitted herewith, be kept of record in the Policy Council office.

Superintendent General of
Indian Affairs.



DEPARTMENT OF INDIAN AFFAIRS
CANADA

OFFICE OF THE
DEPUTY SUPERINTENDENT GENERAL
OTTAWA

13th May, 1919.

Dear Mr. Chisholm,

re Pottawatamies.

Your letter of the 8th February last setting forth reasons why the Order in Council of the 12th February, 1912, in the above matter was not considered sufficient, and your draft report to Council were forwarded to the Deputy Minister of Justice for his view as to whether this draft would be satisfactory to him. I am enclosing herein a copy of a draft report to Council, as revised by the Deputy Minister of Justice, which it is proposed to send to Council with your Petition on behalf of these Indians. I would be glad to know whether this appears to you to be satisfactory and in accord with the Petition.

Yours truly,

A. G. Chisholm, Esq.,
Barrister, Solicitor, etc.,
Dundas St.,
London, Ont.

Deputy Superintendent General.

*As approved
17/19/19
Petition - you are
to send to Council
at Ottawa
one?*

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

Ottawa, October 3, 1919.

His Excellency

The Governor General in Council.

The undersigned has the honour to submit herewith a petition of 8th August, 1918, from the Solicitor for certain Pottawatamie Indians residing in Canada, setting forth a claim against the Government of the United States for arrears of annuity money under certain treaties between that Government and the said tribe of Indians, including the treaty known as the Chicago Treaty. It is to be observed that in an Order of the Governor in Council bearing date the 12th day of February, 1912, it is narrated that under a treaty with the United States known as the Chicago Treaty the said tribe of Indians sold a large quantity of land and were removed to land situate west of the Mississippi River but that finding the land swampy and devoid of game they returned to their old homes, and being compelled to leave again a number of them fled to Canada where they have continued to reside, and it was by the said Order directed that a claim for the share of these Canadian Pottawatamie Indians in the moneys due the tribe under the said Chicago treaty should be presented to the United States Government in order that it might be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910. In accordance with the recommendation therein contained a copy of this order was transmitted to His Majesty's Ambassador at Washington with a request that the claim might be presented to the United States Government for determination under the said Pecuniary Claims Agreement. It would appear from the

ord
aw.

the said Petition herewith that the claim as described by the Order in Council and as transmitted to Washington is inadequately stated inasmuch as the rights of the Indians are based not on the Chicago treaty alone but also upon fifteen other treaties, under all of which they base their claim for relief.

The undersigned has therefore the honour to recommend that a copy of the Order based upon this recommendation, if approved, together with the said petition, be transmitted to His Majesty's Ambassador at Washington with a request that the claim as now put forward may be presented to the Government of the United States for determination under the said Pecuniary Claims Agreement, or, if that course be not feasible, that the petition be referred to the Court of Claims of the United States or to some other appropriate tribunal for adjudication, the claim as now made to be in substitution of the one set out in the said Order of the Governor in Council of the 12th February, 1912.

The undersigned would further recommend that the original petition herewith be returned to the Department of Indian Affairs and that the certified copy which is also submitted herewith be kept of record in the Privy Council Office.

St. Lawrence Macpherson
Superintendent General
of Indian Affairs.

*all.
H. B. 11
P.C. 15
15*

The report to Council attached hereto refers to a claim against the United States Government by certain Indians residing in Canada who claim to be descendants of certain Pottawatamie Indians at one time residing in the States of Wisconsin and Michigan, but, who being required by the United States Government to remove West of the Mississippi River in or before the year 1838, refused to go and fled to this Country where their descendants, numbering nearly 2000 souls reside, scattered among different bands of Chippewa Indians in the Province of Ontario.

These Indians and their brethren still remaining in the States of Wisconsin and Michigan have for many years asserted that the Government of the United States had without warrant of law deprived them of their share of the annuities and trust funds, which should have been paid them as a constituent part of the United Pottawatamie Nation in the United States.

The proportionate share of the Wisconsin Pottawatamies in the tribal funds and annuities not received by them was estimated in 1908 by the Secretary of the Interior of the United States at \$1,964,565.87, and from the enrolment of the Wisconsin Pottawatamies in the United States and Canada carried out as directed by Congress, these Indians in the said year numbered 2007 souls, of whom 1550 resided in Canada.

1911
The Pottawatamies in Canada have retained a Solicitor in this Country and associated with him an Attorney at Washington in the endeavour to have their claims adjusted by the Court of Claims of the United States, and the attention of this Government being directed to the matter it was made the subject of Minute of Council on the 2nd December, 1911, and on a report from the Secretary of State for External Affairs an Order in Council was passed on the 12th February, 1912, advising that His Royal Highness might be pleased to transmit a copy thereof to His Majesty's Ambassador at Washington, with a request that the claim might be presented to the United States Government for settlement in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910.

ass.
Owing to the outbreak of the war in 1914, the sittings of the Pecuniary Claims Commission for the transaction of its business ceased for the time being.

It is now proposed to take this matter up with the Government of the United States for determination under the Pecuniary Claims Agreement, or other appropriate tribunal for adjudication, substituting this proposed Order in Council for the Order in Council dated the 12th February, 1912, which is considered to be inadequate.

An agreement has been entered into between Mr. Chisholm

of

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of London, the Solicitor for the Canadian Pottawatamies and the Deputy Superintendent General, by which every effort is to be made by the said Solicitor to have any fund recovered, paid to the Government of Canada for distribution among those entitled and by which the Solicitor's Will, if not determined by the Court of Claims, is to be determined by the Deputy Minister of Justice at Ottawa. This agreement with Mr. Chisholm was passed upon and approved by the Department of Justice and the memorandum herewith to be submitted to Council was also prepared by the Department of Justice.

Ottawa, 6th October, 1919.

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(COPY)

August 30th. 1919.

Southampton Ont.

Mr. A. G. Chishelm

Barrister & Co.

London

Dear Sir/

This is to inform you that Rev. Mr. Morstad, Laona, Wis. U.S.A. was around here talking to some of the Pettawatamies telling them to get the American lawyers to prosecute their claim and that they would not ask for no money till they get the money that they were trying to get. Most of the Indians are away in the Flax fields but will all soon be back in couple of weeks or so. I just thought you ought to know this.

I remain your friend

sd. H. W. Madwayosh
Chippewa Hill Ont.

Southampton Ont.
Sept. 12th. 1919.

Mr. A. G. Chishelm

Barrister & Co. London

Dear Sir/

This is to inform you that Kappler & Merillat, Attor neys & Co. were with Mr. Morristed, visiting the Indians at the Flaxfields and succeeded in getting the Indians to act for them, instead of you. and telling them you was not doing anything in at all, that is in getting these claims settled, and that you have been too long about it and your charge is to much, that they were only asking 15% so they rented some hall at Draughton and had meeting and pass resolution that they no longer hire you. But to hire them instead, so they have gone to some other reserves to visit the Indians, so this is all what Mr. J. B. Kewakeshig was telling me last night. It seems that Rev. Crowe is doing his best to get the Indians to hire these lawyers.

I am yours truly

sd. H. W. Madwayosh

P. S. I did not know these lawyers were with Rev. Morristed till last night when I saw J. B. Kewakeshig.

H. W. M.

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A. G. CHISHOLM
Barrister, Solicitor, &c.

(COPY)

London, Canada, Sept. 1st. 1919.

Messrs. Kappler & Merrillat

Attorneys &c.

Continental Trust Building

Washington D. C.

Dear Sirs/ re Pottawatamies.

