

Wells

056
308
Wells Colony

Nevada Indian Agency
Stewart, Nevada

April 30, 1957



Mr. B. C. Call
Brighton City, Utah

Dear Mr. Call:

A copy of your letter dated March 26, 1957, which included a letter you wrote to Mr. David H. Pabawena, Wells, Nevada has been referred to this office for a reply direct to you.

Mr. Pabawena lives in the Wells Colony located nearly 50 miles from the Elko Colony. The land description you gave is correct for the Elko Colony.

The people of Wells Colony do not live on any land that belong to them or the United States.

The Commissioner has stated that the Bureau does not have funds that are applicable for repairs or improvement to Indian Colonies. These expenses must be borne by the people within the Colony site.

Plans are being made by U. S. Public Health to secure funds from Congress to make improvements to the Elko Colony for their water and sewer system.

Please accept our appreciation for your sincere interest in the Welfare of the Wells Colony.

Sincerely yours,

Harbor A. Ladd
Superintendent

cc: Commissioner

350

file
down

Wells



Wells to ...
May 11-1957

United States
Department of the Interior
Bureau of Indian Affairs
Washington 25, D.C.

W20

... of the Court of Claims where in 1861 ...
... against the United States; this
... for the following reasons.

... of the city of ...
... of Brigham City ...
... the complaint ...
... of the treaty obligations ...

... of ...
... in the name of ...
... of August 1857 ...

... to ...
... of ...

... of ...
... of ...

... of ...
... of ...

... of ...
... of ...

... of ...
... of ...

... of ...
... of ...

United States Wells
Department of the Interior
Bureau of Indian Affairs
Washington 25, D.C.



Wells Nevada
11-3-1957

170

The undersigned is a member of the Western Band of the Shoshone Tribe and
resides in the State of Nevada. I am advised that you are very much interested with
the finding of the facts of Shoshone Tribe's situation.

The survey given this date is that, by the members of the Western Band through by the
treaties, in general, the former Indian leaders who negotiated treaties with
Governor James W. Wadsworth in 1853.

which is a treaty identifies as being with the bands of the Shoshone of which
the on-grounds, Snake Lake and the Big. were the principal chiefs, of the Western
Band of Shoshone Nation, represented by their former leadership including Thomas, at
Ruby Valley, Nevada, on October 1, 1853, who was a like Indian Nation representative.

Several years later, entered into by the representatives of said Nation of which was identified
on the 24th day of 1853, since that was being out of and by reason of the failure of
the United States to carry out the terms and provisions of said treaty of Ruby
Valley of 1853.

The United States Government, promise and agree to pay to Western Band of Shoshone Tribe
a sum of money of twenty, or more, to a sum of one hundred dollars, which
sum is known that same were not was unpaid by United States, that was being
a sum of money of twenty, or more, to a sum of one hundred dollars.

That will be a being an act of the United States resulting to the United States
to the United States a distribution of money more, the United States by United States,
which will be a sum of money of twenty, or more, to a sum of one hundred dollars, are willing to
admit same as well as for the same, therefore, that same were not and

3. the location and overland stage lines and the construction of a railway and
 railroads which established and to have been by white men, that were used and
 unpaid by United States, that was treaty obligation, which the former Indian leader
 who negotiated Treaty with Governor Doty in 1863,

also, Government has failed to account for its Management, handling and disposition
 of said moneys and properties together with interest thereon, which may show
 on the records to be owing to Western Bands upon a proper accounting, in accordance
 with the fiduciary duties and the liabilities herein set forth.

as a result, said Western Bands have been damaged in that they have not received
 compensation for the loss of their land, including mining claims and their mineral
 rights which are located under the earth, that were damaged for having made them
 compensation and have been otherwise damaged said Indians;

as you know, the claims of Western part of the Shoshone Nation are based on the
 possession of the land in question from time immemorial. Western Indians occupy
 a reservation Indians residing within the territorial limits of the United States will
 claim to have a equity arising under the constitution, law of treaty.

consequently, you will appreciate any information that we can be furnish you
 which will serve to prove occupancy of this area by the Shoshone Indians, who
 are called the Shoshone Nation of Shoshone City.

Since you have asked you to identify the lands and claims that
 are now in the above entitled claims, and where they are located or
 within the exterior boundaries of Governor Doty;

the lands and claims are scattered over so vast an extent of country, that it will be
 necessary for you to identify to visit them at several points.

the Indians who would share in their claims in the recovery will be determined by Congress, this will be directed to identifying the Indian whose lands were taken by white men, any particular Indian is a descendant of the Indians who originally owned the claims is a matter.

I shall appreciate if you will give me the benefit of your opinions on some of these issues by following question and returning an answer to me, as soon as possible.

with kindest personal regards

Sincerely yours

Chief E. J. Hart

United States
Department of the Interior
Bureau of Indian Affairs
Washington 25, D. C.



Wells, Nevada
February 9 - 1960

390 Dear gentleman.

once again we call your attention, that the area realty assistant in this area he furnished me a same additional information which I advise in my office some time ago.

this W $\frac{1}{2}$ of sec 10. T. 39, N. R. 62, E. 4, MDM, Nevada was patented to the state of Nevada in 1872 and 1892.

the E $\frac{1}{2}$ of sec 10. T. 39, was patented to Mr. Birdzell on September 23, 1938, Mr. Birdzell allowed to make homestead entry under date of March 28, 1933, Prior to his entry two homestead entries were filed on this tract; one by adison A. Curtis under date of 14, 1914, and the other by Albert Chas. Lyon on the February 21, 1923, Mr. Curtis failed submit final proof of settlement. and Mr. Lyon signed a relinquishment of claim. all of the homestead entry application contained in the printed form hang to the effect, that the land is not occupied and improved by any Indian.

before the homestead of the E $\frac{1}{2}$ of section 10. T. 39, this tract had been included in law which the state of Nevada desired to reclaim under contemplated system of irrigation however, this particular land was relinquished by the state on January 14, 1914. there is no mention in any of this correspondance of any Indian living on or using this land.

But these Shoshone Indians living on or using this lands is in section 10. T. 37, is now occupied by Shoshone Indians residing near the Wells, Nevada, they has been living on this tract over hundred years past before the white man come on before any rail way constructed also before the state established recognized. these Shoshone Indians owned or occupied this lands pursuant to the provision the act of October 1, 1863, (U.S. Stat. 689.) 2 Kappler 851,

these Shoshone Indians have been issue to realty assistant in this area

plentiful evidence to provided proof that showing a long continued occupa-
these lands by the Shoshone Indians in this vicinity.

as to the treaty of October 1, 1863 (18 stat. 689), the United States did agree to pay a
for a period of 20 years, the sum of \$5,000 dollars, in such articles, including other
purpose thereto, as the President of the United States shall deem suitable for
wants and condition.

is there such funds would now be available under this treaty. The Shoshone
believed the treaty has a tribal funds there that would adequately compensate
under this articles of the treaty of October 1, 1863 (18 stat. 689), § 1, that is
provided to improved their living conditions at present time.

I cannot do my inquiry to Mr. Glen L. Wilkinson and Barker 744 Jackson place
Washington D. C. because their attorneys contract was expire on April 1
this is the matter now, also Mr. Barker said, we have no authority to
represent you in this behalf.

and trying to discover a fairly conclusive answer to this question and returning
the answer to me, as soon as possible.

Sincerely yours
Dore H. Pabawena
P. O. Box 404
Nickel, Nevada.