

Ed-Emp

81670-18

HVB

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE

White Earth, Minn.

March 15 1919.

The Commissioner of Indian Affairs,
Washington, D.C.



Sir:

Under date October 15 1918 authority, above noted, transferred Mr. Benjamin Caswell " from the position of Interpreter, at \$3 a day, under the jurisdiction of Stanley S. Waite, Examiner of Inheritance, to a similar position at the same rate of compensation under the jurisdiction of James T. Rahily, Examiner of Inheritance"

Transferree has not entered upon duty, having been in the beginning delayed by prevalence of influenza, and later by sojourning in Washington in connection with Minnesota Chippewa matters.

It is inquired whether renewal or confirmation of the foregoing authority is needed; Mr. Caswell writes from Cass Lake asking that question, answer to him abides Office advices.

In this reference, having been informed that Mr. Caswell had heretofore been allowed subsistence both at and away from headquarters, it is further inquired whether such allowance follows his transfer?

I have the honor to suggest that there is very gravest need of clerical help on this assignment, far more than there is of the services of an interpreter; no difficulty is experienced in getting an interpreter anywhere on this reservation, on the other hand this detail has been, as it is now, without a stenographer, except for a few days since the first of the year; and the work suffers accordingly.

Requesting advices, I beg to remain

Respectfully

See Ramsey

James T. Rahily
Examiner of Inheritance



Rhod. 11/23/20

30789

Ed-Exp
81670-18
H V B

OCT 15 1918

Mr. Benjamin Caswell,
Through James T. Rahily,
Examiner of Inheritance.

My dear Mr. Caswell:

You are hereby transferred from the position of Interpreter, at \$3 a day, under the jurisdiction of Stanley S. Waite, Examiner of Inheritance, to a similar position at the same rate of compensation under the jurisdiction of James T. Rahily, Examiner of Inheritance.

Very truly yours,

(Signed) E. B. Meritt

10-9-MM

Assistant Commissioner.

(Copy to James T. Rahily, Examiner of Inheritance)

INITIALING COPY - FOR FILE.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE

WHITE EARTH AGENCY

White Earth, Minn.

August 23, 1918.



The Commissioner of Indian Affairs,
Washington, D. C.

Dear Mr. Commissioner:

On account of my transfer to the Indian Office,
it is recommended that Mr. Benjamin Caswell, Interpreter
under my jurisdiction, be assigned to Mr. James T. Rahily,
Examiner of Inheritance.

Very respectfully,

Stanley S. Pratte
Examiner of Inheritance.

SSW/GBS

OK L Pratte 221

File 8

DEPARTMENT OF THE INTERIOR
 UNITED STATES INDIAN SERVICE
 WHITE EARTH AGENCY

White Earth, Minn.

Aug. 23, 1918.



The Commissioner of Indian Affairs,
 Washington, D. C.



Dear Mr. Commissioner:

On January 21, 1918, Benjamin Caswell was appointed interpreter under my jurisdiction at a salary of \$3.00 per day, with actual expenses for subsistence while away from his home. He was entitled to increase of compensation of 10% until June 30, 1918. Under the wording of the new appropriation act it may be is not entitled to the increase of \$10.00 per month.

Mr. Caswell has been in the Indian Service for several years. He was transferred to the Department of Justice in July, 1916, his services being needed as interpreter and investigator in connection with the prosecution of suits involved in the so called White Earth litigation. Upon completion of that work he was appointed interpreter in the Indian Service, as above stated.

Mr. Caswell is an efficient and valuable employee, with special knowledge of White Earth matters, and it is recommended that he be granted the increase under the new bill, granting increases in salaries of Federal employees.

Yours respectfully,

Stanley S. White
 Examiner of Inheritance.

SSW/GBS

The following to be filled out in the Bureau in Washington:

[Name of bureau.]

[Appointment, reinstatement, transfer, promotion, etc.]

[Title of position, and salary.]

vice

Entered on duty (or took effect) _____, 190_____

OATH OF OFFICE.

(Section 1757, United States Revised Statutes.)

I, Benjamin Leaswell
[Miss or Mrs. (if appropriate), and full first name.]

do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Benjamin Leaswell

Sworn to and subscribed before me this 23rd

day of January, A. D. 1908

O. W. Rummert

Notary Public.

Notary Public, Becker Co., Minn
My Commission Expires Nov. 1, 1924



5-1142

Ed-Emp.
2831-18
H V B

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

WHITE EARTH AGENCY

White Earth, Minn.
January 23, 1918.

The Commissioner of Indian Affairs,
Washington, D. C.

Dear Mr. Commissioner:

I have to advise you that Mr. Benjamin Caswell entered on duty this day as interpreter under my jurisdiction.

Herewith is Oath of Office executed by Mr. Caswell.

Yours respectfully,

Stanley D. White
Examiner of Inheritance.

SSW*E

Emp

JAN 11 1918

Ed-Exp.
112322-17.
HVB

AUTHORITY



The Commissioner
of Indian Affairs.

Sir:

Authority is hereby granted for the interpreter under the jurisdiction of Stanley S. White, Examiner of Inheritance, to receive a salary of \$3.00 a day with actual necessary traveling expenses and actual expenses of subsistence (not exceeding \$3.00 per day), when on duty away from home or when working on the public domain, instead of \$2.00 a day, as at present authorized, payable from the appropriation "Determining Heirs of Deceased Indian Allottees, 1918", effective this date, or as soon thereafter as the new appointee enters on duty.

Respectfully,

(Signed) S. G. Hopkins.

1 Lg 9

Assistant Secretary.

Ed-Emp.
2831-18
H V B

5

JAN 17 1918

Mr. Benjamin Caswell,

Cass Lake, Minnesota.

My dear Mr. Caswell:

You are hereby appointed to the position of interpreter under the jurisdiction of Stanley S. Waite, Examiner of Inheritance, Minneapolis, Minnesota, at a salary of \$3 a day with actual necessary traveling expenses and actual expenses of subsistence (not exceeding \$3 a day) when on duty away from home or when working on the public domain, to take effect when you subscribe to the oath of office and enter on duty, which you are directed to do at the earliest practicable date.

In order that your file may be complete, you are requested to forward a photograph of yourself taken within the last two years.

Very truly yours,

(Signed) E. B. Meritt

1-HCB-15

Assistant Commissioner.

Copy to Stanley S. Waite,
Examiner of Inheritance

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE

Minneapolis, Minn., Dec. 6, 1917.

The Commissioner of Indian Affairs,
Washington, D. C.

Dear Mr. Commissioner:

Herewith is a letter from Mr. R. C. Bell, Special Assistant to the Attorney General, regarding Mr. Benjamin Caswell, now employed as interpreter by the Department of Justice. On account of circumstances, Mr. Bell does not feel warranted in retaining Mr. Caswell's services after December 31st.

Mr. Caswell was employed for some time by the Indian Office, and later transferred to the Department of Justice to assist the Special Assistants to the Attorney General in connection with White Earth litigation. He is familiar with the suits, knows practically all the Indians on the White Earth Reservation, and would render invaluable help in the work now being performed by Examiner James T. Rahily and myself. I have had his services for several months and found him efficient and reliable.

Mr. Caswell lives at Cass Lake, has a large family and cannot afford to work for the amount I am authorized to pay an interpreter. At present he receives \$90 per month and \$3 per diem.

On account of the complications and the information necessary to secure in every case, we should have a man of Mr. Caswell's caliber to be employed continuously. I therefore concur in Mr. Bell's recommendation that Mr. Caswell be transferred to the Indian service, with the further recommendation that he be paid a reasonable salary and placed under my jurisdiction.

Respectfully yours,

Stanley S. White
Examiner of Inheritance.

Encl.



ROBERT C. BELL,
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL.

Department of Justice,

203 Federal Office Building,
Minneapolis, Minn.

RCB-EO

November 27, 1917.

Stanley S. Waite, Esq.,
Examiner of Inheritance,
White Earth, Minn.



Dear Mr. Waite:

The authority for the employment of Benjamin Caswell by the Department of Justice expires December 30, 1917. Under the circumstances I cannot ask that the authority be renewed.

I have recommended that he be transferred to the Indian service. If such transfer is satisfactory to Mr. Caswell, I suggest that you ask authority to employ him in connection with your work.



Of course, I need not say that I have always found him absolutely reliable, because you are sufficiently familiar with his work to know that fact; also to know whether his services have been satisfactory to you.

I write this letter because of my interest in him.

Sincerely yours,

A handwritten signature in cursive script that reads "R C Bell".

Special Assistant to the Attorney General.

