

Adjournment Resolution.

Be it resolved by the General Council of the Choctaw Nation in regular session assembled:

That the Choctaw Council do adjourn sine die at 9 o'clock A.M. on the 15th day of October 1908.

That this resolution take effect from and after its passage and approval.

Proposed by J.S. Ward.

^{no 12}
Read and

Interpreted
passed to Leader
and referred to
the Law Committee

This 14th day of

Oct - 1908

Attest
G. W. Gleason

Rickey President
Read and interpreted passed the
House this 14th day Oct 1908
and referred to Law Committee

E. A. Mohr

Attest Shaker Protein
W. H. Johnson
Recording Secretary.

Attest Shaker Protein

RECEIVED
IN THE OFFICE OF THE CHIEF CLERK
OF THE HOUSE OF REPRESENTATIVES
OCT 14 1908

RECORDED IN THE OFFICE OF THE CHIEF CLERK

OCT 14 1908 BY CLERK OF THE HOUSE OF REPRESENTATIVES

RECORDED IN THE OFFICE OF THE CHIEF CLERK

OCT 14 1908 BY CLERK OF THE HOUSE OF REPRESENTATIVES

AN ACT,

Providing for the payment of certain county warrants and making an appropriation therefor.

Whereas, an investigation discloses that there are now outstanding certain ~~xxxxxx~~ county ~~scrip~~ of the Choctaw Nation which have never been paid; and

Whereas, said investigation disclosed that the following of said county ~~scrip~~ are valid and should be paid; therefore,

Be it enacted by the general council of the Choctaw Nation assembled:

That the sum of Three thousand ~~xxx~~ hundred and ~~xxxxx~~ ninety-eight dollars and sixty eight cents (\$3298.68) is hereby appropriated out of the funds of the Choctaw Nation to pay the following county ~~scrip~~ of the Choctaw Nation:

R.F.Scott ----- \$250.92

Barney Noel -----	1019.50
J.H.Crook -----	264.75
E.H.Nelson -----	115.25
J.W.Costilow-----	108.89
Alfred Davis -----	643.50
R.F.Wilson -----	35.20
J.M.Sherred -----	54.20
Stowick Emer -----	19.95
G.P.McKinzie -----	38.12
W.J.Whiteman -----	623.15
G.L.Loman -----	9.30
W.P.Hopkins -----	115.95
Total -----	\$3298.68.

That this Act shall take effect ~~xxxxxxxxxxxxxxxxxxxx~~ and be in force from and after its passage.

Proposed by Frank Tolson

Chairman of
Finance
Committee

No 10
Read & Interpreted
passed the House
and referred to the
Lawn House

G. W. Childs
Att'est President

Rec'd Secy
This 14th day of
Oct 1908

Read & Interpreted
passed the House & referred
to the Principal Chief
This the 14th day of Oct
1908.

E. A. Jeffery
Speaker pro tem.

Attest
H. H. Shimer
Recording Secretary
Approve this Oct
14th 1908.

Green M. Clifton
Principal Chief

AN ACT,

Providing for the payment of certain county warrants and making an appropriation therefor.

Whereas, an investigation discloses that there are now outstanding certain ~~xxxxxx~~ county warrants of the Choctaw Nation which have never been paid; and

Whereas, said investigation disclosed that the following of said county warrants are valid and should be paid; therefore,

Be it enacted by the general council of the Choctaw Nation assembled:

That the sum of Three thousand ~~xxx~~ hundred and ~~ninety nine~~ ^{two} ninety-eight dollars and sixty eight cents (\$3298.68) is hereby appropriated out of the funds of the Choctaw Nation to pay the following county warrants of the Choctaw Nation:

R.F.Scott-----	\$250.92
Barney Noel -----	1019.50
J.H.Crock -----	264.75
E.H.Nelson -----	115.25
J.W.Costilow-----	108.89
Alfred Davis -----	643.50
R.F.Wilson -----	35.20
J.M.Sherred -----	54.20
Stowick Emer -----	19.95
G.P.McKinzie -----	38.12
W.J.Whiteman -----	623.15
G.L.Loman -----	9.30
W.P.Hopkins -----	115.95
Total -----	\$3298.68.

That this Act shall take effect ~~xxxxxxxxxxxxxxxxxxxx~~ and be in force from and after its passage.

Proposed by -----

GENERAL APPROPRIATION BILL.

BE IT ENACTED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED:

That the following sums of money are hereby appropriated out of the funds of the Choctaw Nation, and shall be paid as provided in section 11 of the Act of Congress approved April 26, 1906, entitled "An Act to provide for the final disposition of the affairs of the Five Civilized Tribes, and for other purposes," said sums to defray the regular and necessary expenses of the Choctaw Government for the fiscal year beginning October 1, 1908, and ending September 30, 1909:

Principal Chief's salary -----	\$2,000.00
National Secretary's salary -----	600.00
National Auditor's salary -----	600.00
Private Secretary to Principal Chief, salary -----	1,000.00
Trustee Coal and Asphalt under Atoka Agreement-----	4,000.00
One Captain National Lighthorsemen -----	200.00
Contingent fund of Principal Chief -----	3,000.00
Contingent fund of National Auditor-----	600.00
Contingent fund National Secretary -----	450.00
Caring for the Capitol building-----	75.00
Expenses General Council October session 1908 -----	25885"

That this Act shall take effect and be in force from and after its passage and approval.