I, am advised by clients that Mr. Morstad has been visiting some of the above people again urging them to place their claim in your hands. I should not like to think in view of the representations I made to yourselves and Mr. Morstad, under date of March 29th. last, that you are privy to these activities, which under the circumstances are to be deprecated. Nothing can be gained just now by interfering with the well considered arrangement made by the Canadian Government in this matter, and which will be faithfully pursued. With your experience in such matters, I need only mention to you, that the time for carrying these out has to be adjusted by the several interests, and I hope to be able very shortly through a personal visit to take this case up with you, but for the reasons mentioned my previous expectation of seeing you at an earlier date has been frustrated.

Faithfully yours

sd. A. G. Chisholm

To this letter, no reply has yet been received.

A. G. C.

A. G. CHISHOLM
 Barrister, Solicitor, &c.

(COPY)

CANADIAN BANK OF COMMERCE CHAMBERS
 CORNER DUNDAS AND RICHMOND STS.

London, Canada, April 7th. 1919.

Charles J. Kappler Esq.

Attorney &c.

Washington D. C.

Dear Sir/ re Pottawatamie claims.

I have the joint letter from yourself and Mr. Merrillat in the above matter dated 2nd. instant.

An agreement has been made between myself and the Canadian Government in this matter, under which a certain course of proceedings has to be gone through for the purpose of forwarding the claim, and till these are accomplished it is not my intention to complete arrangements with any attorney at Washington, for representation there. These proceedings should however be completed and the result known, within the next two months, and I expect to be in Washington before the expiry of that period.

I am quite aware of the valuable services yourself and Mr. Merrillat have rendered the American Pottawatamies, in connection with these claims, and as mentioned to Mr. Morstad it was my full intention to discuss with you, the case of the Canadian claimants. Pending the above though, the matter must stand for a time.

Faithfully yours

sd. A. G. Chisholm

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(Copy)

Law Offices of
Charles J. Kappler
Attorney and Counsellor at law,
Continental Trust Building.

Washington D. C. April 2 1919.

A. G. Chishelm Esq.

Barrister, Solicitor,

London Canada

Dear Sir/

We beg to acknowledge receipt of your letter of March 29th. , enclosing one you addressed to Rev. Mr. Merstad in reference to the claim of the Pottawatamie Indians of Wisconsin residing in Canada.

The Rev. Mr. Merstad has cooperated with us in securing the rights of the Wisconsin Band of Pottawatamies and we naturally wrote him in regard to the Canadian Pottawatamies, as he has visited them and assisted in making an enrollment of said Canadian Pottawatamies.

We would be pleased to cooperate with you in establishing the rights of the Canadian Pottawatamies. As you are no doubt ~~surely~~ familiar with our work for the Wisconsin Band of Pottawatamies it is unnecessary to dwell thereon. Our experience and labors in that case qualify us to undertake the case of the Canadian Pottawatamies, and as we are on the ground where the most important part of the work must be performed, we can save you and the Indians considerable expense money.

Please advise when you expect to be in Washington. If your visit is not to be presently we suggest that we make arrangements by correspondence, and in that event kindly send us copy of your Power of Attorney and Contract with the individual Indians, and copies of such other papers bearing on the subject.

Yours very truly

sd. Charles J. Kappler

sd. Chas. H. Merrillat

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A. CHISHOLM
Barr^r. & Solicitor, &c.

(COPY)

London, Canada, March 29th, 1919.

Rev. E. O. Morstad
Laona Wis. U. S. A.

Dear Sir/

Mr. J. J. Milliken of Kettle Point, Lambton County, has sent me your letter to him addressed, " Dear Friends at Kettle Point &c" of March 22nd. 1919, together with letters from Messrs. Kappler & Merillat, Attorneys, at Washington, dated March 5th. 1919. regarding the claim of certain Indians resident in Canada, to share in the moneys due the Pottawatamies of Wisconsin by the United States, and you advise the Canadian Indians to retain Messrs. Kappler & Merillat as their attorneys, to represent them in the matter at Washington.

Permit me for your information, to state that these Indians in Canada some time ago retained me to act for them regarding this claim, and that I hold duly authenticated powers of attorney for this purpose, from some two thousand and over, of these claimants, qualifying me to appoint an attorney at Washington to represent them.

Further, arrangements have been completed between the Canadian Government and myself, for the conduct of the matter at Washington, and the active assistance of the Canadian Government is pledged for its furtherance before the United States authorities, at the American Capital.

I expect to visit Washington in this connection in the near future and hope to complete arrangements for associating with me there, some attorney. I might say that as my old associate and friend, the late W. H. Robeson, is now dead, it was my full intention to call on Messrs. Kappler & Merillat and discuss the matter with them.

I might add, that I am quite familiar with the course of business in such matters at Washington, and have visited that city in such connection a number of times. I think probably I am the only Canadian lawyer, who has had by the great courtesy of the Court, the privilege of pleading a case before the Court of Claims.

I might say further, that I possess a full knowledge of the matters in question regarding this claim, and that claimants' members of the Pottawatamies of Wisconsin resident in Canada, need have no apprehension on this point.

It will be quite unnecessary for you under these circumstances, to further press on the Canadian Pottawatamies the advisability of retaining any other solicitor to represent them in this matter.

I am forwarding a copy of this letter to Messrs. Kappler & Merillat.

Faithfully yours

sd. A. G. Chisholm

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

156610

CANADIAN BANK OF COMMERCE CHAMBERS
CORNER DUNDAS AND RICHMOND STS.

A. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, Oct. 6th, 1919.

DEPT. OF INDIAN AFFAIRS
OCT 8 1919
RECORDS

530736

Mr. Williams

D. C. Scott Esq.

Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott/

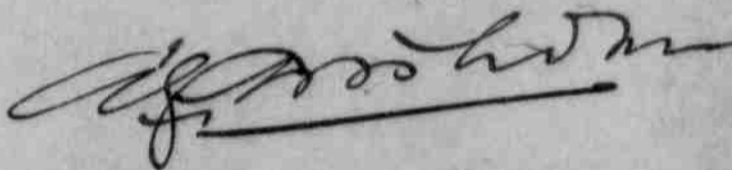
re Pottawatamies.

I enclose you copies of correspondence in this matter for your information, from which you will perceive the situation I am placed in through the delay in having Order in Council passed forwarding the petition to Washington. I say nothing about the action of these American lawyers, for they must answer for their actions themselves, but every day the Department delays the matter, simply makes it the more difficult for me to handle it at Washington, in accordance with the terms of the Agreement between yourself and me.

I wish to get to Washington as soon as possible and complete arrangements there, and hope you will now do everything possible to facilitate their favourable conclusion. Kindly write me.

In this connection, as I will require a considerable sum of money there, I would appreciate the issue of cheque in my favour for balance due on taxed costs, re Six Nations, of \$450.00.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA



CANADIAN PACIFIC R'Y. CO.'S TELEGRAPH
TELEGRAM

FORM T. G. 1

CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

J. McMILLAN, Manager Telegraphs, Montreal

109 RNN 56 RUSH

LONDON ONT OCT 14-19

DUNCAN C SCOTT SQ

DEPUTY SUPT GENERAL INDIAN AFFAIRS OTTAWA ONT
RE POTTAWATAMIES REFERRING MY LETTER OCTOBER SIXTH ENCLOSURES
ADVISED LARGE MEETING BEING HELD CAPE-CROKER SEVENTEENTH TO
CONSIDER PLACING CASE KAPPLERS HANDS ACCOUNT DELAYS URGE YOU
INSTRUCT YOUR LOCAL AGENT BY WIRE ATTEND AND ASSURE CLAIMANTS
ANY DELAYS UNAVOIDABLE AND MATTER WILL NOW GO FORWARD AND ADVISE
AGAINST ANY CHANGE CONDUCT CASE KINLY OBLIGE REPLY BY WIRE

A G CHISHOLM.