Department of Justice

303 Federal Office Building
St. Paul, Minnesota

Dear Sir:

WHITE EARTH AGENCY
MINNESOTA
RECEIVED

DEC 1 1917

Referred to _____

Ans. _____



ROBERT C. BELL,
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL.

Department of Justice,
203 Federal Office Building,
Minneapolis, Minn.

RCB-EO

January 2, 1918



The Commissioner of Indian Affairs,
Washington, D. C.

S i r :

I am enclosing herewith letter of Benjamin Caswell to you, dated the 31st ultimo, requesting reinstatement as an employee of the Department of the Interior. Mr. Caswell has been connected with White Earth litigation since July 1, 1916, as a Special Employee of the Department of Justice. His services have been entirely satisfactory, but the work in which he has been engaged is finished. I trust that he may be reinstated in accordance with his request.



Respectfully,

Special Assistant to the Attorney General.

Encl.

ROBERT C. BELL,
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL.

Department of Justice,

203 Federal Office Building,
Minneapolis, Minn.

Cass Lake, Minnesota, December 31, 1917

The Commissioner of Indian Affairs,
Washington, D. C.



Dear Sir:

I hereby make an application for reinstatement in the Interior Department from which place I was transferred about eighteen months ago to the Department of Justice, as interpreter for the Government attorneys of the White Earth Land Cases.

I have held the following positions for the Interior Department:-

1895 to 1896 Assistant Teacher, Harlem, Montana.
1896 to 1900 Teacher, Harlem, Montana.
1901 to 1908 Principal In Charge, Cass Lake, Minnesota.
1908 to 1912 Supt. & S. D. A., Cass Lake, Minnesota.
1912 to 1913 Overseer on Timber Matters, Onigum, Minn.
1913 to 1916 Detailed to help, in the field, Gov't attorneys on the White Earth Land Cases, first, J. H. Hinton, Special Indian Agent, and then J. R. Howard, Supt. White Earth Agency.



A suitable assignment is desired within the State of Minnesota or near Cass Lake, Minnesota. Have interests in the State so that an out-of-state assignment could not, conveniently, be accepted.

Very respectfully,

Benjamin Caswell

Thru

R. C. Bell, Esq.,
Special Assistant to the Attorney General,
203 Federal Building,
Minneapolis, Minnesota.

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.

ALU
CSE-AEB

K *CS*

168665-161



November 10, 1917.



The Secretary of the Interior.

Sir:

Mr. Benjamin Caswell has for some time been employed by this Department as an interpreter in connection with White Earth Indian litigation in Minnesota. I have the honor to inform you that his services will not be required after December 31, 1917.

FILED BY I. D.

This information is furnished in order that he may be transferred to the Indian Service, if such be your wish.

Very respectfully,

For the Attorney General,

J. J. Kearful
Assistant Attorney General.
Leh

file
Gury
De

DEPARTMENT OF THE INTERIOR

WASHINGTON

March 19, 1917.

24226-17
to B. W.

My dear Mr. McCormick:

I have your favor of the 8th instant, with inclosures, in behalf of Mr. Benjamin Caswell, who desires a position in the Government Service, and in reply beg to state that at present there are no vacancies at Washington in this Department to which he could be appointed. I regret this very much, as I should be glad to further his interests because of the support you give him and for the further reason that he is an Indian.

In this instance, I wish to state that an examination of Mr. Caswell's letters, with indorsement of Mr. C. C. Daniels therewith, indicates that his principal desire is for an appointment in Washington, D. C., on the Board to Administer the Workmen's Compensation Law (or some other similar position), which I understand is the same as the United States Employees' Compensation Commission, the members of which have been appointed, I am, therefore, returning to you the correspondence, so that, if you think best, the matter may be taken up with Secretary Tumulty, looking to Mr. Caswell's appointment on some commission yet to be named by the President.

Cordially yours,

Alexander T. Vogelsang
Acting Secretary

Hon. Vance C. McCormick,
Harrisburg, Pa.

Incl. 9923. AS REWRITTEN IN THE
SECRETARY'S OFFICE.

Ed-Schools
24226-1917
C B K

47

My dear Mr. McCormick:

I have your letter of March 8, 1917, with reference to the appointment of Mr. Benjamin Caswell to a position in the Government Service, and have carefully considered the matter, conferring with the Commissioner of Indian Affairs, who has also given it special attention and advises me that at present there are no vacancies at Washington in the Indian Service.

In this instance, Mr. Caswell, whose letters with an endorsement by Mr. C. C. Daniels you forward, apparently desires an appointment on the Board to Administer the Workmen's Compensation Law. This Board is not within my jurisdiction but is under the Department of Labor. I therefore think it best to return to you the correspondence so that, if you desire, the subject may be taken up with Secretary Wilson.

I regret that at present there is no opening in this Department that can be offered to Mr. Caswell, as I

To Secretary

MAR 15 1917.

For signature

Handwritten notes: 3-3, 6116-22, 216, 17-21

REWRITTEN IN THE

SECRETARY'S OFFICE

INITIALING COPY - FOR FILE

should be glad to further his interests because of the support you give him and for the further reason that he is an Indian.

Cordially yours,

Richard T. Hays

Hon. Vance C. McCormick,
Harrisburg, Pa.

Inclosure 9923.

REWRITTEN IN THE
SECRETARY'S OFFICE

9958

Cram

VANCE C. McCORMICK
CHAIRMAN DEMOCRATIC NATIONAL COMMITTEE
HARRISBURG, PA.

DEPT. OF THE INTERIOR
RECEIVED
★ MAR 9 - 1917 ★
TO INDIAN OFFICE
DEPT'S OFF. MAILES & FILES

March 8th, 1917

DEPT. OF THE INTERIOR
REFERRED
★ MAR 9 - 1917 ★
FOR REPORT & RETURN
SECY'S OFF. MAILES & FILES

Hon Franklin K Lane,
Secretary of the Interior,
Washington, D.C.

INTERIOR DEPT.
RECEIVED
MAR -9 1917
OFFICE OF
THE SECRETARY

OFFICE OF INDIAN AFFAIRS
RECEIVED
MAR 11 1917
97220

3

Dear Mr Secretary:-

I am sending you herewith letters from an old acquaint-
ance of mine, a former student at Carlisle Indian School, as
also a letter of endorsement from Mr C C Daniels. I thought he
might be useful to you in your department and if you know of any-
thing available or can make any suggestions by which we can place
him, it will be appreciated.

Yours very truly,

Vance C. McCormick

vcm-a

FILED BY L. E. G.

*Com'r 30
9 10*

FRANCIS J. KEARFUL,
SPECIAL ASSISTANT TO THE ATTORNEY GENERAL.

Department of Justice,

203 Federal Office Building,

Minneapolis, Minn.

FJK-EO

June 28, 1916.



John H. Hinton, Esq.,
Superintendent,
White Earth, Minn.

Dear Mr. Hinton:

Recalling a letter of some weeks ago, in which you referred to the status of Mr. Benjamin Caswell, I have now to inform you that on my request the Department of Justice has authorized me to employ him at a salary of \$90.00 per month and \$3.00 per day in lieu of subsistence, beginning July 1, 1916, as interpreter in connection with the White Earth litigation. Therefore, beginning July 1st, Mr. Caswell will be carried on the rolls of this Department and I suggest that you take the proper steps to drop his name from the payroll of your Department.

Yours very truly,

Special Assistant to the Attorney General.



Status Made

MEMORANDUM FOR MISS BRIDGE.

The following is taken from a letter, dated May 12, from the Superintendent of the White Earth Indian School concerning salary list for fiscal year 1917.

Clerk

Benjamin Caswell

\$900

*Status
M.B.*

" This employee has been detailed to work with the Department of Justice as interpreter in connection with land litigation on the reservation. He has been doing very little work for the agency. It is my understanding that the Department of Justice has employed another interpreter lately. Mr. Caswell would be of very little assistance in the office at this agency for the reason that he is not a stenographer. It is recommended, therefore, that his position under this agency be abolished upon his transfer and that there be established in lieu thereof a position of stenographer and typewriter at \$840 per annum."

It is believed that Mr. Caswell should be transferred.

Ed.-Emp.
60022-16
H V B

JUN -6 1916

Mr. Benjamin ✓ Caswell,

(Through Supt. White Earth School).

My dear Mr. Caswell:

The Office is in receipt of your letter dated May 22, 1916, requesting transfer from the position of clerk at \$900 a year, at the White Earth Agency, Minnesota, to the position of superintendent or principal.

You are advised that there is no suitable vacancy at this time to which you can be assigned, but your qualifications for promotion will be given consideration in connection with future openings.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

6-EWB-3

INITIALING COPY - FOR FILE

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

White Earth Indian Agency,
White Earth, Minnesota,
May 29, 1916.