Proposed by -----

*Frank Folsom, Chairman
Committee*

1612.50
976.00
2588.50

12525.00
258850
15113.50

* TURQUATIPOSSIA TANICO

• 116

CONSTITUTION OF THE UNITED STATES OF AMERICA

G. N. Shaler

Read Interpreted
Passed the Senate and
referred to the House

Attest G.W. Hooley
C.A. Newell President
Secretary
This 20th day of Oct 1908

Read Interpreted &
passed The House
Agreed to by the Senate
This the 14th day of Oct.
1888

1908 E O Morris
Speaker for

Attest
M. H. Schenck
Recording Secretary

Approved this 1st
14th 1908 -

Green M. Curtains

Principal Chap

Resolution,

Concerning the work of the District Agents in the Choctaw Nation.

Whereas, Under an Act of Congress approved May 27, 1908, the Secretary of the Interior was empowered to appoint local representatives in the State of Oklahoma to counsel and advise all allottees, adult or minor, of their legal rights, without charge; and

Whereas, the work of said local representatives or District Agents in the Choctaw Nation ~~xxxx~~ has been very helpful to many of our people in preserving their property and protecting their interests; and

Whereas, it is the desire of the Choctaw people that the work of these District Agents shall be continued for another ^{year} that further aid may be rendered to our citizens; therefore,

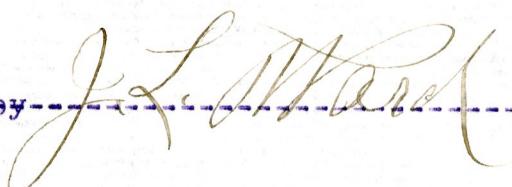
BE IT RESOLVED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED:

That we endorse the work of the local representatives of the Interior Department in the Choctaw Nation.

That in view of the new conditions which confront our people the continuance of this work by the Interior Department is necessary, and we earnestly petition the Honorable Secretary of the Interior that he secure a continuance of this work for another year at least, as our people are without the necessary funds to obtain the advice and help which they have secured through these local representatives, and the aid of these agents have enabled them to get good lease contracts for their lands and protected them from imposition and fraud.

That this resolution take effect and be in force from and after its passage.

Proposed-by-----



No 8

Read Interpreted
Passed to Senate and
referred to the
Lower House

This the 14th day of Oct 1908

J. H. Cloete

Attest
O. A. Hurd President

Res Secy.

Read and Interpreted and
passed the House and referred
to the Principal Chief this the
14th day of October 1908

Attest E. O. Moon
M. S. Sherman
Recording Secretary, Speaker Pro tem

Approved this the 14th
day of Oct 1908

Green McClellan
Principal Chief

We your Com. Recomend
the Passage of this Act
John Ward
Chairman

An Act authorizing the Principal Chief to appoint a regular and special delegate to Washington, D.C., to represent the interests of the Choctaw Nation or Tribe of Indians before the Department of the Interior and the committees of Congress, *and making an appropriation therefor.*

Whereas, the advent of statehood in this country has and will affect the affairs of the Five Civilized Tribes and force an early if not immediate settlement of all tribal interests; and

Whereas, the Choctaw tribe of Indians has many interests of importance yet unsettled, notably the disposition of the coal and asphalt lands and deposits, the disposition of pine timber lands now withdrawn from allotment, the final disposition of the surplus or unallotted lands, resistance to the efforts being made to re-open our rolls, and many other important matters affecting our material welfare; and

Whereas, the Choctaw Nation or tribe of Indians desires to be represented in the final disposition of their affairs by a delegation of their best and most representative men; and

Whereas, the Principal Chief of the Choctaw Nation believes it to be for the best interests of the Nation that the regular delegate should reside in the city of Washington, D.C., where he can better look after the varied interests of the Nation; and

Whereas, the compensation fixed by Act of the General Council of the Choctaw Nation at its regular session held in Tuscaloosa in October 1907 for the special delegate is wholly inadequate; therefore,

BE IT ENACTED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED:

Section 1. That the salary of the regular delegate to Washington, D.C., shall be the sum of Five Thousand Dollars per annum, and out of this sum the said regular delegate shall pay all of his expenses, including railroad, travelling, board and lodging, hotel, and all other expenses.

Section 2- That the salary of the special delegate to Washington, D.C., shall be the sum of Three Thousand dollars per annum, and out of this sum the said special delegate shall pay all of his expenses, including railroad, travelling, board and lodging, hotel, and all other expenses.

