

THE TOMAHAWK.

"Truth before Favor."

MINNESOTA
HISTORICAL
SOCIETY.

V. 105

VOL. 1. WHITE EARTH, BECKER COUNTY, MINNESOTA, THURSDAY, APRIL 23, 1903. NO. 3.

The TOMAHAWK.

GUS. H. BEAULIEU - - - Publisher.

White Earth Agency, Minn.

A WEEKLY NEWSPAPER devoted to the interests of the White Earth Reservation and general Northwestern News. Published and managed by members of the Reservation.

Subscription rates: \$1.50 per annum. For the convenience of those who may feel unable to pay for the paper yearly or who wish to take it on trial, subscription may be sent us for six and three months at the yearly rates. All sums sent to us should be forwarded by registered letter to insure safety. Address all communications to.

THE TOMAHAWK
WHITE EARTH, MINN.

RESERVATION LANDS. TO LEASE

100,000 acres of first class farm lands on White Earth Reservation, in tracts of 80 acres and more.

For full particulars address THE TOMAHAWK.

INDIAN PROTECTIVE Association
200 Bond Building
Washington D. C.

Dan'i B. Henderson, Att'y.

Indian claims against the United States a speciality.

Gus H. Beaulieu
Local Representative
White Earth, Minn.

K. S. MURCHISON,
ATTORNEY AT LAW.
LATE LAW CLERK, LAND
DIVISION, INDIAN OFFICE.
DEPARTMENT PRACTICE A
SPECIALTY.

LOAN AND TRUST BLD'G.
WASHINGTON D. C.

Hotel Leecy.

White Earth, Minn.
The Largest and Most
Commodious Hotel on
the Reservation.

Table always bountifully supplied with everything that the market affords, including game and fish in season.

A large and comfortable, Feed and Livery stable in connection with Hotel.

JOHN LEECY Prop.

Sylem Fairbanks,

Dealer in

DRY GOODS,
GROCERIES,
HARDWARE
and

Lumbermen - - Supplies.

Market price paid for Ginseng Snake Root and Furs.

Orders for pure Maple-Syrup, and wild rice promptly attended to.

BEAULIEU MINN.

FULL TEXT OF THE MORRIS ACT.

(PUBLIC--No. 175.)

An Act to amend an Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section four of an act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota," approved January fourteenth, eighteen hundred and eighty-nine, be, and the same is hereby, amended so as to read as follows:

"SEC. 4. That as soon as the cession and relinquishment of said Indian title has been obtained and approved as aforesaid, it shall be the duty of the Commissioner of the General Land Office to cause the land so ceded to the United States to be surveyed in the manner provided by law of the survey of public lands, and as soon as practicable after such survey has been made and the report, field notes, and plats thereof filed in the General Land Office and duly approved by the Commissioner thereof, the said Secretary of the Interior, upon notice of the completion of such surveys, shall appoint a sufficient number of competent and experienced examiners, in order that the work may be done within a reasonable time, who shall go upon said lands thus surveyed and personally make a careful, complete, and thorough examination of the same by forty-acre lots, for the purpose of ascertaining on which lots or tracts there is standing or growing pine timber, which tracts on which pine timber is standing or growing for the purpose of this Act shall be termed 'pine lands,' the minutes of such examination to be at the time entered in books provided for that purpose, showing which of such lands are pine lands and which are agricultural lands, as hereinafter designated, which reports of all such examinations shall be filed with the Commissioner of the General Land Office as a part of the permanent records thereof, and thereupon that officer shall cause to be made lists of all such pine lands and agricultural lands, describing each forty-acre lot or tract thereof separately, and thereupon such lists of land shall be transmitted to the Secretary of the Interior for approval, modification, or rejection, as he may deem proper. If the lists thus made are rejected as a whole, then the Secretary of the Interior shall substitute new lists, and the same or original lists as approved or modified shall be filed with the Commissioner of the General Land Office as the lists of said lands. Duplicate lists of said lands, together with copies of the field notes, surveys, and minutes of examination, shall be filed and kept in the office of the register of the land office of the district within which said lands may be situated, and copies of said lists shall be furnished to any person desiring the same upon application to the Commissioner of the General Land Office or the register of said local land office.