The Commissioner of Indian Affairs,
Washington, D. C.

Sir:

I have the honor to transmit herewith request for transfer submitted to this agency by Mr. Benjamin Caswell. In this connection attention is called to my report of May 12, 1916, in answer to the Commissioner's letter of May 6th, giving justification for all the positions under the jurisdiction of the White Earth Agency, in which a recommendation is made that Mr. Caswell be transferred from this agency, and that a position of stenographer and typewriter at \$840 per annum be established in lieu of his position.

Very respectfully,

J. A. Hinton
Superintendent.

BPS/T
Inclosure.

Emp

FILED BY L. E. G.

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

White Earth, Minn., May 22, 1916.

The Commissioner of Indian Affairs,
Washington, D. C.



Dear Sir:-

I hereby make application for a transfer from my present position to a permanent one among the Minnesota Chippewas as provided in the Indian Appropriation Bill, H.R.10385, for the fiscal year ending June 30, 1917.

A change is desired by me because my salary is too small for the kind of work the position demands and for this reason I am unable to do full justice to the work and to myself as an employee. The salary would be ample for a young man without a family.

I prefer a superintendency or as a principal of a school as I have had much experience in the same. I have held the following positions in the Indian Service:-

Assistant Teacher -----	1895-1896
Teacher -----	1896-1900
Principal in Charge -----	1901-1907
Supt. & Spl.Disb.Agent -----	1908-1912
Overseer on Timber Matters -----	1912-1913
Clerk(Interpreter,Dept.of Justice) -----	1913-1916

Very respectfully,

Benjamin Caswell
Clerk.

Thru.

John H. Hinton, Supt. & Spl. Disb. Agt.,
White Earth Agency,
White Earth, Minn.

Ed. Emp.
55271-16
H V B

JUN -2 1916

The Auditor

for the Interior Department.

Sir:

The Office is in receipt of your letter, dated May 20, 1916, requesting to be furnished with a copy of the authority detailing Benjamin Caswell for duty as interpreter with the Department of Justice in connection with the White Earth land fraud cases. *Status*

You are advised that on November 7, 1913, Mr. Caswell was transferred from the position of Overseer at \$900 a year at the Leech Lake Agency, Minnesota, to the position of clerk at the same rate of compensation in the office of John H. Hinton, Special Indian Agent, at Detroit, Minnesota, and Mr. Hinton was instructed to advise him when and where to report for duty under his proposed detail as interpreter in connection with White Earth matters. On November 10, 1913, Mr. Hinton advised the Office that he had instructed Mr. Caswell to proceed on that date to Fergus Falls to act as official interpreter. On June 29, 1915, Mr. Caswell was transferred from the office of Mr. Hinton to the position of clerk (Interpreter) at \$900 a year at the White Earth Agency, Minnesota, and

Carbon for Indian Office.

dating from the time he entered on duty in Mr. Hinton's office he has continued to act as interpreter for the Department of Justice when his services were required, receiving in such capacity his regular salary of \$900 a year.

There appears to be no regular detail.

Very truly yours,

(Signed *E. B. Meritt*
Assistant Commissioner.

5-RSM-31

19



TREASURY DEPARTMENT

WASHINGTON

May 20, 1916.



OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

The Commissioner of Indian Affairs.

Sir:

For use in the settlement of claim #286006 in favor of Benjamin Caswell for expenses incurred for the purpose of acting interpreter and field work for government attorneys in White Earth land cases, you are requested to furnish me with the authority detailing him for that duty, and fixing his compensation.

Respectfully,

Alon A Price

Auditor.

WK.

A.

gurb

EFFICIENCY REPORT.

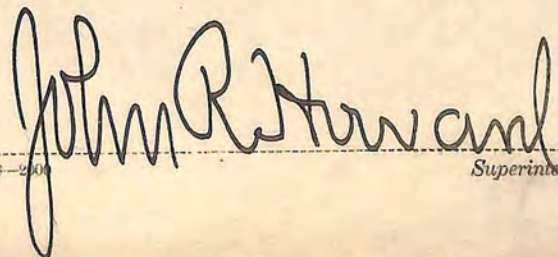


Name of employee Benjamin Caswell
 Name of school White Earth Agency, Minn. Date April 30, 1916.

Native ability Good	Position Clerk
Acquired ability Good	Salary \$900
Initiative Poor	Race Indian
Openness to suggestion Good	Sex Male
Adaptability Good	Age 46
Habits as to—	Years in service 20
Appearance Good	Married or single Married
Courtesy to others Excellent	Physical condition Good
Manners and speech "	Musical ability:
Kindness to pupils	Vocal
Industry Fair	Instrumental
Loyalty Excellent	Interest in work Good
General efficiency Good	

COMMENT.

Mr. Caswell was transferred to this agency from the Office of Special Indian Agent Hinton on July 1, 1915. He has been detailed to assist the Department of Justice in ~~the~~ the land cases of this reservation and acts as their interpreter and does some field work them. He is an allottee of this reservation and has been employed in the Service a number of years in the positions of teacher, principal, and clerk.



 Superintendent.

INSTRUCTIONS.

On the first of May and November of each year, officers in charge of employees will prepare and submit reports in duplicate, on this form, as to the efficiency of employees under their direction—a separate report being made for each employee.

Efficiency reports are not required on temporary employees, or employees occupying the position of Indian judge, Indian police, laborer, or any position paying \$300 a year or less.

In filling out this blank, the following system should be observed:

Excellent indicates 90 to 95; excellent plus 95 to 100.

Good indicates 80 to 85; good plus 85 to 90.

Fair indicates 70 to 75; fair plus 75 to 80.

Poor indicates below 70.

Under the heading "Comment," officers will make a comprehensive statement regarding the qualifications of an employee rated "good" or "excellent." When a rating of "fair" or "poor" is given, a detailed statement will be made showing in what respect the employee is deficient, and if he or she is better fitted for the duties of some other position.

6-2000

Books read during past twelve months:

Eliot's Harvard Classics - Vols. 2-9-11-12-13-16-17-24-29
33-39-43-44-50

Theosophy - Koran by Sale - Bible Mythology by Berens

Shakespeare's Caesar, Merchant of Venice, etc.

Ridpath's History, Vols. VII and VIII

Periodicals for which employee is a regular subscriber:

Collier's Weekly,

Ladies Home Journal

Minneapolis Journal, (Daily)

645

Ed-L & O
19351-16
J E M

MAR -6 1916

Mr. Francis J. Kearful,
Special Assistant to the Attorney General,
Department of Justice,
Washington, D. C.

My dear Mr. Kearful:

Your letter dated February 21 inclosing a communication from Charles W. Smith and one from Benjamin Caswell, who is carried on the employment roll of the White Earth Indian Agency but who has been specially assigned to assist your Department in White Earth matters as interpreter, relative to increasing his compensation has been received and contents carefully considered.

I regret to advise you that the fund out of which this man's salary is paid, namely, "Chippewa in Minnesota Fund, 1916" is depleted to such an extent that an increase cannot be allowed/^{Mr.}Caswell at this writing.

In view, however, of the excellent reports made by yourself and Mr. Smith as to this man's ability and the manner in which he has performed his work for your department, the matter of giving him an increase in salary will be carefully borne in mind when funds become available.

Very truly yours (Signed) **E. B. Meritt**

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

FJK-nep

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.



February 21, 1916.

Edgar B. Meritt, Esq.,
Assistant Commissioner of Indian Affairs.

My dear Mr. Meritt:

Herewith I am sending you two letters addressed to me, one dated February 4, 1916, signed by Charles W. Smith, and the other dated February 5, 1916, signed by Benjamin Caswell, both referring to the desirability of increasing the compensation of Mr. Caswell, who is in the field service of the Bureau of Indian Affairs and specially assigned to assist the Department of Justice in White Earth matters as interpreter.

Mr. Caswell is efficient and reliable, and we shall shortly have some very important work for him to do. The salary which he is now receiving, - \$900 per annum and actual expenses, - is insufficient for the support of himself and his family. He will not be able to render the efficient service which he would if he were receiving more adequate compensation. I therefore have the honor to suggest that his compensation be made \$1200 a year, and that he be al-

FILED BY I. E. O.

31507-15

Imp 3a
9
1050

FEB 24 1916

Edgar B. Meritt, Esq. - 2.

lowed \$4 per day in lieu of subsistence. This is a very small increase and I believe it is fully justified under the circumstances.