Section 3. That the sum of Five Hundred Dollars shall be allowed for the payment of the expenses of the Principal Chief of the Choctaw Nation to Washington, D.C., in case he shall deem it necessary to go in the interests of the Nation, or shall be called there by the Honorable Secretary of the Interior.

Section 4. That the term of office of the said regular and delegates appointed under this Act shall be for a period of two years, unless sooner removed by the Principal Chief for good cause.

Section 5. That upon the approval of this Act by the President the regular delegate provided for in this Act shall go immediately to Washington, D.C., and he shall reside there constantly, and during the term of his office, in order that he may be in close touch with the Interior Department and keep the Principal Chief advised as to matters affecting the interests of the Choctaw tribe of Indians. The special delegate shall attend the sessions of Congress and appear before committees and the Departments, and perform such other service as shall be required of him by the Principal Chief.

Section 6. That the sum of \$8500.00 is hereby set aside and appropriated out of the funds of the Choctaw Nation or Tribe of Indians for the next fiscal year to pay the above said amounts, including salaries and expenses, and the same is subject to the approval of the Interior Department and the President.

Section 7. The compensation to be paid the delegates shall be paid quarterly upon warrants drawn by the National Auditor, and the expenses of for the Principal Chief upon certificate issued by him and warrant drawn by the Auditor.

Section 8. That this bill shall take effect and be in force from and after its passage.

Proposed by *J.L. Ward*

no 7

Read and Interpreted

Passed the

Senate Oct 14th
and referred to the

House on Oct 19th 1908

Lawyer Hauer

G. M. Chouteau
President Senate

Q. H. Reed
Rep. Secretary

Read and Interpreted
Passed the House and

Referred to the Principal
Officer the 14th day

of October 1908.

E. A. Moon

Speaker House

W. H. Wherry
Recording Secretary

Approved this

Eighty days

October 1908

Gen. M. G. Garvin
Principal Clerk

1908

in view of the fact that it is now known that the proposed
construction of a new bridge over the river at Falls City will not
be completed before January 1st 1909, it is proposed to postpone the election of
a new bridge until January 1st 1909.

It is also proposed to postpone the election of a new bridge until January 1st 1909,
as the new bridge will not be completed before January 1st 1909.

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as the new bridge will not be completed before January 1st 1909.

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Wingard Corn - on Chefs
Message Received the passage
of this act

J. L. Ward
Chairman

An Act increasing the salary of the Nation's attorneys, McCurtain & Hill, and making an appropriation therefore.

Whereas, the large property interests of the Choctaw Nation or Tribe of Indians demand the entire time of our attorneys, McCurtain & Hill; and

Whereas, the labors of the office have increased many fold, and the interests involved are wholly out of proportion to the compensation allowed them under the contract made with our Principal Chief in 1908 and approved by the President October 26, 1908; therefore,

BE IT ENACTED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED:

That, in response to a special message of the Principal Chief of the Choctaw Nation submitted this day, the sum of Three Thousand dollars is hereby added to the annual salary of the Nation's attorneys, McCurtain & Hill, the same to be in addition to the annual salary they are now receiving under contract of employment made with our Principal Chief on August 31st 1907, and approved by the President on October 26, 1908 and for such purpose the sum of Three Thousand dollars is hereby set aside and appropriated out of the funds of the Choctaw Nation or tribe of Indians, and said sum of Three Thousand dollars is hereby appropriated for this next fiscal year, and this said increase in annual salary of our attorneys shall be during the existence of said above mentioned contract.

That this sum is appropriated under the same terms and conditions as exist in the contract under which they are now employed and mentioned above, and is subject to the approval of the Secretary of the Interior and the President.

That this Act shall take effect and be in force from and after its passage.

Proposed by



No. 6.

Attorneys

Re duly served
and by me
served to the

Lewis Haugen 14-1908

Attest G. H. Ladd
C. A. Haugan President

Re duly Interpreted
Passed the House and
referred to the Principal
Chair, This the 14th day of
October 1908

G. H. Ladd

Attest N. H. Richmond
Recording Secretary
Approved this
the 14th day of
October, 1908

Green McCurdy
President

TO THE ATTORNEYS, PLEASE FORWARD THIS DOCUMENT TO THE ATTORNEY GENERAL FOR APPROVAL.

ATTACHED, PLEASE FOLLOWING ATTACHED TO THE ATTORNEY GENERAL.

IN VOTED APPROVED AND APPROVED BY THE ATTORNEY GENERAL.

Bill No 5

PROTEST OF THE CHOCTAW INDIANS AGAINST RE-OPENING THE
CHOCTAW AND CHICKASAW TRIBAL ROLLS.