§ 1467

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN PACIFIC R'Y CO.'S TELEGRAPH



NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.
 JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK
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Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, 14th October, 1919.

R.G. Garland, Esq.,
 Indian Agent,
 Cape Croker, Ont.

Department advised meeting Cape Croker seventeen instant asking Indians to place Pottawatamie claims in hands Kappler, Attorney, Washington. Attend meeting and assure claimants any delays unavoidable matter now going forward. Mr. Chisholm has entered into satisfactory agreement with the Government for prosecution of their claims. Advise against any change in conduct of case.

asw.

[Handwritten signature]

J.D. McLean.

Eng. D.I.A.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

**PUBLIC ARCHIVES
 ARCHIVES PUBLIQUES
 CANADA**



CANADIAN PACIFIC R'Y. CO.'S TELEGRAPH
TELEGRAM

FORM T. D. 2

CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

J. McMILLAN, Manager Telegraphs, Montreal.

Sent No.	Sent By	Rec'd By	Time Sent	Time Filed	Check
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Send the following Message, subject to the terms printed on the back hereof which are hereby agreed to:

Ottawa, 14th October, 1919.

A.G. Chisholm, Esq.,
 Barrister,
 Cor. Dundas and Richmond Sts.,
 London, Ont.

Yours fourteen Pottawatamies, Agent Cape Croker advised by
 wire as requested.

J.D. McLean.

chg. D.I.A.

ASW.

get

Indian Affairs. (RG 10, Volume 2788, File 156,610,
 pt. 1)

PUBLIC ARCHIVES
 ARCHIVES PUBLIQUES
 CANADA

Mr. McManis
Memo. is copied by
Muniter & now forms
to Council. Did you
want to write a letter
of introduction for Chesdale
to take to Washington?
A. B. C.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

LAW OFFICE
OF
A. G. CHISHOLM,
CANADIAN BANK OF COMMERCE CHAMBERS,
LONDON, ONT.

London, Ont., Sept. 20th, 1919.

RE POTTAWATAMIE CLAIMS.

DEAR SIR OR MADAM:

I have just returned from Ottawa, after completing arrangements there for the carrying out of the Agreement between myself and the Superintendent General of Indian Affairs, regarding this matter, in which you are so much interested. This Agreement is made between the Superintendent General, known therein as the party of the First Part; and myself, called the party of the Second Part, and contains among others, the following clauses:—

"4. In the event of the United States paying said claimants the matter of the compensation for legal services rendered said claimants, to be paid the party of the Second Part is to be referred to the Exchequer Court of Canada"

"7. The party of the First Part agrees to recommend the early passage of an Order in Council by His Excellency the Governor General in Council directing that a petition signed by the party of the Second Part, as Solicitor for said claimants, setting out the nature and grounds of their claim against the United States, be forwarded through the proper diplomatic channels for presentation to the United States Government, and which petition will ask for payment of said claim or in the alternative, a reference of same to said Court of Claims of the United States for adjudication thereon, and will further use diplomatic or other proper means at Washington on behalf of the Canadian Government to secure the granting by the American Government, of the prayer of said petition."

It will be observed the only amount I am to receive for legal services is what is considered fair, by either the Exchequer Court of Canada, or the United States Court of Claims. There is no bargain for any percentage.

I am assured by the Department of Indian Affairs that this Order in Council will be passed and the petition forwarded within the next two weeks, when it will be properly presented by the British Ambassador at Washington, to the United States Government. I intend being present at Washington, on your behalf, when this is done.

It has come to my knowledge that certain Attorneys from Washington, with an interested friend of theirs, from Laona, Wisconsin, have been visiting the Canadian Reserves, endeavoring to secure authority from the Canadian claimants, to represent them in this matter, and have represented to said claimants, I am asking an extortionate sum for services, etc.

The above are the plain facts, and I wish to assure each claimant to a share of this money, that in my belief it will very shortly be paid them, and that any interference with the careful arrangements made by the Canadian Government for the furtherance of their interests in the case will have a most detrimental effect, so far as the early recovery of the money is concerned.

Your interests are being carefully attended to by competent and experienced men, and it would be a great pity now, to interfere with the work they are doing. You may rest assured the Department of Indian Affairs knew what it was doing, and the probable outcome, when it entered into the arrangements referred to.

If you wish to deprive yourself of the benefit of what the Indian Department is doing for you in this case, you may make a contract with the Attorneys above referred to, but before doing so, please consider the above representations.

Respectfully,

A. G. CHISHOLM,

Solicitor for the Canadian Branch, Pottawatamies of Wisconsin.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(COPY)

Resolved, by the Pottawatamies of Saugeen assembled at Drayton, Province of Ontario, Canada, this 25th. day of August 1919, that the contract between the Pottawatamies and A. D. Chisholm, an attorney of London, Ontario, be and hereby is cancelled.

Resolved further, that Kappler & Merillat, Attorneys at law, of Washington D. C. United States of America, be employed as attorneys to represent the Canadian Pottawatamies in their claim against the United States of America. The pay of the attorneys shall be 15% of whatever they win for the Canadian Pottawatamies. The Pottawatamies shall not pay anything or be liable for any expense except out of the moneys they win or recover from the United States. We appoint John B. Kewakeshig, the Chairman of this meeting, and Chairman of Saugeen Reservation, Canada, and Levi Wesley of Saugeen to sign the contract between the Pottawatamies of Canada and Kappler & Merillat, of Washington, U. S. A.

his

sd. John B. Kewakeshig

mark

sd. Levi Wesley

Chairman of meeting.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY OF TELEGRAM SENT BY
Canadian Pacific Railway Company's Telegraph

London, Oct. 14th. 1919.

Duncan C. Scott Esq.

Deputy Superintendent General Indian Affairs
Ottawa Ont.

re Pottawatamies. Referring my letter October sixth enclosures, advised large meeting being held Cape Croker seventeenth to consider placing case Kappler's hands, account delays. Urge you instruct your local Agent by wire attend and assure claimants any delays unavoidable and matter will now go forward and advise against any change conduct case. Kindly oblige reply by wire.

A. G. Chisholm

Pd. chge. A. G. C.

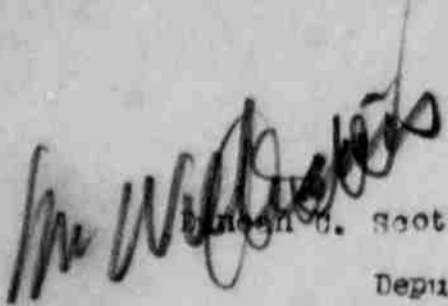
Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA**

A. G. CHISHOLM
Barrister, Solicitor, &c.

CANADIAN BANK OF COMMERCE CHAMBERS
CORNER DUNDAS AND RICHMOND STS.

London, Canada, Oct. 14th. 1919.



James C. Scott Esq.

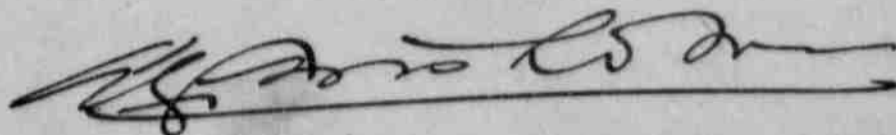
Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott / re Pottawatamies. c

I enclose you herewith copy of telegram sent you this morning in this matter. I also enclose you copies of documents Messrs. Kappler & Merrillat are endeavouring to induce the claimants to sign through the different reserves on which they reside. They are doing this through a man named Morstad, the Rev. Morstad of Laona, Wisconsin, who is in it for what he can get out of it. I also enclose you copy of circular which I have mailed to the claimants. I would ask you to endeavour to put a quietus on the efforts of these people, who seek to take advantage of my work, and instruct your local Agents not only at Croker, as mentioned in telegram, but also at Manitoulin Island, Christian Island, Chippewa Hill, Sarnia, and Muncey to attend any meetings that may be held in this connection and advise the claimants to make no change in the conduct of the case. This I think would be not only helpful to myself, but in view of the Agreement in the matter between you and myself, in the interest of the claimants as well.