Mr. Caswell is in Washington at the present time with a delegation of Indians and, if you desire, he will call upon you or whoever gives this matter attention.

I should be very much pleased if you would give this matter early consideration.

Yours very truly,

Francis J. Kearful

Special Assistant to
The Attorney General.

Inclosures.

CWS/GML.

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE,

~~WASHINGTON, D.C.~~

203 Federal Building
MINNEAPOLIS, MINN.

February 4, 1916.

Francis J. Kearful, Esq.,
Special Assistant to the Attorney General,
Minneapolis, Minnesota.



Dear Sir:-

I remind you of our conversation about Mr. Benjamin Caswell, who, during the past two years, has acted as interpreter for the Government in taking testimony in our equity cases.

Mr. Caswell, as you know, is employed by the Department of the Interior as a clerk in the field service of the Bureau of Indian Affairs and was specially assigned to assist us in this work.

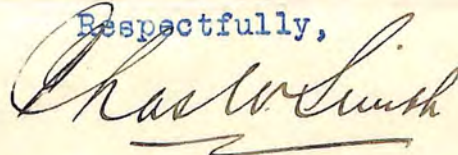
Mr. Caswell is competent and every way desirable for this work, and I believe that you agree with me that his services should be retained, so long as we need them, if possible.

His salary is \$75.00 per month and when away from his headquarters he is paid his actual expenses of subsistence and travel. I have been with him a great deal upon this work, as you know, and I am sure that his salary and expense allowances are insufficient to properly support him in the field and maintain his family at home. Seventy-five dollars (\$75) per month is not sufficient according to my experience at least to maintain any family in these times. But apart from this Mr. Caswell's

position is somewhat peculiar. He is a White Earth Chippewa Indian brought up amongst these people, well acquainted with them and they knowing that he is an educated and intelligent man naturally look to him for advice in their affairs, and it leads to that intimate relation between persons in which one asks the other for material assistance, which is not easy to refuse. Mr. Caswell is no different to the rest of us and as I know does not always refuse, though he is not prodigal or careless. There is always the further consideration which we all experience in the Government service when away from our homes and that is that there are always some little items of expense utterly unavoidable, though not chargeable in our accounts.

I earnestly hope for the sake of the work which we have to do that Mr. Caswell's salary may be materially increased in his present position,^{or} (and perhaps I should not suggest this) that he be transferred to the special service of the Indian Bureau at a materially increased compensation.

Respectfully,



Special Assistant to the Attorney General.

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

White Earth, Minnesota,
February 5, 1916.

Hon. F. J. Kaerful,

Spl. Asst. to Atty. General,
203 Federal Building,
Minneapolis, Minn.



Dear Sir:-

If my service can be of any further use to your field force in the White Earth Land Cases, I should like to have my salary increased by some means or method to a self-sustaining basis. I have exhausted all my other source of revenue to make up my living expenses for myself and family what my salary failed to cover. My efficiency in the work for the Department of Justice is also greatly affected by my insufficient salary, hence this request.

You have had much experience in the work of this kind; I am getting \$900 per annum; my family composed of my wife and 4 children, the oldest 15 and the youngest 6; I am, under present custom, to advance my traveling expenses out of my salary.

I hate to trouble you with this request at this time when you must be busy in getting your ~~new~~ bearings in your new surroundings.

Very respectfully,

Benjamin Caswell
Clerk.

FOR RECOMMENDATION OF C C DANIELS REL. TRANSFER OF
BENJAMIN CASWELL

SEE 5735-16 STATUS OF LULA C PARR

EFFICIENCY REPORT.

Name of employee Benjamin CaswellName of school White Earth Agency, Minn. Date Nov. 1, 1915.

Native ability	<u>Good</u>	Position	<u>Clerk</u>
Acquired ability	<u>"</u>	Salary	<u>\$900.00</u>
Initiative	<u>"</u>	Race	<u>Indian</u>
Openness to suggestion	<u>"</u>	Sex	<u>Male</u>
Adaptability	<u>"</u>	Age	<u>46</u>
Habits as to—		Years in service	<u>20</u>
Appearance	<u>"</u>	Married or single	<u>Married</u>
Courtesy to others	<u>"</u>	Physical condition	<u>Good</u>
Manners and speech	<u>"</u>	Musical ability:	
Kindness to pupils	<u>"</u>	Vocal
Industry	<u>Fair</u>	Instrumental
Loyalty	<u>Good</u>	Interest in work	<u>Good</u>
	<u>Good</u>	General efficiency	<u>Good</u>

COMMENT.

Mr. Caswell entered the Service as assistant teacher September 23rd, 1895 ^{and} ~~who~~ entered on duty at this office as Clerk with the Department of Justice July 1st, 1915.

Wm R Howard

6-2000

INSTRUCTIONS.

On the first of May and November of each year, officers in charge of employees will prepare and submit reports in duplicate, on this form, as to the efficiency of employees under their direction—a separate report being made for each employee.

Efficiency reports are not required on temporary employees, or employees occupying the position of Indian judge, Indian police, laborer, or any position paying \$300 a year or less.

In filling out this blank, the following system should be observed:

Excellent indicates 90 to 95; excellent plus 95 to 100.

Good indicates 80 to 85; good plus 85 to 90.

Fair indicates 70 to 75; fair plus 75 to 80.

Poor indicates below 70.

Under the heading "Comment," officers will make a comprehensive statement regarding the qualifications of an employee rated "good" or "excellent." When a rating of "fair" or "poor" is given, a detailed statement will be made showing in what respect the employee is deficient, and if he or she is better fitted for the duties of some other position.

6-2000

Books read during past twelve months:

Periodicals for which employee is a regular subscriber:

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

WHITE EARTH AGENCY



White Earth, Minn.,

July 3rd, 1915.

The Commissioner of Indian Affairs,
Washington, D.C.

Sir:

I have the honor to inclose herewith the Oath of Office of Benjamin Caswell, who entered on duty as Clerk (Interpreter) at \$900.00 per year at this Agency on July 1st, 1915.

Very respectfully,

John R. Howard
Superintendent.

BPS-D

Exp

The following to be filled out in the Bureau in Washington:

OATH OF OFFICE.

(Section 1757, United States Revised Statutes.)

[Name of bureau.]

[Appointment, reinstatement, transfer, promotion, etc.]

[Title of position, and salary.]

vice -----

Entered on duty (or took effect) -----, 190-----

I, Benjamin Leaswell
[Miss or Mrs. (if appropriate), and full first name.]

do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Benjamin Leaswell

Sworn to and subscribed before me this 1st

day of July, A. D. 1905

John R. Howard
Notary Public.

Ed.-Emp.
H V B

Mr. Benjamin Caswell,
Through John H. Hinton,
Special Indian Agent.

JUN 29 1915

My dear Mr. Caswell:

You are hereby transferred from the position of Clerk at \$900 a year under the jurisdiction of John H. Hinton, Special Indian Agent, to the position of Clerk (Interpreter) at the same rate of compensation at the White Earth Agency, Minnesota, to take effect when you subscribe to the oath of Office and enter on duty, which you are directed to do on July 1, 1915.

Very truly yours,

(Signed) *E. B. Meritt*
Assistant Commissioner.

6-CDW-25

Copies to John H. Hinton
and White Earth.

INITIALING COPY - FOR FILE.

EFFICIENCY REPORT.

Name of employee Benjamin CaswellName of school Field Work. Detroit, Minn. Date May 18, 1915.

Native ability	<u>Good</u>	Position	<u>Clerk</u>
Acquired ability	<u>Good</u>	Salary	<u>\$900. per annum</u>
Initiative	<u>Good</u>	Race	<u>Indian</u>
Openness to suggestion	<u>Excellent</u>	Sex	<u>Male</u>
Adaptability	<u>Good</u>	Age	<u>45 years</u>
Habits as to—		Years in service	<u>19</u>
Appearance	<u>Excellent</u>	Married or single	<u>Married</u>
Courtesy to others	<u>Excellent</u>	Physical condition	<u>Good</u>
Manners and speech	<u>Good</u>	Musical ability:	
Kindness to pupils	<u>-----</u>	Vocal	<u>-----</u>
Industry	<u>Good</u>	Instrumental	<u>-----</u>
Loyalty	<u>Excellent</u>	Interest in work	<u>Excellent</u>
		General efficiency	<u>Good</u>

COMMENT.

The statements contained in former report dated June 23, 1914, are renewed and made a part of this report.

J. A. Hinton
Special Indian Agent.

INSTRUCTIONS.

On the first of May and November of each year, officers in charge of employees will prepare and submit reports in duplicate, on this form, as to the efficiency of employees under their direction—a separate report being made for each employee.