-----00-----
THE PRESIDENT, THE CONGRESS OF THE UNITED STATES, AND THE SECRETARY
OF THE INTERIOR :

The Choctaw Indians, through their General Council in Regular Session assembled, desire to enter their protest against re-opening the Choctaw and Chickasaw tribal citizenship rolls, and for reasons would respectfully state that:

Experience has proved abundantly that a great mistake was made when, by the Act of Congress approved June 10, 1896, the Government of the United States assumed jurisdiction in Indian citizenship matters. Theretofore the settlement of such matters was left largely to the tribes, and under the tribal jurisdiction no person was denied or refused enrollment who was entitled to the rights of Indian citizenship; and very few were enrolled by the tribes who were not entitled to rights of citizenship. The correctness of the rolls prepared by the tribes, as well as the integrity of the same, is vouched for by Congress itself, when by the said Act of June 10, 1896, it was provided:

"That the rolls of citizenship of the several tribes as now existing are hereby confirmed."

Had Congress stopped at the confirmation of the tribal rolls as then existing, or left the further determination of citizenship matters to the tribes themselves, where it properly belonged, the rolls would have been made and closed long ago, with no expense to the Government and with comparatively little cost to the tribes. Furthermore, had the tribes been left to judge of the rights of citizenship of their own members,

the great horde of fraudulent claimants that besieged the courts and the commission would have been unheard of, for they and their attorneys would have well-known that it was utterly useless to try to prove any rights before the tribal authorities with the kind and character of evidence that they imposed upon the commission and the courts; consequently, they never would have tried it. And the Choctaw and Chickasaw tribes would not have been forced to the necessity of paying out over a million dollars in fees and expenses to prevent fraud upon their rolls; nor would the Government of the United States have been put to the expense of hundreds of thousands of dollars in providing courts and commissions for the trial of cases that were absolutely without merit.

When by the Act of June 10, 1896, the Dawes Commission was authorized and directed

"to proceed at once to hear and determine the application of all persons who may apply to them for citizenship in any of said nations"

it was as if the flood-gates had been lifted. The direction to the commission "to hear and determine the application of all persons who may apply" was taken by the numerous applicants to be an invitation, it seems, to "all persons" to apply for citizenship in one or the other of the nations; at least, a great many persons applied to the Dawes Commission for citizenship in the tribes who had never before claimed or thought they were Indians. Applicants simply saw what they thought to be an opportunity or chance to get on the tribal rolls and get a part of the Indian lands and moneys with very little cost or expense to themselves, for there were plenty attorneys then, as there are now, who were willing to file applications for the applicants for a nominal charge, then take the cases for a contingent fee of a part of the lands and other property which the applicants expected to get if enrolled.

The laxity of the law in the matter of proof required and permitted in citizenship cases was in a large measure responsible, though unintentional of course, for the loose and disreputable practice that grew up under it. The provision of said Act of June 10, 1896, that the commission should

have power and authority to receive "affidavits and other evidence in any form whatsoever" theretofore taken where the witnesses giving said testimony had since died or were then residing beyond the limits of said Territory, gave to the applicants and their attorneys the opportunity that many of them wanted, an opportunity to get a lot of fraudulent testimony before the commission by affidavits. The opportunity to introduce false and fraudulent testimony was not neglected by many of the applicants and their attorneys, as is shown by the files and records now in the possession of the Commissioner to the Five Civilized Tribes, including the records and files of the courts.

It is a fact which can not, and should not, be concealed or disguised that the applicants and their attorneys in Indian citizenship cases practiced upon both the tribes and the courts the most glaring frauds known to the history of legal controversy; this they did in the way of bribery, perjury and subornation of perjury, and in most of the instances it was done by the active aid and procurement of attorneys who had contingent fees in such cases.

When the tribal rolls were thrown open to the public, so to speak, by the said Act of June 10, 1896, the commission was almost overwhelmed with applications for Indian citizenship from almost everywhere; and as the law required that the commission should decide all such applications within ninety days after the same were made, it was an absolute physical impossibility for the Indian tribes to resist all the numerous cases, or any considerable portion of them, in so brief a time. The difficulties of the situation for the tribes were increased by the provision, already referred to, permitting the applicants to submit proof by affidavit. There was no way of meeting that kind of proof within the limited time allowed for the consideration and trial of each case. Therefore, the tribes were practically helpless before the tremendous onrush of the thousands of fraudulent applicants who were trying to get on the Indian rolls.

But with all their eagerness to get on the rolls and get a part of

the property of the Indians, then about to be divided, and with all their reckless methods and manner of getting up proof, the applicants and their attorneys failed to convince the commission that the applicants were Indians and entitled to enrollment. And the result was that most of the applicants were rejected by the Dawes Commission. But this was not the end.

Said Act of June 10, 1896, provided for an appeal from the decision of the **Commission** to the Five Civilized Tribes to the United States court, and the applicants practically all appealed their cases to the courts sitting in their respective districts. Contrary to the expectation of the tribes, and contrary to the law as was afterwards judicially determined, the cases appealed from the Dawes Commission were tried anew in the United States court, and the applicants were allowed to introduce new evidence in the trial of appeal cases. Having failed utterly in their proof before the Dawes Commission, the applicants and their attorneys set out to get some other and different proof for the trial of their cases in the courts.

