

28397

OFFICE OF
Indian Affairs
Rec. MAY 13

1902

✓ 25356-02

68/119

Indian Industrial School,

Carlisle, Pa.

May 12 1902

Pratt, R. H.,

Lt. Col. 15th Cav'y, Supt.

Returning letter of Mr. Hilde-
brandt to War Dept. respect-
ing dam.

1 me

To Carlisle May 20
" Hildebrandt 1902

File
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Department of the Interior,
INDIAN SCHOOL SERVICE,

Carlisle, Pa., May 12, 1902.

To The Honorable,

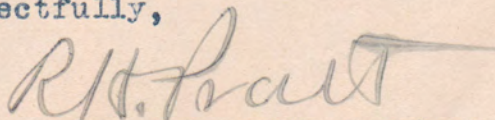
The Commissioner of Indian Affairs,

Washington, D. C.

Sir :

Replying to yours of May 10th marked "Education, 25356 ", with six enclosures in regard to petition of Mr. Hildebrandt and others for removal of dam, I have to respectfully advise you that the dates show that this appeal to the War Department was made at the same time as the appeal to your office by the same people on the same subject matter, and the same answer covers both. There is no call and I am sure there will be none for any Departmental action in this matter.

Very respectfully,



Lt. Col. 15th Cavalry, Supt.

Dictated(P)

3601

25356



Apr. 23¹⁰², 189

Dear Department

Reper letter of
J. A. Hildebrandt and
others for removal
of dam at Carlisle
Indian School.

H. auc.
Em. Carlisle May 1902
Filed 5/15/02 28397/02

28397

Indian Office
Incl. No. 1902

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Department of the Interior,

APR 26 1902

, 189

Respectfully referred to the Com-
missioner of Indian Affairs

Edward L. Dawson
Chief Clerk.

Indian Office

1902

Incl. No. 1

25356

and request the said Lt. Col. N. H. Pratt to remove the said
 of said, believing that your Department will investigate the

fishery, and we have filed copies for call attention to the proper
 interests and forth and amounted to thousands of dollars in loss, loss-
 the damage occasioned by the overflow of said stream in
 Sept. of the Carlisle Indian School to remove said dam and flood gates.
 on the petition and have formally notified the said Lt. Col. N. H. Pratt
 to remove the said dam, and the said Council have taken action
 residents of the borough of Carlisle to request the said Lt. Col. N. H.
 The borough Council of Carlisle has been petitioned by the
 people of does not need-date the construction of said dam.

the borough of Carlisle. The said dam is situated on the
 dam to the property owners residing along said stream and will remain
 rains has caused back water on the stream above said, occasioning great
 that the said dam and flood gates at the time of overflow
 Conowingine Creek at a point near Middlesex, Cumberland County,

that has its rise on the south side of Carlisle, and flowing into the
 connected on the old natural course of the before Spring, a spring
 been constructed by the said school for said school. The said dam is
 erected a dam at Carlisle Indian School on leased ground for the pur-

the said dam is situated on the south side of Carlisle, and flowing into the
 connected on the old natural course of the before Spring, a spring
 been constructed by the said school for said school. The said dam is
 erected a dam at Carlisle Indian School on leased ground for the pur-

1902
WAR DEPT.

Carlisle, Pa., January 31, 1902.

To the ~~Indian Department~~

Secretary of War

Washington, D. C.

We, the undersigned petitioners, respectfully represent, that Lt. Col. R. H. Pratt, Superintendent of the Carlisle Indian School, in 1899 erected a dam ^{the} at Carlisle Indian School on leased ground for the purpose of maintaining a skating pond for said School. The said dam is constructed on the old natural ^{water} course of the Letort Spring, a Spring that has its rise on the south side of Carlisle, and flowing into the Conodoguinet Creek at a point near Middlesex, Cumberland County.

That the said dam and flood gates at the time of ordinary rains has caused back water on the stream aforesaid, occasioning great damage to the property owners residing along said stream and all within the Borough of Carlisle. That the first ^{high water}, causing damage to property does not ante-date the construction of said dam.

The Borough Council of Carlisle has been petitioned by 112 residents of the Borough of Carlisle to request the said Lt. Col. R. H. Pratt to remove the said dam, and the said Council have taken action on the petition and have formally notified the said Lt. Col. R. H. Pratt Supt. of the Carlisle Indian School to remove said dam and flood gates.