Efficiency reports are not required on temporary employees, or employees occupying the position of Indian judge, Indian police, laborer, or any position paying \$300 a year or less.

In filling out this blank, the following system should be observed:

Excellent indicates 90 to 95; excellent plus 95 to 100.

Good indicates 80 to 85; good plus 85 to 90.

Fair indicates 70 to 75; fair plus 75 to 80.

Poor indicates below 70.

Under the heading "Comment," officers will make a comprehensive statement regarding the qualifications of an employee rated "good" or "excellent" When a rating of "fair" or "poor" is given, a detailed statement will be made showing in what respect the employee is deficient, and if he or she is better fitted for the duties of some other position.

6-2000

Books read during past twelve months:

Periodicals for which employee is a regular subscriber:

Ed. - Employees.
31507-1915.
H V B

11
APR -8 1915

Mr. John H. Hinton,
Special Indian Agent,
Detroit, Minnesota.

My dear Mr. Hinton:

The Office is in receipt of your letter of March 15, 1915, with copies of certain correspondence relative to the detail of Benjamin Caswell, clerk at \$900 a year under your jurisdiction, to assist the special attorneys of the Department of Justice in charge of White Earth land fraud cases.

You are instructed to continue the detail of Mr. Caswell to the Department of Justice, his salary and expenses to be paid by you as heretofore.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

4-MFL-5

INITIALING COPY - FOR FILE.

L-C
R J H

31507-15

B

EDUCATION-INDUSTRIES:

It is suggested that the status of Benjamin Caswell remain as heretofore, which, it is understood, is the desire of Special Agent Hinton.

It appears that he is carried on Mr. Hinton's roll but is loaned to the Department of Justice whenever the special attorneys in charge of White Earth land fraud cases need his services.

A handwritten signature in dark ink, appearing to be 'W. M.', written over a horizontal line.

Chief, Land Division.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE



White Earth, Minnesota, March 15, 1915. 12

The Commissioner Of Indian Affairs,
Washington, D. C.,

Sir:-

Your attention is respectfully invited to copies of the following letters:

One dated February 15, 1915, addressed by me to Hon. C.C. Daniels, in charge of White Earth land matters, his answer of date February 17, 1915, and my reply, dated February 23, 1915, all regarding the services of Benjamin Caswell, a clerk under my jurisdiction, in connection with his services in the investigation of the White Earth land fraud cases.

It will be observed that Mr. Daniels states that he earnestly desires that the services of Mr. Caswell, or of some one equally qualified, be secured to the Department of Justice for the White Earth land fraud work; because such need is greater now than ever before.

Lucas Mr. Daniels asks that the same cooperation in this work be continued now as has heretofore obtained between the Departments of the Interior and Justice.

Mr. Caswell has been subject to the orders of the Department of Justice since November 26, 1914, as shown by a copy of a letter to him, of that date. He has been subject to the call of the Department of Justice at any and all times since he was transferred to my jurisdiction, to act as interpreter for the special attorneys

MAR 27 1915

or, to aid them in making special investigations in the field.

It will be observed from the copy of my letter dated February 23, 1915, to Mr. Daniels, that I advised him that if Mr. Caswell could be steadily employed by his office as an interpreter, or assistant investigator in the field, of the land fraud cases, he would be continued under my jurisdiction for that purpose, so far as I am concerned.

In the letter last mentioned I expressed the wish and purpose to continue the same cooperation in the work in hand as that which had theretofore obtained between the Department of Justice and the Department of the Interior; that should it be found however that Mr. Caswell could not be kept constantly employed by his office, I should feel it incumbent upon myself to submit the matter to the Indian Office.

Attention is also invited to copies of certain letters addressed by Charles W. Smith, Special Assistant to the Attorney General, to me, regarding the services of Mr. Caswell, and the necessity for their continuance. You will also find copies of my letters to Mr. Smith regarding the matter about which he writes.

As the Department of Justice has specially requested the services of Mr. Caswell, or of some other person equally well qualified, it is requested that you approve his detail to that Department, to act as interpreter and assist in making field investigations of White Earth land frauds.

In this connection it appears to be proper to invite your attention also to the enclosed copy of a letter from Mr. Daniels, dated March 12, 1915, wherein he says that on the 11th. instant

a tentative arrangement for the trial of the equity cases was agreed upon before the Master In Chancery, and that a plan is to be formulated and submitted to the Master next Wednesday.

Very respectfully,

J. A. Hinton,
Special Indian Agent.

4/1
.....191...✓
O.K.
LAND-CONTRACTS
Chief Land Division.
[Signature]

(COPY)

Detroit, Minn.,

Nov. 26, 1914.



Cass Lake

Dear Mr. Caswell:-

Mr. Smith wants you to do some work in that vicinity beginning next Monday, the 30th.

He will send it to you at Cass Lake, I am so advised by Mr. Daniels.

In view of this fact, you need not return to Detroit Monday; but start from Cass Lake on the work assigned you by the Department of Justice.

Keep a daily itinerary and be able to make full report at any time.

Very respectfully,

(Signed) J. H. Hinton,

Special Indian Agent.



White Earth, Minnesota, February 15, 1915.

Hon. C. C. Daniels,
Attorney In Charge White Earth Land Matters,
401 Federal Bldg., Minneapolis, Minnesota,

Dear Sir:

Some time in the latter part of last year Mr. Benjamin Caswell, a clerk under my jurisdiction, was assigned to duty with the special agents or special attorneys of your office, to interpret for, and cooperate with them in the investigation of the White Earth land fraud cases in the field.

Your attention is respectfully invited to the triplicate vouchers herewith presented by Mr. Caswell for his traveling expenses during the month of December, 1914, and the month of January, 1915. Accompanying these two vouchers are two sub-vouchers signed by Lila Caswell, wife of Benjamin Caswell. These vouchers, the sub-vouchers, and explanatory letters from Mr. Caswell, show the time that he was at his home at Cass Lake in those two months.

It will be observed that his voucher for December is for subsistence and lodging from December 1, to December 23, except one breakfast, three dinners, and two suppers.

In this connection you are advised that Mr. Caswell took annual leave of absence in December, from the 23rd. to the 31st. of December, 1914, both days inclusive.

Mr. Caswell was therefore at home practically the entire

month of December, 1914. I called upon him for an explanation of his stay at home during that month. He gave a partial excuse; ; but one which I thought would justify me in allowing payment of the voucher. It has not, however, yet been submitted to the Indian Office for administrative examination. Exceptions may be taken to it by the Indian Office, or it may be suspended by the Auditor.

I was under the impression that Mr. Caswell was engaged during that month in field work.

The voucher for January shows in connection with the sub-voucher submitted by him, that he was at his home at Cass Lake, from January 1, to January 31, 1915, except the 7th., and 8th., and breakfast dinner, and supper, on the 9th., supper and lodging on the 20th., and breakfast and dinner on the 25th. He was therefore at home practically the entire month of January. Notwithstanding this fact, his expense account for that month, while at home, is \$30.15. No report was made to me by Mr. Caswell of any work performed by him during that month while at home, and no explanation given. I have therefore declined to pay the January voucher, believing that its payment is not warranted under the circumstances, and that the Indian Office would take exceptions to it, if paid, and perhaps criticize me for making the payment.

I wish further to explain that the work of the Detroit office has been so far completed that the clerical services of Mr. Caswell are no longer needed there.

Under these circumstances I have thought that you might wish to have Mr. Caswell transferred to your jurisdiction, and placed on the pay-roll of your office. I shall be glad to have your views regarding the matter.

If you do not wish to put him on your pay-roll, or if you and your assistants cannot furnish him with field work, I deem it incumbent upon myself to recommend to the Indian Office that Mr. Caswell be assigned to duty elsewhere than the Detroit office.

The Indian Office has called on me some time heretofore to know when I would be able to reduce the force, and therefore the expenses of the Detroit office. It has been advised that the time had not yet come for such action. It seems that it would be proper to advise them of the situation now and ask the Office specifically whether it is willing to continue Mr. Caswell on my pay-roll, and to pay his expenses in the field, when working exclusively for the Department of Justice, in case you do not care to put Mr. Caswell on your pay-roll.

It is of course understood that I have no objection in case the Indian Office so instructs to carrying Mr. Caswell on my pay-roll and paying not only his salary but his subsistence when engaged in field work under your orders or the instruction of your special attorneys.

I shall not however present this matter to the Indian Office until I hear from you. Please give me your views fully on the subject.

Very respectfully,

(Signed) / *J. H. Linton*

Special Indian Agent.

P.S. Please return enclosed triplicate vouchers for my files.