Again the tribes found themselves unprepared and unable to contest the thousands of citizenship cases that were pressing for trial in the courts on account of the introduction of new testimony allowed by the courts. And already the business before the courts was of sufficient volume to tax their capacity to the utmost limits, and when the thousands of citizenship cases were added to the dockets it was impossible for the courts to give to them the attention they should have had. Under the press of business the courts referred the citizenship cases to special masters to take testimony, make their findings and report; and it is a fact, now too well-known for dispute, that many of those special masters were themselves attorneys in citizenship cases of the same kind that were coming before them for hearing and recommendation. It is no surprise, then, that fraudulent and other improper evidence was received by many of the special masters in support of the claims of the applicants for Indian citizenship. The tribes being unprepared at that time to

attack and show up the great mass of fraudulent testimony of the applicants, and the courts not having the necessary time at their disposal to investigate the cases and the reports of the special masters in a way that should have been done, said reports of the special masters were approved and judgment went against the tribe almost as of default.

Not content with having procured judgments by the use of perjured testimony and the practice of fraud of every other kind and description, there are cases of record where the attorneys or others interested in the citizenship cases interpolated names of persons in the judgments who were not parties to the suits at all. It is true, these names upon being called to the attention of the court were stricken from the judgments; but the practice of this and other fraud by the applicants and their attorneys serves to show the viciousness of the times when people would perjure their very souls to get on the tribal rolls in an effort to get a part of the land and money belonging to the Indians.

The fraud of the applicants and their attorneys became so notorious as to attract universal attention and excite the contempt of honest and decent people everywhere. The Choctaws and Chickasaws appealed to the authorities at Washington to protect their rolls against fraud. An appeal was made to the Secretary of the Interior to disapprove the enrollment of the fraudulent applicants, and he answered that he was without power and authority to disregard the judgments of the courts. The tribes turned to Congress for relief, and were told that it was not within the power of Congress to disturb the judgments of courts of competent jurisdiction by legislative act. Then the tribes asked for a review of the judgments of the courts admitting fraudulent applicants to Indian citizenship, upon the following grounds:

1. That the United States district courts in the Indian Territory had admitted applicants to citizenship in the Choctaw and Chickasaw Nations without notice to both of said tribes, and as said Choctaw and Chickasaw tribes jointly owned the property sought to be affected by said judgments, notice to both of said tribes was necessary.

2. That in the trial of said cases by the courts on appeal from the Dawes Commission the proceedings in the courts should have been confined to a review of the action of the Commission upon the papers and evidence submitted to the Commission, and should not have extended to a trial de novo of the question of citizenship.

The request of the Choctaw and Chickasaw tribes for a review of the judgments of the United States courts admitting applicants to citizenship, was made in the form of an agreement (known as the Choctaw-Chickasaw Supplementary Agreement---Act of Congress approved July 1, 1902) entered into between the Dawes Commission, representing the United States Government, and the representatives of the Choctaw and Chickasaw tribes. Congress seeing the force of the contention against the validity of the judgments, and perceiving the justness of the claims of the tribes, was not disposed to ignore the same, but favored the provision for a review of said judgments upon the two legal questions submitted. The applicants and their attorneys became very much alarmed, for they, too, realized the legal infirmities of the judgments under which they claimed rights of Indian citizenship. And not only did the applicants and their attorneys fear that upon attack in the courts their citizenship judgments would be declared void and of no effect, but they well-knew the truth of the charges of fraud made against them by the tribes. Applicants accordingly sent their attorneys and others post-haste to Washington to lobby against the ratification of the agreement, or the passage of any bill by Congress providing for a review of their citizenship judgments. But there had been an awakening of the public conscience, and the applicants and their attorneys were unable to further defeat the ends of justice and the demands of the law.

When it became apparent that Congress would ratify the agreement with the tribes providing for a judicial review of the citizenship judgments upon the law questions to be submitted, the applicants and their attorneys became apprehensive of the result, and knowing the fraud they had practiced in securing said judgments, they at once began to plead for terms. Not only did they ask that they be given another trial in the

event the court judgments admitting them to citizenship should be declared void, as they were afraid they would be, but they begged that in the re-trial of their cases the same be considered without prejudice against them on account of any judgment or decision theretofore rendered.