Faithfully yours



Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

CANADIAN PACIFIC



R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank. JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK
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Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, 15th October, 1919.

Thomas Paul, Esq.,
Indian Agent,
Sarnia, Ont.

Department advised efforts being made among Indians to have Pottawatamie claims placed in hands of Kappler, Attorney, Washington. Request you to attend meetings and assure claimants any delays unavoidable, matter now going forward. Mr. Chisholm has entered into satisfactory agreement with Government for prosecution of their claims, advise against any change in conduct of case.

Handwritten initials and signature

J. D. McLean.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA



CANADIAN PACIFIC R'Y. CO.'S TELEGRAPH

FORM T. D. 79

NIGHT LETTERGRAM

J. McMILLAN, Manager Telegraphs, Montreal.

Sent No.	Sent By	Rec'd By	Time Sent	Time Rec'd	Check

Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, 15th October, 1919.

Thomas McGookin, Esq.,
Indian Agent,
Muncy, Ont.

Department advised efforts being made among Indians to have Pettawetanic claims placed in hands of Kappler, Attorney, Washington. Request you to attend meetings and assure claimants any delays unavoidable, matter now going forward. Mr. Chisholm has entered into satisfactory agreement with Government for prosecution of their claims, advise against any change in conduct of case.

J. D. McLean.

asus.
[Signature]
Chg. I.A.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

(18-6-19-4320)

T. D. FORM 2 G

CANADIAN PACIFIC



R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank.

JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK

Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa. 15th October, 1919.

C. J. Picotte, Esq.,
Indian Agent,
Christian Island, Ont.

Department advised efforts being made among Indians to have Pottawatamie claims placed in hands of Kappler, Attorney, Washington. Request you to attend meetings and assure claimants any delays unavoidable matter now going forward. Mr. Chisholm has entered into satisfactory agreement with Government for prosecution of their claims. Advise against any change in conduct of case.

asu
[Handwritten signature]
Ch. D. I. A.

J. D. McLean.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
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CANADA

CANADIAN PACIFIC



R'Y CO.'S TELEGRAPH

NIGHT LETTERGRAM

The Canadian Pacific R'y Co.'s Telegraph transmits and delivers this night lettergram subject to the terms and conditions printed on the back of this blank. JAS. KENT, Manager Telegraphs

SENT NO.	SENT BY	RECEIVED BY	TIME SENT	TIME FILED	CHECK

Send the following night lettergram, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.

Ottawa, 15th October, 1919.

T. A. Stout, Esq.,
Indian Agent,
Chippewa Hill, Ont.

Department advised efforts being made among Indians to have Pottawatamie claims placed in hands of Kappler, Attorney, Washington. Request you to attend meetings and assure claimants any delays unavoidable, Matter now going forward. Mr. Chisholm has entered into satisfactory agreement with Government for prosecution of their claims. Advise against any change in conduct of case.

J. D. McLean.

asw.
[Signature]
John. D. L.A.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

156610

CANADIAN BANK OF COMMERCE CHAMBERS
CORNER DUNDAS AND RICHMOND STS.

A. CHISHOLM
Barrister, Solicitor, &c.

October 14th. 1919.

London, Canada,

File

531131



J. D. McLean Esq.

Secretary Department Indian Affairs

Ottawa Ont.

Sir/ re Pottawatamie claims.

I have your telegram of this date stating in reply to my message of even date herewith to you in the above matter, your Agent at Cape Croker had been advised by wire as requested by me. I have to thank the Department for this assistance, as well as for your prompt action.

Respectfully

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

EX-10

Ottawa, 16th October, 1919.

Sir,

re Pottawatamies.

I beg to acknowledge the receipt of your letters of the 6th and 14th instant, with enclosures, in the above matter, also your telegram of the 14th instant.

In reply I beg to say that on receipt of the said telegram, the Department wired Agent Garland at Cape Croker as follows:-

"Department advised meeting Cape Croker seventeen instant asking Indians to place Pottawatamie claims in hands Kappler, Attorney, Washington. Attend meeting and assure claimants any delays unavoidable, matter now going forward. Mr. Chisholm has entered into satisfactory agreement with the Government for prosecution of their claims. Advise against any change in conduct of case."

As requested in your letter of the 14th instant, similar telegrams were sent to the Agent at Manitoulin Island, Christian Island, Chippewa Hill, Sarnia and Muncy.

On receipt of the Order in Council, which is expected any day, you will be furnished with a copy of the same, together with a letter of identification to the Secretary of the Embassy at Washington, as requested.

Your obedient servant,

J. D. McLean

Asst. Deputy and Secretary.

A. S. Chisholm, Esq.,

Barrister, etc.,

Cor. Dundas and Richmond Sts.,

London, Ont.

*For
file*

del

CANADIAN PACIFIC RAILWAY
TELEGRAM

CABLE CONNECTIONS TO ALL PARTS OF THE WORLD

J. McMILLAN, Manager Telegraphs, Montreal

H 180 RN V 12 10LL

SARNIA ONT OCT 16-19

J D MCLEAN

531120

ASSIST DEPUTY AND SECT INDIAN AFFAIRS OTTAWA ONT

TELEGRAM OF 15 TH RECD WILL ADVISE POTTAWATAMIES AS INSTRUCTED

THOS PAUL.

DEPT. OF INDIAN AFFAIRS
OCT 17 1919
RECORDS

*copied
Chase*

359072

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

**PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA**

Indian Office

At Camp Croker.

Oct. 17th.

1919.

MEMO.

A joint-meeting of The Claimants
of The Pottawatamies Indians
Claimants of Wisconsin U. S. A.
held at: Camp Croker on the
17th day. Oct. 1919.
Resolved.

Moved by Stephen Elliott. 2nd.
by Edward Keeshig That: we
The Pottawatamie Indian Claimants
Retain the services of our present
Solicitor Mr. Strickland of London.
Ours.

Carried.

"Henry Jackson" Esq. J. Jones.
Sect.

Chas. K. Jones Chief

156610

Indian Office

DEPT. OF INDIAN AFFAIRS
OCT 22 1919
RECORDS

At Wapz Lake

Oct: 17th. 1919.

MEMO.

531367

A joint meeting of the
Claimants of the Pottawatamie
Indian claims of Wisconsin
U. S. A. held at Wapz Lake
on the 17th day of Oct. 1919.
Resolved. —

Moved by Stephen Elliott,
and by Edward Keeshing
that we the Pottawatamie
Indian Claimants retain the
services of our present
Solvent Mr. Christopher
J. London. O.K.

Carl F. Jones. Henry Jackson
Secy

Indian Office

At Cape Croker

Oct. 17th. 1919.

MEMO.

Moved by Stephen Elliott.
Sec. by Peter Wankay. That we
appoint J. W. Fee King to be
Corresponding Secretary for the
Cape Croker Pottawatamie
Indian Claimants.

Carried.

Carl F. Jones.

Sec.

Moved by Stephen Elliott.
Sec. by David Sims appointing
Peter Gadwin & Carl F. Jones
as Committee for the
Pottawatamie at Cape Croker.

Carried.

Carl F. Jones.

Sec.

Henry Johnson

Indian Office

At Cape Codder

Oct. 17th.