(COPY)



204 Federal Bldg .,

Minneapolis, Minn., Feb. 17, 1915.

John H. Hinton, Esq.,

White Earth, Minn.

Dear Sir:

White Earth Indian Reservation Cases.
Re Services of Benjamin Caswell.

I have your letter of the 15th. instant.

This office, of course, is and always has been naturally desirous of the services of some persons who, like Ben Caswell, is a Chippewa Indian, persona grata with the Chippewa Indians and also with white persons; who is educated, a competent interpreter, familiar with the history of his people, and with the controversies involved in these cases and, all together, exceptionally well qualified to assist the attorneys of the Department of Justice in the investigation and other work incidental to the trial of White Earth Indian Reservation cases.

A Master In Chancery has been appointed, as you know, to hear and determine the quit cases, and the services of interpreters and investigators will be steadily employed from now on until the cases are all submitted.

I therefore earnestly desire that the services of Mr. Caswell, or of some one equally qualified, may be secured to this Department for this work; for such need is greater now than ever before, and the same cooperation in this work that has heretofore obtained between the Departments of the Interior and Justice will be as necessary in the future as it has been in the past.

Yours very respectfully,
C.C. Daniels

Special Assistant to the Attorney General in Charge White Earth Matter



White Earth, Minnesota, February 23, 1915.

Hon. C. C. Daniels,

Atty. InCharge White Earth Matters,

205 Federal Bldg., M¹neapolis, Minn.,

Dear Mr. Daniels:-

I am in receipt of your letter of February 17, 1915, in answer to one from me of the 15th. instant, regarding the services of Benjamin Caswell, saying that as a Master in Chancery has been appointed to hear and determine the equity cases, the services of interpreters and investigators will be steadily employed from now on until the cases are all submitted; that you therefore earnestly desire that the services of Mr. Caswell, or of some one equally qualified, may be secured to your department for this work, because such need is greater now than ever before.

In answer I have to advise you that if Mr. Caswell can be steadily employed by your office as an interpreter and assistant investigator in the field of the land fraud cases, he will be continued under my jurisdiction for that purpose, so far as I am concerned.

It is my wish and purpose to continue the same cooperation in the work in hand as that which has heretofore obtained between the Department of Justice and the Department of the Interior. Should it be found however, that Mr. Caswell cannot be kept constantly employed by your office, I should feel it incumbent upon myself as heretofore indicated to submit the matter to the

Indian Office, in order to avoid criticism for his non-employment and the payment of his expenses during such period.

Very respectfully,

J. H. Hinton,
Special Indian Agent.

(COPY)

203 Federal Bldg.,
Minneapolis, Minnesota.

February 13, 1915.

J. H. Hinton, Esq.,
Special Indian Agent,
Detroit, Minnesota.



Dear Mr. Hinton:-

I have your letter of the 11th and a copy of Caswell's January expense account, which latter I return herewith.

I know that much of Caswell's work during January necessarily kept him about Cass Lake and at and in the neighborhood of Leech Lake; but I had supposed that his work had kept him absent from his home more than appears by his expense account. On one occasion during that month he reported to me that he had caught a severe cold while out about Leech Lake and it may be that sickness, resulting therefrom, kept him at his own home for a few days.

His work did bring some good results.

Excepting for the first three or four days of this month he has been in the neighborhood of Mille Lac and has reported to me from there.

I hope that Mr. Carr will be able to soon join him there. I am writing to him today.

Yours truly,

Chas. W. Smith.

Special Assitant to the Attorney General.

(COPY)

DEPARTMENT OF JUSTICE

Washington, D.C.

203 Federal Bldg.,
Minneapolis, Minnesota.

February 15, 1915.

J. H. Hinton, Esq.,

Special Indian Agent,

White Earth, Minnesota.

Dear Mr. Hinton:-

Since I last wrote you on the subject of Ben Caswell, I have received from him a report of his investigation covering seven pages of very material and important information and which is vitally needed in the "selected" ten cases.

I also received from him the enclosed letters which must speak for themselves.

If I am competent to judge of the work of Ben Caswell, as evidenced by his report above mentioned, he has been busy indeed and intelligently busy since he went to the Mille Lac region, and while I had expected to join him and take part in the work there, I have reached the conclusion since receiving his report that my presence would add nothing to the volume or the completeness of his work.

I sincerely hope that some arrangements will be made by which the Department of Justice may be assured the continued services of Ben Caswell, in the work in which he is now engaged in the Mille Lac country,



and thereafter in the region of Pine Point, where Agent Carr or I will join him.

Please return the enclosed letters that I may have them for my files.

Yours very truly,

Chas. W. Smith.

Special Assistant to the Attorney General.

(COPY)



White Earth, Minn., February 16, 1915.

Charles W. Smith,
Special Assistant to the Attorney general,
203 Federal Bldg., Minneapolis, Minn.,

Dear Sir:-

I am in receipt of your letter of February 16, 1915, saying that you sincerely hope that some arrangements will be made by which the Department of Justice may be assured the continued services of Ben Caswell, in the work in which he is now engaged in the Mille Lacs country, and thereafter in the region of Pine Point, where either you or Agent Carr will join him.

In answer I have to advise you that it is desired to continue Mr. Caswell in the service of the Department of Justice in the field, not at his home in Cass Lake.

Your attention is respectfully invited to my letter of yesterday to you, whereby I arranged to keep Mr. Caswell at field work.

I have not had any intention, and have none now, of withdrawing the services of Mr. Caswell from the Department of Justice.

I have taken this matter up with Mr. Daniels with a view of making a final adjustment of the same, by either having him transferred to the pay-roll of the Minneapolis office, or requesting the Indian Office to specially authorize the payment of his salary and expenses and subsistence when actually on duty in the field, and not when at his home in Cass Lake.

Mr. Caswell has been subject to the request of the Minneapolis

for interpreter, or as an investigator in the field, ever since he was transferred to my jurisdiction, and in the latter part of 1914 you were advised that his entire services were subject to your request, and they are still so subject.

It is hoped that this letter, in connection with the one addressed to you yesterday will fully explain the situation, and be entirely satisfactory to the Minneapolis office.

The letters of Mr. Caswell which you enclosed for my information are returned herewith as requested.

Very respectfully,

J. H. Hinton,
Special Indian Agent.

(COPY)



31507

White Earth, Minnesota, February 24, 1915.

Charles W. Smith,
Special Assistant to the Attorney General,
203 Federal Bldg., Minneapolis, Minnesota,

Dear Mr. Smith:

It is respectfully requested that you send me a copy of each and all of your instructions hereafter given to Mr. Benjamin Caswell, regarding the matter of making investigations in the field, of cases under your jurisdiction, or which are being investigated by the Minneapolis office of the Department of Justice. A copy of such instructions is necessary in the matter of the payment of his traveling expenses.

I am responsible on my bond for any disbursements made, and must therefore be prepared to show the Indian Office and the Auditor for the Department of the Interior reasons for the expenditures.

Mr. Caswell is at your entire disposal, and I have advised Mr. Daniels that it is my wish to cooperate hereafter as heretofore in the investigation of White Earth land fraud cases.

I know you will be good enough to comply with my request, and that you will at once see the necessity for having a copy of your instructions in my possession. Please include the instructions recently given Mr. Caswell at Onamia, where you saw him last.

Very respectfully,

J. H. Hinton,

Special Indian Agent.

(COPY)

DEPARTMENT OF JUSTICE
WASHINGTON



203 Federal Bldg.,

Minneapolis, Minn., Feb. 26⁵, 1915.

J. H. Hinton, Esq.,

White Earth, Minn.

Dear Sir:

I have your letter of yesterday's date and now send herewith copy of my letter of today to Ben Caswell.

The instructions given to him at Onamia were not stated in writing, but were given verbally, and he took notes of them at the time.

The instructions called for an investigation to ascertain the blood of the members of the Wah boze family, and to ascertain and marshal witnesses to prove that fact.

He will also obtain the necessary information to and will make family tables of all of the descendants of Wah boze and his several wives.

His instructions also called for other investigations of lesser volume, but equally important; and of these matters he can himself advise you from his notes.

His work, in pursuance of the Onamia instructions, will necessarily take him to many points on the Reservation.

Yours very truly,

Chas. W. Smith,

Sp'l. Ass't to the Atty Gen.

(COPY)

DEPARTMENT OF JUSTICE

Washington, D. C.

203 Federal Building,
Minneapolis, Minnesota
March 12, 1915.

J. H. Hinton, Esq.,
Special Indian Agent,
White Earth, Minnesota.

Dear Sir:-

Equity 1066

O. A. 691, Te-bish-co-cumig-o-quay

I have your letter of February 8th and enclosed therewith copy of your letter of the same date to the Commissioner of Indian Affairs.

