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## Letter from J. Edward Williams to Representative Usher Burdick Regarding Petition from Elbowoods Residents Requesting Payment for Taken Properties, July 23, 1953

J. Edward Williams

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Garrison Dam

July 23, 1953

Honorable Usher L. Burdick  
House of Representatives  
Washington, D. C.

My dear Mr. Congressman:

Your communication dated July 1, 1953, addressed to the Office of the Chief of Engineers, Department of Defense, Pentagon, Washington, D. C., for the attention of Mr. Berge, with the petition filed by certain Indians from Elbowoods, North Dakota, has been referred to this Department. You have made inquiry concerning the approximate date certain former allottees will receive payment for the taking of their lands for the Garrison Dam and Reservoir Project.

The signatories to the petition submitted to you and the Honorable William Langer, United States Senate, are parties defendant in a proceeding instituted December 20, 1951, and entitled United States v. Certain Lands and improvements in McLean, Dunn, McKenzie and Mercer Counties, North Dakota, Rufus B. Stevenson, et al., and unknown owners, Civil No. 2386.

I am pleased to inform you that a judgment was entered in the above proceeding July 17, 1953, fixing the just compensation to be paid for the taking of all the interests of the allottees involved in the proceeding with the exception of the interests formerly owned by Lillie Wolf and Anna May Bracklin McGrady. Instructions have been issued to the United States Attorney to furnish a certified copy of this judgment to the Superintendent of the Fort Berthold Indian Reservation at the earliest possible date with the further request that checks be promptly issued from the fund made available to him for this purpose. This Department has been informed that the payments will no doubt be made in the near future, which will, of course, include all the signatories to the above-mentioned petition.

This Department is not aware of any agreement signed by the parties to the petition. It is believed that the document to which the signatures were affixed may have been the instrument evidencing the acceptance of the provisions of Public Law 437 (63 Stat. 1026) and erroneously construed as an option or stipulation.

The petition and notice are herewith returned.

If I can be of any further assistance, please let me know.

With kind regards,

Sincerely,

J. EDWARD WILLIAMS  
Acting Assistant Attorney General

cc: Honorable William Langer  
United States Senate  
Washington, D. C.