19.18

MEMO.

Moved by Stephen Elliott.
Sec by Peter Waukay. That
we appoint J. W. Gresham.
To be corresponding sect for
The Cape Codder. Pottawatamie
Indian Claims Act.

Carried.

Moved by Stephen Elliott.
Secd. by David Sims appointing
Peter Gresham & Gosh. F. Jones
as Committee for The Pottawatamie
at Cape Codder.

Carried.

Gosh. F. Jones. Henry J. Jones
sect.

156610

531369 Cape Croker - Oct 17/9

DEPT. OF INDIAN AFFAIRS
OCT 28 1899
RECORDS

J.M.
The joint meeting decides to return the
scheme of a G. Chelohm location
for Pottawatamie Indian Reservation -

Ross Garland
Indian agent
Cape Croker
Ont

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

COPY OF TELEGRAM SENT BY
Canadian Pacific Railway Company's Telegraph

London, Oct. 17th, 1919.

Secretary Department Indian Affairs

Ottawa Ont.

Pottawatamies. Wire from Warton this evening says meeting decided to make no change in Solicitors and asked me notify you. Trust Department has communicated with other Agents as my letter Fourteenth suggested.

A. C. Chisholm

Night letter. Chgs. A. C. G.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA**

(21-4-19-14787)



TRANS-ATLANTIC CABLEGRAM

The following Cablegram received
VIA COMMERCIAL CABLES (The Mackay Companies' System)
Working in Direct Connection with the
CANADIAN PACIFIC RAILWAY CO'S TELEGRAPH

This is an Unrestricted Cablegram, and is delivered by request of the Sender, subject to Conditions on Form 2.



47.RN.M.12 20 AM

531232

W.L.

LONDON ONT OCT 17-19

SECY DEPT INDIAN AFFAIRS
OTTAWA ONT.

EXD.



POTTAWATAMIES WIRE FROM WIARTON THIS EVENING SAYS MEETING DECIDED TO
MAKE NO CHANGE IN SOLICITORS AND ASKED ME NOTIFY YOU.
TRUST DEPARTMENT HAS COMMUNICATED WITH OTHER AGENTS AS MY LETTER
FOURTEENTH SUGGESTED.

A.G. CHISHOLM

Copied 2/2/19

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

**PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA**

To,

The Honourable,

The Secretary of the Interior of the United States.

The Petition of Andrew Gordon Chisholm of the City of London in the Dominion of Canada, Solicitor, on behalf of certain Canadian representatives of the Wisconsin Band of Pottawatamie Indians, whose ancestors resided in the State of Wisconsin at the time of the making of certain Treaties with the United States by said Pottawatamie Indians (set out and referred to in the report of the Secretary of the Interior to the House of Representatives, embodied in House Document 830, 60th. Congress, first session) but who afterwards removed to Canada; for a proportionate share in the sum found due to said Pottawatamies of Wisconsin by the United States, as set out in said House Document 830, or for other relief,

H U M B L Y S H E W E T H :

I/ That at the time of the making of the said Treaties, the forefathers of said Indians resided in the State of Wisconsin, and were equally entitled with the forefathers of the Pottawatamies of Wisconsin, who still remain in said State of Wisconsin and in the State of Michigan, to all benefits and advantages derived or to be derived by said Pottawatamies of Wisconsin, under said Treaties.

2/ That by their removal to Canada said Indians claim their forefathers did not forfeit the benefits and advantages, derived or to be derived by them as members of the said Pottawatamies of Wisconsin, under said

Treaties. That the Court of Claims of the United States has held (15th. May, 1905, in the case of the New York Indians versus the United States) that under similar circumstances, the Oneida Indians of New York by their migration to Canada, in or about the year 1842, where they have since resided, did not forfeit their right to their proportionate share of the New York Indian fund, found due to the New York Indians by the United States; and that the United States accordingly paid to said Oneida Indians still residing in Canada, their said proportionate share of said fund. That said Court of Claims also held in said case of the New York Indians,-

" Our Indians were and have been the wards of the United States, and the Indian has no right of expatriation".

3/ That the United States has not declared that by their removal to Canada, said Canadian representatives of said Pottawatamie Indians of Wisconsin, had forfeited their right to share in the benefits and advantages of said Treaties.

4/ That up till a comparatively recent period, notwithstanding the continual assertion by said Indians of their claims in these respects, the United States had not admitted there were any moneys due the Pottawatamies of Wisconsin by the United States. That it was only after the institution of a most careful investigation by the United States, the Secretary of the Interior, made his report to the Congress of the United States, dated the 1st. April, 1906, embodied in said House Document 830, above referred to.

5/ From said report, it would appear:

a/ The total proportionate shares of the annuities, trust funds and other moneys paid to or expended for the Tribe to which they belong, in which the

claimant Pottawatamie Indians of Wisconsin had not shared, was the sum of \$1,964,565.87.

b/ That a roll of said Pottawatamie Indians prepared by authority of Act of Congress (34 Stat. L. 380) under the direction of the Secretary of the Interior, submitted to the Commissioner of Indian Affairs, December 18th. 1907, showed 1880 found entitled to enrollment, and that by a supplemental roll dated January 18th. 1908, 127 additional names were added, making a total of 2007 persons enrolled.

c/ That the Secretary of the Interior in his report above referred to stated, - " These rolls are believed by the Commissioner of Indian Affairs to be as nearly correct and complete as it is practicable to make them. Of the total number enrolled 457 reside in Wisconsin and Michigan and 1550 in the Dominion of Canada."

d/ That for the purpose of compiling said rolls, the Agent of the Secretary of the Interior visited Indian communities at the following places in the Province of Ontario, Canada, namely, - Sarnia, Kettle Point, Stony Point, Muncey, Lake Simcoe, Southampton, Cape Croker, Grand Manitoulin Island, Thessalon, Killarney, Whitefish River, Birch Island, Spanish River, French River, Byng Inlet, Moose Point, Shawanaga, Parry Island, Honey Harbour and Christian Island.

6/ The Pottawatamie Indians of Wisconsin, now resident in Canada, claim that they are and always have been under United States law, members of the United Nation of Chippewa, Ottawa and Pottawatamie Indians, now known as the Pottawatamie Nation, and that they have never knowingly or intentionally abandoned any of their rights in and to the tribal estate in whatever form it has from time to time existed, whether in lands, annuities, interest on trust funds, or otherwise, and assert that notwithstanding their residence in Canada, they are still treated by the government of that Dominion, as United States and foreign Indians except for certain individuals who have been adopted into scattered Chippewa bands of Indians in the Province of Ontario, they do not share in any of the benefits bestowed upon its Indians by the Government of Canada.

7/ The migration of numbers of the Pottawatamies of

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

PUBLIC ARCHIVES
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Wisconsin to Canada, was occasioned by their eviction by the United States, from their lands in Wisconsin. At the time, it was the policy of the United States to remove all Indians, West of the Mississippi. The forefathers of the Pottawatamies of Wisconsin were dissatisfied with such proposal. They refused to go and when driven off their lands, some fled to inaccessible parts of Wisconsin and Michigan, and others and the greater part crossed the Lakes to Canada, where their descendants on whose behalf this Petition is brought, still remain. The Pottawatamies of Wisconsin to-day in Canada, have no reserve, nor does the Canadian Government hold any trust funds on their behalf, and except that it recognizes them as Indians, supervises them accordingly, and affords them the means of education extended to other Indians, bestows no benefits upon them, except as mentioned in the preceding paragraph.