Yesterday before the Master In Chancery a tentative arrangement for the trial of the equity cases was agreed upon and a plan is to be formulated and submitted to the Master next Wednesday. This plan contemplates the grouping of cases for convenience and expedition of trial and until this grouping is done it will be impossible to tell where Case No. 1026 will occur; but as soon as we have formulated our plan for the trial of these cases, we hope to be able to see some way to advance this case for trial, but I personally cannot do that without disrupting the plan.

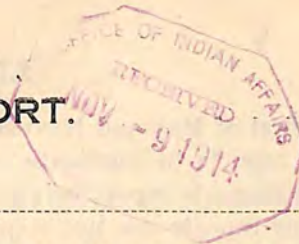
Yours very truly,

C. C. Daniels,

Special Assistant to the Attorney General
In Charge of White Earth Matters.



EFFICIENCY REPORT.



Name of employee Benjamin Caswell
 Field work,
 Name of school Detroit, Minnesota. Date November 1, 1914.

Native ability Good	Position Clerk
Acquired ability Good	Salary \$900. per annum
Initiative Good	Race Indian
Openness to suggestion Excellent	Sex Male
Adaptability Good	Age 45 years
Habits as to—	Years in service 18 (Indian Service)
Appearance Excellent	Married or single Married
Courtesy to others Excellent	Physical condition Good +
Manners and speech Good	Musical ability:
Kindness to pupils	Vocal
Industry Good	Instrumental
Loyalty Excellent	Interest in work Excellent
General efficiency Good	

COMMENT.

The statements contained in former report dated June 23, 1914, are renewed and made a part of this report.

J. H. Hinton
 Special Indian Agent.

INSTRUCTIONS.

On the first of May and November of each year, officers in charge of employees will prepare and submit reports in duplicate, on this form, as to the efficiency of employees under their direction—a separate report being made for each employee.

Efficiency reports are not required on temporary employees, or employees occupying the position of Indian judge, Indian police, laborer, or any position paying \$300 a year or less.

In filling out this blank, the following system should be observed:

Excellent indicates 90 to 95; excellent plus 95 to 100.

Good indicates 80 to 85; good plus 85 to 90.

Fair indicates 70 to 75; fair plus 75 to 80.

Poor indicates below 70.

Under the heading "Comment," officers will make a comprehensive statement regarding the qualifications of an employee rated "good" or "excellent." When a rating of "fair" or "poor" is given, a detailed statement will be made showing in what respect the employee is deficient, and if he or she is better fitted for the duties of some other position.

6-2000

Books read during past twelve months:

Periodicals for which employee is a regular subscriber:

EFFICIENCY REPORT.

Name of employee Benjamin Caswell
 Field Work, Detroit, Minnesota Date June 23, 1914.
 Name of school _____

Native ability <u>Good</u>	Position <u>Clerk</u>
Acquired ability <u>Good</u>	Salary <u>\$900. per annum</u>
Initiative <u>Good</u>	Race <u>Indian</u>
Openness to suggestion <u>Excellent</u>	Sex <u>Male</u>
Adaptability <u>Good</u>	Age <u>45 years</u>
Habits as to—	Years in service <u>18+ (Indian Service)</u>
Appearance <u>Excellent</u>	Married or single <u>Married</u>
Courtesy to others <u>Excellent</u>	Physical condition <u>Good +</u>
Manners and speech <u>Good</u>	Musical ability:
Kindness to pupils <u>No School</u>	Vocal _____
Industry <u>Good</u>	Instrumental _____
Loyalty <u>Excellent +</u>	Interest in work <u>Excellent</u>
General efficiency <u>Good +</u>	

COMMENT.

Mr. Caswell is a typewriter, but not a stenographer. He possesses good clerical ability. I have always found him interested in his work. He is courteous, open to suggestion and perfectly loyal. He acts as interpreter for me in both Office and Field work, and also as interpreter for the Special Attorneys of the Department of Justice in taking the depositions of Indians in the White Earth land fraud cases. He represents as interpreter, when called on the Indians and the Government in the U. S. Court

J. H. Hinton,
 Special Indian Agent
 Superintendent.

INSTRUCTIONS.

On the first of May and November of each year, officers in charge of employees will prepare and submit reports in duplicate, on this form, as to the efficiency of employees under their direction—a separate report being made for each employee.

Efficiency reports are not required on temporary employees, or employees occupying the position of Indian judge, Indian police, laborer, or any position paying \$300 a year or less.

In filling out this blank, the following system should be observed:

Excellent indicates 90 to 95; excellent plus 95 to 100.

Good indicates 80 to 85; good plus 85 to 90.

Fair indicates 70 to 75; fair plus 75 to 80.

Poor indicates below 70.

Under the heading "Comment," officers will make a comprehensive statement regarding the qualifications of an employee rated "good" or "excellent." When a rating of "fair" or "poor" is given, a detailed statement will be made showing in what respect the employee is deficient, and if he or she is better fitted for the duties of some other position.

6-2000

Books read during past twelve months:

Periodicals for which employee is a regular subscriber:

FOR STATUS OF

SEE 21670 - 14

ASS'T CLERK \$840 INDIAN SERVICE UNDER J H HINTON

Benjamin Caswell



The following to be filled out in the Bureau in Washington:

[Name of bureau.]

[Appointment, reinstatement, transfer, promotion, etc.]

[Title of position, and salary.]

vice

Entered on duty (or took effect) _____, 191__

OATH OF OFFICE.

(Section 1757, United States Revised Statutes.)

I, Benjamin Caswell
[Miss or Mrs. (if appropriate), and full first name.]

do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic: that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion: and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God.

Benjamin Caswell

Department of the Interior,

Detroit, Minn. 10/10-13 OFFICE

Sworn to and subscribed before me this 10th
day of November, A. D. 1913.



[Signature]

Notary Public, Becker County, Minnesota, ~~Chief Clerk~~
My Commission expires January 15th, 1920

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE



FILED BY W. T. G.

Detroit, Minnesota, Nov. 10, 1913.

The Commissioner of Indian Affairs,
Washington, D. C.,

Sir:-

Referring to your telegram of November 7, 1913, advising me that Mr. Benjamin Caswell had been transferred to my office and directing me to advise him when and where to report for duty, I have to inform you that your instructions were carried out; that Mr. Caswell appeared at the Detroit office to-day (November 10, 1913), took the oath of office and entered upon duty. His oath of office is inclosed for the Indian Office files and your further information.

Mr. Caswell proceeded, upon my request, to Fergus Falls to-day, to act as official interpreter at the trial of the indictment of M. J. Kolb et al, for conspiracy to defraud the Government, pending in the United States court, 6th Division, District of Minnesota.

Very respectfully,

J. H. Hinton
Special Indian Agent.

Status *emp*

E-Emp.
128158-1913
H V B

cb
FOR FILE
NOV -7 1913

Mr. Benjamin Caswell,

Through Sup't Leech Lake School.

Sir:

You are hereby transferred from the position of overseer at \$900 a year at the Leech Lake Agency, Minnesota, to the position of clerk at the same rate of compensation in the office of John H. Hinton, Special Indian Agent at Detroit, Minnesota, to take effect when you subscribe to the oath of office and enter on duty, which you are directed to do at the earliest practicable date.

Unless it is necessary for Superintendent Giegoldt to employ temporarily in your present position immediately, he will carry you on his pay roll for the time required for you to reach your new field of duty and Special Agent Hinton will notify him of the date of your arrival at Detroit.

Respectfully,

(Signed) Cato Sells

Commissioner.

CARBON FOR STATUS FILE

11-AAC-4.

(Carbons to Special Agent Hinton
and Leech Lake).

TELEGRAM

Education-
Employees.
130588-1913
B S G

NOV -7 1913

Hinton, Special Indian Agent,
Detroit, Minnesota.

Your telegram seventh. ✓ Caswell has been trans-
ferred your office. Advise him when and where report for
duty.

Caswell

E. B. Merrett

11-AAC-7.

CARDON FOR STATUS FILE

FOR FILE!

WESTERN UNION TELEGRAM



THEO. N. VAIL, PRESIDENT

RECEIVED AT

39WRV 36 COLLECT GOVT

DETROIT MINN NOV 7

COMMR. INDIAN AFFAIRS,

WASHN., DC.