In order that the applicants might have the fullest opportunity to establish whatever rights, if any, they had under their claims to Indian citizenship, the tribes offered no objection to the provision giving them another trial in the event of their former judgments being declared void; although, under the circumstances the tribes would have been entitled to final judgment, for had the decision of the citizenship court been in favor of the applicants instead of the tribes on the test questions submitted, the applicants would have claimed final judgment. However, the agreement between the Government and the Choctaw and Chickasaw tribes, as ratified by Congress, contained the following provision, which gave to the applicants every reasonable opportunity in the world that they could ask for to prove up their rights, if any they had, to Indian citizenship:

"In the event said citizenship judgments or decisions are annulled or vacated in the test suit hereinbefore authorized, because of either or both of the irregularities claimed and insisted upon by said nations as aforesaid, then the files, papers, and proceedings in any citizenship case in which the judgment or decision is so annulled or vacated, shall, upon written application therefor, made within ninety days thereafter by any party thereto, who is thus deprived of a favorable judgment upon his claimed citizenship, be transferred and certified to said citizenship court by the court having custody and control of such files, papers, and proceedings, and, upon the filing in such citizenship court of the files, papers, and proceedings in any such citizenship case, accompanied by due proof that notice in writing of the transfer and certification thereof has been given to the chief executive officer of each of said nations, said citizenship case shall be docketed in said citizenship court, and such proceedings shall be had therein in that court as ought to have been had in the court to which the same was taken on appeal from the Commission to the Five Civilized Tribes, and as if no judgment or decision had been rendered therein".

It will be seen, therefore, that not only was Congress extremely liberal in the laws that it passed relating to Indian citizenship matters, but the Indian tribes were willing, as is shown by their agreements with the Government, that applicants should be afforded every legitimate means known to the law of establishing their rights, if any they had, to

Indian citizenship; the tribes insisting only that applicants must prove their rights, if any, by truthful and legal evidence.

Upon the presentation to the citizenship court of the two test questions submitted to it by said Act of Congress approved July 1, 1902, the applicants amassed their force of attorneys before said court and made a vigorous but unsuccessful effort to sustain the validity of their citizenship judgments. After full hearing given to both sides and after mature deliberation by the court, the questions submitted and argued were decided in favor of the tribes by a unanimous opinion of the court, and the citizenship judgments of applicants held to be void for the two irregularities complained of, and hereinbefore referred to.

The victory of the tribes, though just and merited as it was, did not prevent the applicants from having a further trial of their cases on their merits without prejudice, for it was provided, as hereinbefore stated, that in the event the test questions should be decided against the validity of the judgments held by the applicants, then the applicants should have a right to come before the citizenship court and have their cases tried upon the facts "as if no judgment or decision had been rendered therein". This they did.

There was a notable difference, however, between the trial of the citizenship cases before the citizenship court and the trial of the same cases before the district courts. Here the tribes were prepared and ready for trial, and no cases were tried or decided on ex parte proof. In the trial of these cases before the citizenship court no special masters with interest, direct or indirect, in the outcome of the cases, were trusted or permitted to take testimony of the witnesses, as the law required that all such testimony must be taken before the court or one of the judges of said court. It was a fair field and no favorites. While the taking of testimony was surrounded by every safeguard and protection against perjury and fraud of every kind that the law could devise, the court was disposed to let in all the testimony on both sides that could reasonably

be admitted under the law and rules of evidence, thereby giving to each side all opportunity to develop the full strength of their respective sides of the case.

The time and attention of the Choctaw and Chickasaw citizenship court were devoted exclusively to the consideration of Choctaw and Chickasaw citizenship cases. The court was authorized by law to permit either party "to take and present such further evidence as may be necessary to enable said court to determine the very right of the controversy". The provision of the law requiring the testimony to "be taken in court or before one of the judges" necessitated some one of the members of the court visiting Mississippi, Virginia and other States for the accommodation of the applicants to take the testimony of witnesses in their behalf. In every way possible did the law afford to the applicants a fair chance to prove their claims to Indian citizenship. The applicants availed themselves of the opportunities of the law, they came into court, submitted their proof, tried their cases at great length, and were shown every courtesy and consideration due them, or that would have been due any litigant, under the law. Indeed, so much time was given to the trial and consideration of applicants' citizenship cases that it became necessary for Congress to extend the existence of the court one year beyond the time originally provided by law.

X

The cases were, each of them, decided upon the evidence and the merits, and not upon the recommendation of special masters who were themselves attorneys in citizenship cases; and we submit that the record in each case will show a fair, impartial and correct decision. The records are in existence, and we challenge the applicants and their representatives to produce the records in a single case and show by said records that the decision against them was not a correct decision.

The result of the Choctaw and Chickasaw citizenship court's decisions, after a tedious trial of each case and careful consideration of all the proof ~~therein~~, was the admission of something like one hundred and fifty of the applicants, and the rejection of over three thousand of them.

Thus ended, so far as the actual adjudication of citizenship cases was concerned, a struggle covering a period of nearly ten years at a cost of hundreds of thousands of dollars to the United States Government for courts and commissions to try the claims to Indian citizenship, and at a cost of over one million dollars to the Choctaw and Chickasaw tribes to prevent the enrollment of fraudulent applicants.

Now, we respectfully submit that the applicants have had their day in court, and the sum-total of the proof introduced by them, to say nothing of the rebuttal testimony offered by the tribes, shows conclusively that they are not Choctaw or Chickasaw Indians, and have no rights as such. Therefore, they are not entitled to further consideration in the matter of their claims to Indian citizenship by either Congress or the courts.