8/ Some years ago, the Pottawatamies of Wisconsin resident in Canada, duly appointed the undersigned as their Solicitor, to endeavour to procure for them a proportionate share of the moneys alleged to be due said Pottawatamies of Wisconsin by the United States, and the undersigned has ever since by personal effort and through Attorneys at Washington, endeavoured to forward their claim for such proportional share. A letter received by the undersigned from the Commissioner of Indian Affairs at Washington, of which the following is a copy, explains the then position of this claim.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

**PUBLIC ARCHIVES
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Refer in reply to
the following-

Department of the Interior
Office of Indian Affairs
Washington, June 19, 1917

Land Contracts
47461 - 1917
W M W

A. G. Chisholm Esq.,

Barrister, Solicitor &c.,

87 1/2 Dundas St. (upstairs) London, Can.

Dear Sir:-

Receipt is acknowledged of your further letter of May 12th, 1917, with respect to the claim against the United States of the Canadian Branch of Wisconsin Pottawatamie Indians.

In answer you are advised that the total amount found due that part of the Pottawatamie Nation which failed to remove to Kansas in accordance with their Treaty of September 26th, 1833 (7 Stat. L. 431) was reported to the Congress as \$1,964,565.87. The Census or Roll which was made at the time of the said report showed roughly about 2000 Indians---3/4 residing in Canada, and the remainder in the States of Wisconsin and Michigan. The amount due the United States branch, or remaining one-fourth, was reported as \$447,339.00.

The Congress has from time to time made various appropriations in settlement of the amount found due the Branch residing in the United States, but has taken no action whatever concerning the claim of the 3/4 of these refugee Indians residing in Canada.

For your full information a copy of H. R. 2313, 65th. Congress, 1st. Session, for the purpose of settling the balance still due the United States Branch of the Tribe, is enclosed.

By the Act of March 2, 1917 (Public #369) making appropriation for the Indian Department, the sum of \$100,000.00 was provided for clearing land, purchase of houses, building material, implements &c. and for the payment per capita of not exceeding \$25,000.00 to these Indians in the United States.

From the appropriations above mentioned for the sole use and benefit of the Wisconsin Pottawatamie in the United States, lands have been purchased and annuities paid, and farming implements &c. are being provided. However, as above indicated, Congress has in no way recognized the claim of the so-called Canadian branch nor have any appropriations been made for the same.

Very truly yours,

sd. E. B. Meritt
Assistant Commissioner

The Bill known as H. R. 2313, 65th. Congress, 1st. Session, attached to said letter did not become law, and one similar thereto was introduced on February 4th, 1918, in the United States Senate, as an amendment to the pending Indian Appropriation Bill (H. R. 8696) which amendment was also not enacted; but the Indian Appropriation Act approved May 25th, 1918 (Pub. No.

159) provided that the sum of \$75,000.00 should be expended for the benefit of these Indians in partial settlement of the claim of that portion of the Wisconsin Band of Pottawatamie Indians still residing in the States of Wisconsin and Michigan.

9/ The Canadian Branch of the Pottawatamies of Wisconsin respectfully submit they are equally entitled to payment by the Government of the United States, with their brethren still residing in the States of Wisconsin and Michigan, and should receive from the United States, a proportionate amount of said sum of \$1,964,565.87, found and acknowledged to be due by the United States to that part of the Pottawatamie Nation which failed to remove West of the Mississippi; and submit that neither by act of their own, or by law of the United States, did they by their flight to Canada, transfer their proportional interest in said amount, to their brethren of Wisconsin and Michigan, or forfeit their right to receive payment of the same.

10/ That your Petitioner represents over 1500 individuals claiming to be members of the Canadian Branch of the Pottawatamies of Wisconsin.

Your Petitioner would therefore pray,-

a/ That said Canadian Branch of said Pottawatamie Indians of Wisconsin, be paid their proportionate share of the amount of \$1,964,565.87, due by the United States to those Pottawatamies of Wisconsin, whose forefathers failed to remove west of the Mississippi, with interest.

b/ That in case said Canadian Branch of said Pottawatamie Indians of Wisconsin is not paid such

Proportionate share, or their right to be paid the same is not acknowledged by the United States, said Canadian Branch of said Indians may be enabled to prosecute their claim therefor, before the Court of Claims of the United States, with the right of appeal to either party to the Supreme Court of the United States, and that proper steps may be had and taken for this purpose.

c/ That in the event of payment being made to said Canadian Branch of said Pottawatamie Indians of Wisconsin, of a proportionate share of said amount of \$1,964,565.87, and interest, the same should be made to the Government of Canada to be administered by it as a fund for the benefit of the individuals composing said Canadian Branch of said Pottawatamie Indians of Wisconsin.

d/ That for the purpose of the prayer of your Petitioner your Honourable Department may be pleased to give such further or other directions for the relief of said Canadian Branch of said Pottawatamie Indians as may seem just and reasonable.

And, your Petitioner will ever pray,-

[Handwritten signature]

Dated, August 8, 1918.

156610

5P

P.C. 2140.

Certified copy of a Report of the Committee of the Privy Council, approved by the Secretary of State for the Dominion of Ontario



*Boisjoly
Laurier*

General on the

18TH OCTOBER 1919

531549



The Committee of the Privy Council have had before them a report, dated 3rd October, 1919, from the Superintendent General of Indian Affairs submitting the attached petition of 8th August, 1918, from the Solicitor for certain Pottawatamie Indians residing in Canada, setting forth a claim against the Government of the United States for arrears of annuity money under certain treaties between that Government and the said tribe of Indians, including the treaty known as the Chicago Treaty.

The Minister observes that in an Order in Council dated the 12th day of February, 1912, it is narrated that under a treaty with the United States known as the Chicago Treaty the said tribe of Indians sold a large quantity of land and were removed to land situate west of the Mississippi River but that finding the land swampy and devoid of game they returned to their old homes, and being compelled to leave again a number of them fled to Canada where they have continued to reside, and that it was by the said Order directed that a claim for the share of these Canadian Pottawatamie Indians in the moneys due the tribe under the said Chicago treaty should be presented to the United States Government in order that it might be included in the second schedule to the Pecuniary Claims Agreement of the 18th August, 1910.

In

The Honourable

The Superintendent General of Indian Affairs.

Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

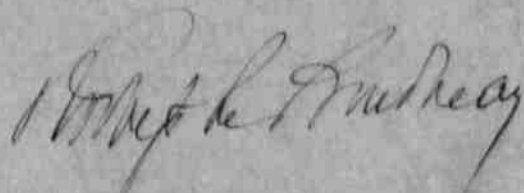
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In accordance with the recommendation therein contained a copy of the said order was transmitted to His Majesty's Ambassador at Washington with a request that the claim might be presented to the United States Government for determination under the said Pecuniary Claims Agreement.

The Minister further observes that it would appear from the said Petition herewith that the claim as described by the order in Council and as transmitted to Washington is inadequately stated inasmuch as the rights of the Indians are based not on the Chicago treaty alone but also upon fifteen other treaties, under all of which they base their claim for relief.

The Committee, therefore, on the recommendation of the Superintendent General of Indian Affairs, advise that a copy hereof together with a copy of the said petition, be transmitted to His Majesty's Ambassador at Washington with a request that the claim as now put forward may be presented to the Government of the United States for determination under the said Pecuniary Claims Agreement, or, if that course be not feasible, that the petition be referred to the Court of Claims of the United States or to some other appropriate tribunal for adjudication, the claim as now made to be in substitution of the one set out in the said Order of the Governor General in Council of the 12th February, 1912.

All which is respectfully submitted for approval.



Clerk of the Privy Council.

156610

Ottawa, 4th November, 1919.

Sir,

re Pottawatamies.

I beg to enclose herein a copy of the Order in Council which has been passed in this matter, and to advise you that a copy of this Order in Council and of the Petition referred to therein have been forwarded to His Majesty at Washington by the Department of External Affairs. I am enclosing a letter of enc. identification which you suggested being sent to you.