"The compensation of the examiners so provided for in this section shall be fixed by the Secretary of the Interior, but in no event shall exceed the sum of eight dollars per day for each person so employed, including all expenses. All other lands acquired from the said Indians on said reserva-

tions, other than pine lands, are for the purposes of this Act termed 'agricultural lands.' "

SEC. 2. That section five of said Act be amended so as to read as follows:

SEC. 5. That whenever, and as often as the survey, examination, and lists of one hundred thousand acres of said pine lands or of a less quantity, in the discretion of the Secretary of the Interior, have been made and approved, the Secretary of the Interior shall be, and he hereby is, authorized and directed to sell, under such rules and regulations as he may prescribe, and at such times and places as he may designate, to be sealed under Scribner's rules in the log after being cut, all the merchantable pine timber, whether the same be green or dead, standing or fallen, now on such pine lands, with the exception of five per centum of said timber on certain reservations as hereinafter provided, to be paid for when the timber is cut, banked and sealed in the manner herein provided for. Provided, That said pine timber shall be advertised for sale in Government sections or parts of sections, and shall be sold only by separate sealed bids for the pine timber on each section, and the Secretary of the Interior shall be reserved the right to reject any or all of said bids; Provided, That the Secretary of the Interior may also receive bids in groups of not exceeding ten sections in any one bid, which bids may be in addition to the separate bids by sections on the same lands. The parties bidding shall accompany each of said sealed bids with cash or certified check for twenty per centum of the amount of the bid for the pine timber on any particular section or groups, according to the highest value as shown by the Government estimate as hereinafter provided for, and said cash or certified check shall be retained and credited as part payment of the purchase price should the bid be accepted, but should the bid be rejected said cash or certified check shall be immediately returned to the bidder: Provided further, That said timber shall not be sold at a price less than four dollars per thousand feet board measure for Norway pine and five dollars per thousand feet board measure for white pine: Provided further, That the Secretary of the Interior may increase said minimum price on portions of said timber as he may deem just and proper: Provided further, That said Secretary may, if he shall deem it best, permit the purchaser of the timber on any Government section or group to erect a mill of a capacity or not less than forty thousand feet board measure of lumber per day, and to manufacture thereat the timber on said Government sections or groups, said mill to be located on said section or group, or at such place in the immediate vicinity as may be designated by said Secretary; and the said Secretary is authorized to lease to such purchaser not exceeding three hundred and twenty acres of land for mill purposes, for any one purchase, at annual rental to be fixed by the Secretary of the Interior, for a renewal term not exceeding ten years, said term to end, in any event, so soon as the timber purchased shall have been sawed and removed, said lease of land to be exclusive of the timber thereon, which timber shall be disposed of as herein provided for other timber: And provided further, That prior to any sale the Secretary of the Interior shall cause notices of said sale to be inserted once in each week, for four successive weeks, in one newspaper of general circulation, published in each of the following cities, namely: Minne-