We further respectfully submit that the record made by many of the applicants and their attorneys in the trial of their cases before the Dawes Commission and the United States courts shows them to be unworthy the consideration that has already been shown them by Congress. That the opportunities afforded them by law to make proof of their claims to citizenship in the tribes were in many instances abused by the applicants and their attorneys in such way as to destroy all confidence in them or their claims.

For these, and other reasons appearing in the record, we earnestly appeal to the authorities of the United States Government not to re-open the Choctaw and Chickasaw citizenship rolls, but to protect the same against the fraud of applicants, their attorneys and representatives.

It is true that the applicants and their attorneys charge fraud against the citizenship court, and allege irregularities on the part of the Dawes Commission in some cases, but they are wholly unable to support such charges by proof of any kind, as has been demonstrated by their unsuccessful efforts before the committees of Congress and before the United States court for the eastern district of Oklahoma. Applicants

do not attempt to charge that injustice was done them in the decision of the citizenship court upon the record; they do not refer to the evidence before that court in a single case; they simply seek to discredit the court by slanderous charges that they are unable to prove. It is safe to say that applicants and their attorneys would complain against and malign any tribunal that might decide against them, it matters not what the proof would show.

It is our belief that many of the false claims to Choctaw and Chickasaw citizenship are inspired by enterprising attorneys who encourage applicants to persist in their efforts before Congress and elsewhere to get on the rolls, in the hope that they will get a fee of a part of the lands and other property that would come to the applicants in the event of their enrollment. The attorneys, so-called, but who are lobbyists first and attorneys afterwards, will undertake to have an applicant enrolled as a Choctaw or Chickasaw Indian for a contingent fee of one-half of the property such applicant would get if enrolled.

A favorite plan of some of the attorneys who are engaged in this nefarious business is, to present to Senators, Members of Congress and officials of the Government persons of dark complexions and claim them to be Choctaw and Chickasaw Indians who were left off the tribal rolls, when as a matter of fact many of them are not Indians at all, but are Creoles, Dagoes, Mexicans, etc.; and those who may be Indians, if any, are not Choctaws or Chickasaws, but belong to some tribe having no connection whatever with the Choctaw or Chickasaw tribes. It must be remembered that not all Indians are Choctaws and Chickasaws. Such practice as that is a base deception and a fraud upon Congress and the Government as well as upon the tribes, and deserves to be rebuked severely.

We believe that there are some few scattering Choctaws and Chickasaws who were left off the tribal rolls by mistake as a result of their own ignorance in failing to apply, and possibly some few others whose names were stricken from the rolls by mistake; but in all, they will not number more than forty or fifty persons, and they have no connection

whatever with the class of fraudulent applicants and imposters that is being represented by attorneys and lobbyists at Washington, except perhaps, that the few isolated instances of this kind may be improperly referred to by such lobbyists in an effort to influence legislation in behalf of their thousands of undeserving clients.

We believe, however, that the few real Indians who may have been left off the rolls by mistake are ascertainable from the records in the possession of the Commissioner to the Five Civilized Tribes, and we believe that a recommendation from Mr. Wright, the commissioner, as to how these few persons should be cared for in the matter of enrollment would offer a safe and correct solution of the problem.

We conclude, therefore, with the humble petition and earnest prayer to the President, the Congress of the United States, and the Secretary of the Interior, that, the rolls and property of the Choctaw and Chickasaw Indians be not again exposed to the fraud and graft of fraudulent claimants, their attorneys and lobbying representatives.

Proposed by

J. L. Ward
Chairman of the Committee on the Chief's Message.

5-

Read & Interpreted
passed to Leader
and referred to the
Lawyer Hauer

D. W. G. Koote
President
C. A. H. 8 Oct 13/08
Rec'd.

Read & Interpreted
Passed the House
This the 13th day of Oct 1918
referred to Principal Chief
6 A Model
Attest Speaker Pro tem
W.H. Johnson
Recording Secretary

Approved - This
13th day of Oct.
1908 -

1903
John McCullough
Principal
VOL 23 NO 1

We yearn Com— or Chief
Message recommend Passage of
this Resolution

J L. Ward
Chairman

BILL NO. 4.

RESOLUTION

RESPONDING TO A MESSAGE OF THE PRINCIPAL CHIEF CONCERNING THE
BRINGING OF SUITS AGAINST THE CHOCTAW NATION AND THE MEMBERS OF
THE TRIBE? AUTHORIZED BY ACT OF CONGRESS.