Your obedient servant,

del
atw
agm
J. D. McLean

Asst. Deputy and Secretary.

A. G. Chisholm, Esq.,

Barrister, etc.,

Canadian Bank of Commerce Chambers,

London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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CANADA

4th November, 1919.

Dear Sir,

This letter will introduce to you Mr. A.G. Chisholm, Barrister and Solicitor, of the City of London, Canada, who is acting for certain Pottawatamic Indians residing in Canada in presenting a petition to the United States Government, setting forth a claim against the said Government for arrears of annuity money under certain treaties between the said Government and the said tribe of Indians, including the Treaty known as the Chicago Treaty. Mr. Chisholm is recognized by the Canadian Government as the Solicitor for the said Indians in this matter.

The petition, above referred to, together with a copy of the Order in Council submitting the same has been forwarded to His Majesty's Ambassador at Washington.

Your obedient servant,

W. C. C. W.
The Secretary of the British Embassy,

W. C. C. W.
Deputy Superintendent General.

Washington,

D. C.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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Copy

At a meeting of the descendants of the Pottawatamie Indians of Wisconsin, residing on the Reserve of the Chippewas of Saugeen, held according to notice duly given thereof and of the purpose of said meeting, at the Saugeen Council House on said Reserve, presided over by Thomas A. Stout, Esquire, Indian Agent, acting under the Instructions of the Superintendent General of Indian Affairs, the Sixth day of November, 1919; the Meeting took into consideration the action of certain Indians claiming to represent the descendants of the Pottawatamie Indians of Wisconsin, held at Drayton, Ontario, on or about the 25th. day of August, 1919, when it appeared such Indians passed a resolution purporting to cancel the Contract between such Pottawatamies and A. G. (therein called A. D.) Chisholm, an Attorney of London, Ontario, and further purporting to appoint Kappler & Merrillat, Attorneys at law, of Washington D. C. United States of America, as attorneys to represent such Pottawatamies in their claim against the United States of America, in the place of said Chisholm, further promising to pay said Attorneys at Washington 15% of "whatever they win for the Canadian Pottawatamies", and further appointed John B. Kewakeshig, Chairman of said Meeting and in such resolution called " Chairman of Saugeen Reservation, Canada", and Levi Wesley of Saugeen, to sign the contract between the Pottawatamies of Canada and Kappler & Merrillat of Washington U. S. A. , and whereas it appears no notice was previously given the descendants of said Pottawatamie Indians of Wisconsin residing on the Saugeen Reservation of any intention to meet at Drayton aforesaid, and such Meeting was wholly unauthorized and unknown till subsequently thereto, by the majority of such descendants of said Pottawatamies of Wisconsin, and that said John B. Kewakeshig is not "Chairman of the Saugeen Reservation", nor do he and the said Levi Wesley represent in any way except on their own behalf, the descendants of said Pottawatamies of Wisconsin residing on said Saugeen Reserve; and it further being within the knowledge of such descendants of the Pottawatamies of Wisconsin residing on said Saugeen Reservation that arrangements have been

completed between the Department of Indian Affairs for Canada, and the said A. G. Chisholm for the proper presentation of their claim against the United States of America, and that the whole descendants of said Pottawatamies of Wisconsin residing in Canada, have long since appointed the said A. G. Chisholm to act for them in the matter, and as lately as the 17th. day of October, of this present year, at a meeting of such claimants held on the Cape Croker Indian Reservation that day, called to consider the matter, ratified and confirmed the appointment and authority of the said A. G. Chisholm to represent the descendants of said Pottawatamies of Wisconsin residing in Canada, in their claim against the United States as aforesaid, NOW THEREFORE this Meeting of such claimants assembled as aforesaid-RESOLVES,- That the descendants of the Pottawatamie Indians of Wisconsin residing on the Saugeen Reservation in the Province of Ontario, Canada, repudiate the action taken by certain parties claiming to represent them at a Meeting held at Drayton, Ontario, in August last in purporting to cancel the authority and appointment to represent them, of the said A. G. Chisholm, and seeking to appoint Kappler & Merrillat of Washington D. C. to represent the Canadian Pottawatamies in their claim against the United States of America, and promising to pay said Kappler & Merrillat "15% of whatever they win for the Canadian Pottawatamies", and appointing John B. Kewakeshig and Levi Wesley to sign a contract in that behalf with said Kappler & Merrillat,-RESOLVED FURTHER that the authority heretofore given said A. G. Chisholm by the descendants of said Pottawatamies of Wisconsin residing on the Saugeen Reservation, as their Solicitor in Canada, be and the same is hereby ratified and confirmed, and that the said A. G. Chisholm alone is authorized by them to appoint an attorney or attorneys at Washington, to represent them in the matter of their said claim against the United States of America.

Certified

sd. F. E. (?) Mandowah	Chairman
sd. H. W. Madwayosh	Secretary

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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I, Thomas A. Stout, of the Village of Chippewa Hill in the County of Bruce and Province of Ontario, Indian Agent, do certify that the hereunto annexed paper writing marked "A" is a true copy of the Minutes of a meeting held by certain Indians claiming to be descendants of the Pottawatamies of Wisconsin, residing on the Saugeen Indian Reserve in said County and Province, the 6th. day of November, 1919, at which I presided in my capacity of Indian Agent under instructions to that effect from the Government of Canada, and I further certify that said meeting was duly summoned and notice thereof given to said Indians according to the usual rules therefor in force on said Saugeen Reserve and that those present at said meeting represented a majority of the said Pottawatamies residing on said Saugeen Reserve.

Dated the Sixth day of November, 1919.

sd. T. A. Stout

Indian Agent

I, George E. Smith of the Town of Southampton in the County of Bruce and Province of Ontario, a Notary Public by Royal authority duly appointed, do hereby certify that I am well acquainted with Thomas A. Stout of the Village of Chippewa Hill in said County, Indian Agent, and that the said Thomas A. Stout is Indian Agent in charge of the Saugeen Indian Reserve, and that the signature "THOMAS A. Stout" appearing under the certificate hereto attached is of the proper handwriting of the said Thomas A. Stout, Indian Agent.

Dated the Iith. day of November, 1919.

sd. Geo. E. Smith

Notary Public. My Commission is in full force and is indefinite as to time.

Seal of Geo. E.
Smith, Notary
Public, Ontario.

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pt. 1)

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CANADA

156610

CANADIAN BANK OF COMMERCE CHAMBERS
CORNER DUNDAS AND RICHMOND STS.

A. G. CHISHOLM
Barrister & Solicitor, &c.

NOV 21 1919
RECORDED

London, Canada, Nov. 19th. 1919

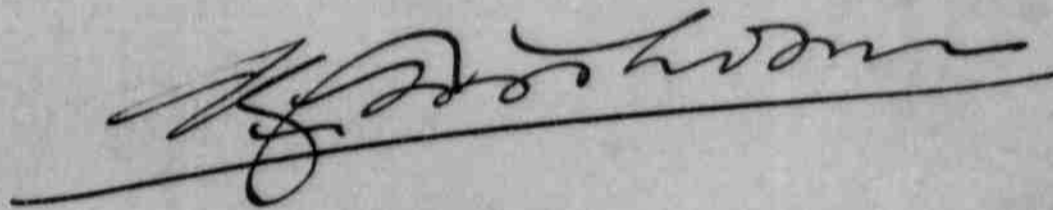
Duncan C. Scott Esq. 532862
Deputy Superintendent General Indian Affairs
Ottawa Ont.