apolis, Saint Paul, Duluth, Winona, and Crookston, Minnesota; Chicago, Illinois; Milwaukee, La Cross, Ashland, Wausau, and Marinette, Wisconsin; Detroit, Saginaw, Menominee, and Bay City, Michigan; Philadelphia and Williamsport, Pennsylvania; Boston, Massachusetts; New Orleans, Louisiana; Saint Louis, Missouri; Albany, New York, and Dubuque, Davenport, and Burlington, Iowa, and in the following trade journals, to wit: The Northwestern Lumberman, of Chicago, Illinois, and the Mississippi Valley Lumberman, of Minneapolis, Minnesota, of the sale of said timber as herein provided to the highest bidder, with the right to reject any and all bids, the first publication of said notices to be at least six calendar months prior to said sale, said notices to state the time and place and the terms of such sale, and contain a general description of the lands from which the timber is to be sold, and shall refer intending bidders to the printed lists to be obtained from the Commissioner of the General Land Office or register of the local land office, as provided in section four of this Act. Said notices shall also state in what tracts or parcels the timber is to be sold: Provided, That one additional notice calling attention particularly to date of the sale shall be published thirty days prior to the day fixed for the sale in the first advertisement: Provided further, That in cutting the timber on two hundred thousand acres of the pine lands, to be selected as soon as practicable by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, on the following reservations, to wit: Chippewas of the Mississippi, Leech Lake, Cass Lake, and Winnebagoishish, which said lands so selected shall be known and hereinafter described as 'forestry lands,' the purchaser shall be required to leave standing five per centum of the pine timber thereon for the purpose of reforestation, as hereinafter provided, said five per centum to be selected and reserved in such manner and under such rules and regulations as may be prescribed by the Forester of the Department of Agriculture and approved by the Secretary of the Interior: Provided further, That there shall be reserved from sale or settlement the timber and land on the islands in Cass Lake and in Leech Lake, and not less than one hundred and sixty acres at the extremity of Sugar Point, on Leech Lake, and the peninsula known as Pine Point, on which the new Leech Lake Agency is now located, which peninsula approximate seven thousand acres, and in addition thereto ten sections in area on said reservations last aforesaid, to be selected by the Forester of the Department of Agriculture, with the approval of the Secretary of the Interior, in lots not less than three hundred and twenty acres each in contiguous areas, and nothing herein contained shall interfere with the allotments to the Indians heretofore and hereafter made. The Islands in Cass and Leech lakes and the land reserved at Sugar Point and Pine Point Peninsula shall remain as Indian land under the control of the Department of the Interior.

"Each and every purchaser of timber hereunder shall be required and shall enter into an agreement to cut clean and remove all the merchantable pine timber, whether green or dead, standing or fallen, on each tract, subdivision, or lot covered by his purchase, except on the forestry lands as hereinafter provided, within such time as the Secretary of the Interior may direct, and under such rule and regulations as he may prescribe, and to cut

no timber other than pine, except such as may be absolutely necessary in the economical conduct of the logging operations, and to burn or remove a sufficient amount of the tops and refuse to prevent danger from fire to the timber left standing, under rules and regulations to be prescribed by the Secretary of the Interior, and, when practicable, to employ Indian labor in the cutting, handling, and manufacture of said timber. And each and every purchaser shall be required to give a bond in a sufficient penalty, to be approved by the Secretary of the Interior, for the faithful performing of said agreement and for the observance of the regulations of the Secretary of the Interior concerning the sale, cutting, and removal of such timber: Provided, That the Secretary of the Interior shall, upon application, furnish to any persons who may expect to bid, not more than ninety days prior to the date of the sale of any pine timber hereinbefore mentioned, a statement of the rules and regulations under which said pine timber shall be cut and the tops and refuse thereof burnt or removed, and of the time within which said timber must be removed.

"Before being removed from the tract from which they are cut, all logs cut thereunder shall be stamped and bark-marked by the logger and numbered and sealed by competent and experienced scalers, to be appointed by the Secretary of the Interior and paid such reasonable salaries as may be fixed by him. Said scalers shall keep in suitable books for reference a record of the marks, also a complete list of the numbers of all logs, with the scale of each log set opposite its number, said scale books to be open to the inspection of the check scaler or to any authorized Government representative at all times; and said logs shall be landed separately from all other logs, and the title to said logs shall remain in the United States for the benefit of the Indians; and said logs shall not be removed from the place of landing until the purchase price agreed upon shall be fully paid to such officer of the Indian Department as shall be designated by the Secretary of the Interior to account for and receive the same. And the Secretary of the Interior may, at the request of the chiefs of said bands or tribes of Chippewa Indians of the State of Minnesota interested in the said timber sales, appoint check scalers to verify and inspect the work of the Government scalers: the said check scalers to be designated by said chiefs and paid out of the funds of the Indians such reasonable compensation as may be fixed by the Secretary of the Interior.