SEE MY LETTER OCTOBER TWENTY FIFTH NECESSARY TO KNOW IMMEDIATELY WHETHER
BENJAMIN CASWELL WILL BE DETAILED TO ACT AS OFFICIAL INTERPRETER AT
COURT TERM BEGGING NOV ELEVEN WIRE

HINTON AGENT 1219PM

S. W. COR. 7th & F, N. W.
TELEPHONE MAIN 3288

EPM

OFFICE OF INDIAN AFFAIRS
RECEIVED
NOV - 7 1913
130586

Emp
1219

Education-
Employees.
H V B

TELEGRAM
Leech Lake.

Giegoldt, Superintendent,
Walker, Minnesota.

OCT 29 1913
FOR FILE.

Do you recommend and will Benjamin Caswell accept
transfer clerk nine hundred year office Special Agent Hinton,
Detroit, Minnesota? Wire.

Government
Night Rate

10-AAC-28.

C. P. Hauke

WESTERN UNION TELEGRAM



THEO. N. VAIL, PRESIDENT

RECEIVED AT

44WRV 23 COLLECTGR

BENA MINN NOV 1

INDIAN OFFICE,

WDC.

S. W. COR. 7th & F, N. W.
TELEPHONE MAIN 3288

128156

NOV 1 - 1918

OFFICE TELEGRAM TWENTY NINTH BENJAMIN CASWELL ACCEPTS TRANSFER OFFERED
RECOMMENDED THROUGH HIS SERVICES VERY NECESSARY HERE.

GIEGOLDT SUPT 101PM

Emp 245

*No telegraphic
reply necessary.*

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER.

Department of Justice,
Washington.

FILED BY E. R. E.

OFFICE OF INDIAN AFFAIRS
RECEIVED
OCT 27 1913
126434

Minneapolis, Minnesota.

October 25, 1913.

NOV 6 - 1913

The Commissioner of Indian Affairs,
Washington, D. C.

O. K.

P.L.H. for detail of Caswell
Chief of Section.

Approved; prepare authority accordingly.

Sir:-

Wire authority

At a conference, today, with Mr. Gordon ~~Chief of Special Division~~
Assistant to the Attorney General, regarding the trial of an
indictment against M. J. Kolb, et al, for conspiracy to defraud
the Government, which comes on at the November term of the U. S.
District Court, sitting at Fergus Falls, beginning November 11,
1913, request was made to have Mr. Benjamin Caswell, an employee
of the Government at the Leech Lake Agency, detailed to act as
official interpreter thereat.

From my acquaintance with Mr. Caswell, I am led to believe
that he has the qualifications to act as such interpreter. In
view of the request by Special Attorney Gain, which I understand
is concurred in by Mr. C. C. Daniels, Attorney in Charge of White
Earth Land Fraud cases, it is respectfully recommended that the
detail of Mr. Caswell be made for the purpose indicated, and that
the Attorneys be advised accordingly at the earliest practicable
date. As the Court convenes on the 11th of November, it will be
seen that it is necessary to have this matter disposed of at once.

Very respectfully,

J. H. Hinton
Special Indian Agent.

J.H.H./G.M.L.

11/6
K.
LAND CONTRACTS
Acting Chief Land Division

L.O.

Education-Employees
107234-13
H V B

Re transfer of
employee.

FILED BY W. T. C.

SEP 25 1913

Mr. John H. Hinton,
Special Indian Agent.

Sir:

The Office has received your letter of September 2, 1913, relative to the request of Mary C. Wright, your clerk at \$900 a year, to be transferred to a different climate, and in which you recommend the appointment of Benjamin F. Caswell to fill the vacancy caused by her transfer.

There is no position at this time to which Miss Wright can be assigned, but should one occur and her transfer is effected, the question of assigning Mr. Caswell to the vacancy will be given careful consideration.

Respectfully,

(Signed) C. F. Hauke.

9-MR-16

Second Assistant Commissioner.

(Copy)

Detroit, Minn., Nov. 19, 1912.

The Commissioner of Indian Affairs,
Washington, D. C.

Sir:

Office letter (Education-Law and Order, 55419-1912, 72121-1912, P L H), dated November 16, 1912, regarding the purpose of the Office to detail Mr. Benjamin F. Caswell when occasion may arise to act as interpreter for the full-blood Indians of the White Earth Reservation during the Land Fraud Hearings, has been received.

The Office requests me to give my views of the advisability of taking the action suggested. When the testimony comes to be taken in the White Earth Land Fraud Cases, I think it would be advisable to allow the full-blood Indians of the Reservation to have an interpreter in whom they have confidence -- one they are willing to trust -- and I know that Mr. Benjamin F. Caswell whose present position is timber clerk at the Leech Lake Agency, Minnesota, is held in very high esteem by them.

The Hearings may not be held for some time to come owing to certain preliminary work in which the Attorneys for the defendants as well as the Attorneys for the government are engaged, also owing to an appeal which, I am informed, has been taken from the decision rendered by the Judge of the United States District Court, District of Minnesota, Sixth Division, in three cases to-wit:

United States vs National Bank of Detroit,
Equity No. 356;

United States vs Nichols-Chisolm Lumber Company, et
al, Equity No. 559;

Part of correspondence
2 Sep 2
DEPT. OF INDIAN AFFAIRS
RECEIVED
SEP 5 1913
107234
filed

United States vs Minneapolis Trust Company, et al,
Equity No. 1184,

all of which were presented to the Court on stipulation.

In Case No. 356 the stipulation of fact as to the blood status of the allottee is that the allottee had and has some white blood derived from a white ancestor, the exact amount whereof is and was undetermined, but in that behalf it is agreed that it did not exceed $1/32$.

In the case of No. 559 the stipulation of fact in that respect is that the allottee had and has $1/16$ of white blood no more and no less.

The stipulation in respect to Case No. 1184 is that the allottee had and has $1/8$ of white blood no more and no less.

In Case Nos 356 and 359 were decided in favor of the United States but in the case of 1184 wherein the allottee was by stipulation of $7/8$ Indian blood or $1/8$ white, the Bill was dismissed.

As I am informed the defendants appealed from the Decision of the Court in Cases Nos. 356 and 559 and the United States appealed therefrom in the case of No. 1184. Pending the final determination of the question by the higher Courts as to the quantum of blood necessary to constitute an allottee a mixed-blood under the Clapp Act, no hearings will be had of the White Earth Land Fraud Cases, in all probability.

Meantime, the Attorneys are stipulating as to the genealogy of the allottees, and where they agree upon the ancestors, that is, as to the quantum of blood possessed by them, no testimony will be

taken. If both agree that the ancestors of an allottee are Indians, full-bloods, no testimony will be taken, but if the defendants insist that a certain ancestor or ancestors of any allottee on whose behalf a suit has been filed, are of foreign blood, testimony will be taken in such cases. By this means of stipulation it is claimed, that time and expense will be saved and the work of the Attorneys is being pursued along the line indicated.

As I am informed the government has been ready to take testimony in these cases since July 1911. As the pleadings are drawn, the burden of proof is upon the defendant to show that the allottee belongs to the emancipated class under the so-called Clapp Act. In the matter of proof therefore the defendant must first move or take testimony. When he submits his testimony then the government will take its testimony by way of rebuttal, the issue having been joined as to blood status and the burden of proof thrown upon the defendant.

For the further information of the Office there is inclosed a copy of the decision of the Court mentioned above.

From the foregoing, it will be observed that there is not immediate necessity for the appointment of Mr. Benjamin F. Caswell or any other person as interpreter for the full-bloods. It will be time for that purpose when the hearings begin.

It would perhaps be proper to invite now the attention of Judge M. C. Burch who has charge of the White Earth Land Fraud Cases for the Department of Justice, to the fact that the full-bloods wish to have an interpreter of their choice when the hearings are begun.

Com'r. Ind. Affrs. --4--

This course will insure consideration of the matter by the Department of Justice.

Very respectfully,

J. H. Hinton,

Special Indian Agent.

(Copy)

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE



Education-Law &
Order
55419-12
72121-12
P L H

Interpreter.

Washington, Nov. 16, 1912.

Mr. John H. Hinton, S

Special Indian Agent.

Sir:

The Office has under consideration the matter of detailing Mr. Benjamin F. Caswell, when occasion may arise, from his present position as Timber Clerk at the Leech Lake Agency, Minnesota, to act as interpreter for the full-blood Indians of the White Earth Reservation during the land-fraud hearings. Mr. George Walters, whom the office understands to be the Chief of Police at the White Earth Agency, has made request, as Chairman of the business committee for the Indians of his reservation, that Mr. Caswell be employed to act as interpreter for the full blood Indians.

You are requested to give your views of the advisability of taking the action suggested.

Respectfully,

F. H. Abbott,
Acting Commissioner.

11-MH-15