Dear Mr. Scott/

Much obliged for yours of yesterday regarding the Pot-tawatamie pamphlet I asked you about, and for the trouble you took to furnish me information generally. I will act on your suggestion and endeavour to get hold of it.

I expected to have been in Washington this week about the matter, but the Embassy suggested I defer my visit till they hear from the Foreign Office regarding the case, when they will again write me.

Faithfully



Indian Affairs. (RG 10, Volume 2788, File 156,610, pt. 1)

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ALL COMMUNICATIONS SHOULD
BE ADDRESSED TO
THE SECRETARY,
BRITISH EMBASSY
AND NOT TO INDIVIDUAL
MEMBERS OF THE STAFF.

BRITISH EMBASSY,
WASHINGTON,



November 22, 1919.

533095

Sir:

With reference to your letter of 4th November, 1919, introducing Mr. A. G. Chisholm, Barrister and Solicitor, of the city of London, Canada, we have received a letter from Mr. Chisholm, dated November 18th, bringing in the question of the use of two further lawyers in the case of the claim of the Pottawatamie Indians. As these two Washington lawyers claim to represent the Indians to the exclusion of Mr. Chisholm, I have the honour to request that you will inform us whether we may assume that Mr. Chisholm is the sole agent in this claim.

I am, Sir,

Your most obedient servant,

(Secretary)

The Superintendent General,
Department of Indian Affairs,
Ottawa, Canada.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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156610

November 25, 1919.

Dear Mr. Chisholm,-

Incl.

I beg to inclose herewith copy of a letter which I received this morning from the Secretary of the British Embassy at Washington. I am at a loss to know exactly what he means, and would be very glad if you would let me have an explanation that could form the basis of a reply.

Yours very truly,

gcl

Duncan Chisholm
Deputy Superintendent General.

A. G. Chisholm, Esq.,
Barrister, Solicitor, &c.,
London, Ont.

Indian Affairs. (RG 10, Volume 2788, File 156,610,
pt. 1)

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(Copy)

CANADIAN BANK OF COMMERCE CHAMBERS
CORNER DUNDAS AND RICHMOND STS.

A. G. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, Nov. 18th. 1919.

The Secretary, British Embassy

Washington D. C. U.S.A.

Dear Sir/

I have your acknowledgment of the 11th. instant of my letter to you regarding the claim of the Pottawatamie Indians against the United States, and in view of your statement the Embassy is expecting word from the Foreign Office on this subject, feel I should defer my visit to Washington as you suggest, till you further advise me regarding the same.

Two Washington lawyers however, Messrs. C. J. Kappler and Charles Merillat, Continental Trust Building, that City, last August came up here and drummed up a small meeting at Drayton, Ontario, of alleged claimants who passed a resolution purporting to instruct them in the matter. The enclosed copy of Minutes of an Indian Council at the Saugeen Reserve (duplicate of which has been forwarded by registered mail to Messrs. Kappler & Merillat) will show this resolution to have been quite unauthorized, but they may file it with the Interior Department at Washington, alleging their authority in the premises. It would be regrettable if they secured recognition by the Interior Department and I desire to prevent such. At the same time, as my Washington correspondent died some time ago, it may be necessary after consulting the Embassy for me to appoint a new representative there, and owing to the intimacy of Messrs. Kappler & Merillat with the facts in the case, it might be thought advisable to employ them in this particular matter, when if so, they should not be discredited. There had been in the early part of the year some correspondence between these gentlemen and myself on this subject, when I informed them I did not then feel able to give them any authority. Without advising me, they then sought instructions from the Indians.

Possibly an intimation from the Embassy to the Interior Department it was the intention to address it on the subject of the claim and the representation of the Indians, would have the effect of preventing any action by that Department which might prove embarrassing, but whether the Embassy feels it could make such, I do not know.

This was an incidental matter, not affecting the claim itself, on which, I intended seeking your advice when in Washington, but as my visit unless proceeded with for the purpose of getting this straightened out, will now be postponed, I would appreciate the receipt of any comments you may be good enough to offer on these remarks.

Sincerely

sd. A. G. C.

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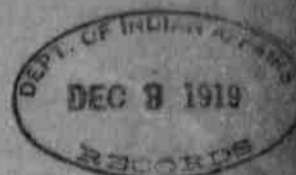
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A. G. CHISHOLM
Barrister, Solicitor, &c.

London, Canada, Nov. 26th 1919.

D. C. Scott Esq.

533462



Deputy Superintendent General Indian Affairs

Ottawa Ont.

Dear Mr. Scott/

re Pottawatamies.

I have yours of yesterday in the above matter, enclosing copy of letter received by you from the Secretary of the British Embassy at Washington, with reference to a letter received by the Embassy from myself.

You will find herewith a copy of the letter sent the Embassy, and to which they refer in the inquiry made of you.

You may recollect the petition forwarded to Washington asked for payment of the claim, or in the alternative that it might be referred to the Court of Claims. In the latter event, some attorney would be required to represent the Indians at Washington. My own old associate there was dead. I would require to appoint another.

In my letter to you of October 6th. last, in this matter, I enclosed you copies of correspondence with Kappler & Merillat, which would explain what they were seeking from the Canadian Pottawatamies. Also, why I refused to commit myself in any way to them.

In my further letter to you of the 14th. instant, I enclosed copy of Minutes of Meeting at the Saugeen Reserve on the 6th. instant, which would show you that Messrs. Kappler & Merillat had been repudiated by the Indians there. The Cape Croker claimants who met on the 17th. October, last, passed a resolution that,-

"We the Pottawatamies Indians claimants retain the services of your present Solicitor, Mr. Chisholm of London, Ont."

A Notarial copy of the Minutes of the meeting of 6th. instant, was forwarded the Embassy, with my letter of 18th. instant. These will show that Messrs. Kappler & Merillat had no authority whatever to represent or act for the Canadian claimants. The object of my letter to the Embassy was to endeavour to prevent the recognition of Messrs.

Kappler & Merillat, as Attorneys for the Canadian claimants, by the Interior Department at Washington, while at the same time, I desired if it should be thought necessary for the above reasons to appoint some Attorney at Washington and it was considered advisable to avail ourselves of their knowledge of the case, which is considerable as they represented the American claimants after Mr. Belt's death, that these gentlemen should not be discredited in advance by us. I hope I have made myself clear.

Should the Pecuniary Claims Commission be reconstituted, and the matter be disposed of there, the above plans might be considerably affected.

It was very good of you to write me before sending your reply to Washington, and the Embassy can be assured Messrs. Kappler & Merillat have no authority whatever from the Canadian claimants to

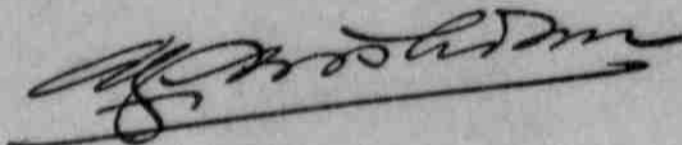
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CANADA

2

represent them, either by direct appointment, or through myself, and that I hold written authority for such purpose, from over fifteen hundred of the claimants resident in this country.

Faithfully yours

A handwritten signature in dark ink, appearing to be "J. M. [unclear]", written in a cursive style with a long horizontal flourish underneath.

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~~This is 156610⁴
closed~~

see 2nd pt.

156610 Vol. 1
closed
please see

156610 Vol. 11

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see 2nd pt.

This is 156610 Vol. 1
closed
please see

156610 Vol. 11

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No. 111-1 X C.

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Department of Indian Affairs

19 A.

*Abstract of Attendance & Absence
of Staff.*

1933 - 34

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THIS IS 156610 VOL. 1

C L O S E D

PLEASE SEE

156610 VOL. 2

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