"After the merchantable pine timber on any tract, subdivision, or lot shall have been removed, such tract, subdivision, or lot shall, except on the forestry lands aforesaid, for the purpose of this Act, be classed and treated as agricultural lands, and shall be opened to homestead entry in accordance with the provisions of this Act: Provided, that on the forestry lands aforesaid, as soon as the merchantable pine timber now thereon shall have been removed from any tract, subdivision, or lot, as herein provided, such tract, subdivision, or lot shall, without further Act, resolution, or proclamation, forthwith become and be part of a forest reserve, the same as though set apart by proclamation of the President in accordance with the Act of Congress, approved March third, eighteen hundred and ninety-one, and subsequent laws amending and supplementing the same, and shall be managed and protected in accordance with their provisions and the rules and regulations made and to be made in

furtherance thereof: And provided further, That on said forestry lands aforesaid said pine timber shall be cut clean, except as to the five per centum as hereinbefore provided, and removed under the supervision and direction of the Forester of the Department of Agriculture, in accordance with rules and regulations to be prescribed by him and approved by the Secretary of the Interior, and the said Forester shall have power at all times to patrol and protect said lands and forests, and to enforce all rules and regulations made by him as aforesaid.

"As soon as practicable after the passage of this Act the Secretary of the Interior shall open to homestead settlement, as herein provided, the lands on all the reservations, or portions of reservations, which have been ceded to the United States by the Chippewa Indians in Minnesota, including the four reservations last aforesaid, which have been examined and found to be agricultural lands, and shall immediately proceed to have examined, as herein provided, the remaining lands, and shall without delay open to homestead settlement those found to be agricultural lands: Provided, That on the four reservations last aforesaid, where agricultural lands are included within or contiguous to forestry lands and, in the opinion of the Forester of the Agricultural Department, necessary to the economical administration and protection of the same, said Forester shall, as soon as practicable after the passage of this Act as to those lands which have already been examined, and as to the lands not yet examined immediately after the examination an approval of the lists of said lands, of which approval said Forester shall be immediately notified by the Secretary of the Interior, file with the Secretary of the Interior schedules designating according to the Government subdivisions said agricultural lands, not to exceed fifteen thousand acres of the lands already examined and not to exceed ten thousand acres of the lands yet to be examined, which said agricultural lands so designated shall not be offered for entry and settlement, but shall become and be a part of the forest reserve hereinbefore created.

"There shall be appointed by the Secretary of the Interior one superintendent and such assistants as he may deem necessary, whose compensation shall be fixed by the Secretary of the Interior, and for the superintendent shall not exceed six dollars per day, and for the assistants shall not exceed four dollars per day each, while actually employed, and whose duties shall be to supervise the cutting and scaling of the timber sold under the provisions of this Act, and to see that the rules and regulations prescribed by the Forester and the Secretary of the Interior are complied with, and generally to perform such services in and about the sale of the pine timber on said lands, and the cutting of the same therefrom, and the care and protection of all timber on said lands, as may be required of them by said Forester and said Secretary.

"The Secretary of the Interior may, in his discretion, authorize the purchasers of timber hereunder to build on the rivers and lakes on or within said ceded lands, under such rules and regulations as he may deem proper, dams, cofferdams, booms, and to make other river and lake improvements necessary to facilitate logging operation: Provided, That the parties building such dams, cofferdams, booms, and making other river and lake improvements shall pay the officers whom the Secretary of the Interior shall designate to receive such payments such damages as may be caused on the said ceded lands, such damages to be ascertained and determined in such manner as the Secretary of the Interior may direct.

All the expenses incurred in carrying out the provisions of this Act as to the examining and listing of said lands, and the selling, cutting, and scaling of said timber, shall be paid by the Secretary of the Interior out of the proceeds of the sale of said timber: Provided, That no expense arising out of the forestry provision shall be charged to the Indians."

SEC. 3. That section seven of said Act be amended by inserting after the word "lands," in line one thereof, the words, "and timber."

SEC. 4. That so much of the Act of June seventh, eighteen hundred and ninety-seven, entitled "An Act making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes

(Continued on last page.)