The damage occasioned by the overflow of said stream as aforesaid set forth has amounted to thousands of dollars to your petitioners, and we take this course to call attention to the proper Department at Washington before consulting of Council and the institution of suits, believing that your Department will investigate the same and request the said Lt. Col. R. H. Pratt to remove the said nuisance.

J. A. Heildbrandt
Mrs Susan Hall
Wm Hall
Leonard Parker

Harman E. Gulf

John Walsh
William Adams
Wm Spraker

419245. also

Encls. 1 to 2. Encl.

3601

Office of the Secretary

APR 11 1902
373
2
WAR DEPARTMENT.



25356	Indian Office	1902
	Incl. No 2	

Department of the Interior,
INDIAN SCHOOL SERVICE,

Carlisle, Pa., Jan. 30, 1902.

Mr. A. Z. Wetzel, Secy.,
Corporation of the Borough of Carlisle,
Carlisle, Pa.

Dear Sir :-

I am surprised at the position the Town Council takes in regard to our skating pond, claiming that it contributes in any sense to the flooding of the residences above along the Letort Spring. It does not do that; 1st, Because the channel of the Letort Spring along side this pond is as capacious as the channel of the same thru the town of Carlisle, and any water that can pass thru the channel in the town can pass thru the channel at this point. 2nd, There is no time, either at its ordinary stage or flood when the current in the channel at Pratt Street is not in full flow. 3rd, The stream at this point is too far below to account in any manner for the flooding of the town above North Street under any circumstances. 4th, and most important of all is the fact that the water level of the pond which is created by the dam is always, whether at flood or ordinary times, below the water level in the channel of the Letort by the side of the pond, and the dam contrivance is so arranged as to keep it below. The water at this time when there is no flood is passing over the dam. There is a waste for the Letort just below our dam and also at the mill, either or both of which relieve any backing of water.

Should I elect to fill up the land covered by the pond to above the possibility of flooding, in order to use it for building or gardening purposes, would I not have the right to do that? If I choose the rather, and I do, to occupy the land a part of the year for a skating pond, is my right any the less?

I am ready of course for any action to test these premises and believe that when such a scientific consideration is given as would then be necessary, it will be found that the scape-goat for the difficulty is not corralled at the Indian school.

Allow me in closing to suggest that if there is sufficient dredging of the Letort thru the town to accommodate floods, we will take care of the water when it reaches us.

Inasmuch as the action of the Town Council is made public in the papers, I take the liberty of sending copies of this letter to the same papers for the same publicity, at the same time that this letter goes to you.

Yours truly,

(Signed) R. H. PRATT.

Lt. Col. 15th Cavalry, Supt.

Dictated.

C O P Y .

419245, a90

Encl. 2 to 2^d Encl.

Office of the Secretary

APR 11

373

1902

WAR DEPARTMENT.



3601

25356

Indian Office

Incl. No. 3

1902

Department of the Interior,
INDIAN SCHOOL SERVICE,

Carlisle, Pa., Feb. 4, 1902.

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

Sir :-

Replying to your letter of the 1st marked "Education 67033" enclosing petition signed by Hildebrandt, Hall, Parker, and others, complaining that I have erected a dam, etc. on land leased for maintaining a skating pond for the school, which dam interferes with the natural water course of the Letort Spring, I have the honor to enclose to you a copy of my answer to the Secretary of the Town Council which covers the facts and our position in the premises.

Hildebrandt is a member of the town council and the originator of the petition. Neither he nor Hall, Mrs. Hall, Parker, Egulf, Spahr, Minnich, Glass nor Welsh have any property affected by the creek overflow. Adams, Groover and Bender are the only ones whose property has been affected. It would seem important that the particular people suffering damage to their property should be the parties to the complaint. The fact that so few out of the dozens affected are signers of the petition indicates that the majority understand very well that the trouble does not lie at the Indian school.

This is not an incident peculiar to recent years, nor was the overflow which did the damage by filling cellars, flooding gardens, ect. caused by the dam. The facts are that the town has put in three low arched stone bridges across the spring referred to and has not allowed sufficient room for the floods to pass. We are amply below and the use we make of the water for a skating pond is not in any sense an interference with anybody's rights. There will be no suit brought in consequence of anything we have done in this matter and I feel very sure the council will not care to join me in an expert official investigation as suggested in my letter. Since my answer to the secretary of the council, I have had a full talk with the president, who after finding I was not to be made the scapegoat admitted that the fault lies with the town authorities and alleged that he had already urged the council to make an appropriation of thousands of dollars to put in additional arches at the bridges to accommodate flood conditions, and that the matter was now in the hands of a committee of the council who would report this week.

The whole matter can safely be left in my hands.

Very respectfully,

(Signed) R. H. PRATT.
Lt. Col. 15th Cavalry, Supt.

Dictated.

A true COPY

R. H. Pratt
Lt Col 15th Cav
Supt

OFFICE OF THE SECRETARY OFFICE OF ADJUTANT GENERAL

373

1902

419245

1902

WAR DEPARTMENT

3601



Carlisle, Pa.
January 31, 1902

J. A. Hildebrandt & others
" " "

Submit petition for removal of a dam at the Carlisle Indian School, as the back water from this dam does serious injury to the property of the petitioners.

2 encls. to 2. Enclt.



REC'D FEB 5 - 1902 RECORD DIV. WAR DEPT.
Adjutant General.

For reference to Col Pratt for remark

Received A. G. O. M. & R. D. FEB 5 1902

W:MY

X

1st Endorsement.

War Department,
Adjutant General's Office,
Washington, Feb. 7, 1902.

Respectfully referred to
Lieut. Col. R. H. Pratt, 15th
Cavalry, in charge of the
Indian School, Carlisle, Pa.
for remark.

By order of the
Secretary of War.

Geo. C. Anderson

Assistant Adjutant General.

Rec'd Back A. G. O. M. & R. D. APR 7 1902

with 2 Encls.

2nd Endorsement
Cairo, Egypt 3/14/02

Respectfully returned to the Adjutant General of the Army Washington D.C. This paper was inadvertently forwarded to me here where it should have been promptly answered from Carlisle. The petition is an exact copy of one sent to the Rulley & Branton attys.

Bureau of Indian Affairs and answered by me before leaving home. Copies of my letter to the Secretary of the Town Council and to the Hon. Commissioner of Indian Affairs are here inclosed and fully answer the position taken by the petitioners.

R. H. Pratt
Lt. Col. 15th Cav.
Supt.



W:MY

3d Endorsement.

Adjutant General's Office,
Washington, April 8, 1902.

Respectfully returned to the Secretary of War with remark of Lieutenant-Colonel Pratt, in preceding endorsement.

H. C. Conlin

Adjutant General,
Major General, U. S. Army.

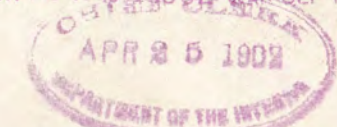


4th Endorsement,
War Department,
April 23, 1902.

Respectfully referred to the Honorable the Secretary of the Interior inviting attention to the accompanying press copy of War Department letter of this date addressed to Mr. Hildebrandt.

Chas. Langer
Acting Secretary of War.

REC'D APR 24 1902 RECORD DIV. WAR DEPT.



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25356

ps.
Carllale,
Mr. J. A. Hildebrandt,

Acting Secretary of War.

Very respectfully,

the matter being under the jurisdiction of that Department.
Secretary of the Interior. For his consideration and action,
bers in the case have this day been referred to the Honorable
Proveray is not under the control of the War Department, the su-
Superintendent of the said school, but as the property in con-
form you that the Department is in receipt of a report from the
the removal of a dam at the Carllale Indian School, I beg to in-
January 31st, last, in which you request, for reasons stated,
and other citizens of Carllale, Pennsylvania, under date of
Acknowledging receipt of the petition signed by yourself

DEPARTMENT OF THE INTERIOR
APR 23 1902
INDIAN DIVISION

APR 24 1903
MAILED

APR 11 23, 1903.

WASHINGTON.

WAR DEPARTMENT.

3601

25356

Wm
Gr. D.

WAR DEPARTMENT,
WASHINGTON,

April 23, 1902.

MAILED.
APR 24 1902

Sir:

Acknowledging receipt of the petition signed by yourself and other citizens of Carlisle, Pennsylvania, under date of January 31st, last, in which you request, for reasons stated, the removal of a dam at the Carlisle Indian School, I beg to inform you that the Department is in receipt of a report from the Superintendent of the said school, but as the property in controversy is not under the control of the War Department, the papers in the case have this day been referred to the Honorable Secretary of the Interior, for his consideration and action, the matter being under the jurisdiction of that Department.

Very respectfully,

Acting Secretary of War.

Mr. J. A. Hildebrandt,
Carlisle,
Pa.