WHEREAS Suits aggregating millions of dollars have been brought
in the Court of Claims at Washington against the Choctaw
Nation and members of the Choctaw tribe; and

Whereas, Said suits are speculative in character and without any
just basis or foundation; and

WHEREAS, In some of said suits all law and precedent is violated
by giving to the claimants in said suits a lien upon the
allotments of many of our members; and

WHEREAS, In one of said suits a Senator of the United States is
a large claimant and is a beneficiary of some of the
legislation giving a lien upon our lands, ~~and for which~~
~~legislation is enacted; and~~

WHEREAS, Said suits are authorized by Congress without any investi-
gation as to their ~~xxx~~ merit or justice, and without
giving the Nation or its representatives an opportunity
to be heard,

THEREFORE

BE IT RESOLVED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED

That, in response to the message of the Principal Chief, we
do hereby enter our most emphatic protest against the practice of
authorizing suits against the Choctaw Nation or members of the Choctaw
tribe without an investigation of the merit or justice of said
claims, and without an opportunity for the Nation to be heard ~~xpxm~~
in such matters.

SECOND, That we earnestly protest against legislation giving to a Senator of the United States a lien upon the lands of a large number ~~xxx~~ of our full blood Indians to secure a claim filed by him and undetermined in the Court of Claims, without an opportunity for the Nation or its representatives to have a hearing upon such legislation.

THIRD, That we earnestly petition the President of the United States, the Honorable Secretary of the Interior and the Congress of the United States, to grant us an appeal to the Supreme court of the United States in the suits filed in the Court of Claims at Washington against a large number of our members known as "Mississippi Choctaws", and most of whom are full bloods, and against the Choctaw Nation.

FOURTH, We earnestly petition that that part of section 16 of H.R. 21735, known as the "INDIAN OMNIBUS BILL", and which seeks to fix a lien upon the allotments of the Choctaw Freedmen, and that that part of section 27 of the same bill which seeks to fix a lien upon the allotments of the Mississippi Choctaw Indians, be repealed, for the reason that no claim has been established ^{by} either, and many acts of Congress protecting the lands of our members against unjust and fraudulent contracts and claims, was expressly violated, and for the further reason that if the numerous claimants are successful in these suits with their claims, the allotments of these people will be practically wiped out. If a committee of Congress will investigate this matter, we feel sure that they will rectify this great wrong done our people.

FIFTH, That we hereby ratify and approve the action of our Principal Chief in having the Nations attorneys, McCurtain & Hill, to appear as attorneys of record and defend these suits.

Proposed by ---

J. H. Ward

McWayne Com
Reckoned the Passage of
This Resolution

J. D. Ward
Chairman

2
BILL NO. -----.

RESOLUTION

RESPONDING TO A MESSAGE OF THE PRINCIPAL CHIEF CONCERNING THE ANNUAL APPROPRIATION MADE BY ~~CONGRESS~~ OUT OF THE ROYALTY FUND FOR THE SUPPORT AND MAINTENANCE OF OUR SCHOOLS.

Interior Department

WHEREAS, For several years the ~~Congress of the United States~~ has been making an appropriation approximating Two Hundred Thousand dollars out of the royalties collected on our coal and asphalt lands for the support and maintenance, annually, of our schools; and

WHEREAS, Since statehood other funds have been provided for all the children of our State; and

WHEREAS, By authority of an act of Congress of May 27, 1908, the State of Oklahoma is attempting to tax most of the ~~allotted~~ allotted lands of the Choctaw and Chickasaw Tribes, and the personal property of all of our members; and

WHEREAS, Many of the Choctaw and Chickasaw citizens have no children to educate, and as each member of the Choctaw and Chickasaw tribes owns an equal undivided interest in the coal and asphalt ~~xxxx~~ fund from which said annual appropriation is made; and

WHEREAS, The use of said fund for school purposes is an unequal distribution of said property, and many of our people whose share has been appropriated from year to year, rightfully protest against its further use,

THEREFORE

BE IT RESOLVED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED

no 2

Read and Interfiled
passed the Council
and referred to
the Lawes House

Oct 7 1908

Attest G. M. Choctaw
Cochran Recorder
Recovering Present
Sess.

Read Interfiled passed
the House & referred
to the Principal Chief

Attest Oct 7th 1908

~~H. P. Johnson~~ W. A. Nunn
Recording Secy Speaker ab
~~Hand~~

Approved this the
7th day of October
1908 Green McCurtain
Principal Chief
of the Choctaw
Nation.

We your Com- Recomend the
Passage of this Resolution
J.L. Ward
Chairman

BILL NO. - - - .

RESOLUTION

RESPONDING TO A ~~KREEXAK~~ MESSAGE OF THE PRINCIPAL CHIEF CONCERNING
THE DISPOSITION OF THE SURPLUS OR UNALLOTTED LANDS/.

WHEREAS The Principal Chief, in his message submitted at the regular October session of the General Council, October 6, 1908, has asked this body for an expression of its view as to the best and most advantageous way of disposing of the surplus or unallotted lands of the Choctaw and Chickasaw Nations; and

WHEREAS, The Atoka Agreement provides for the sale of these lands and the distribution of the proceeds among the Choctaws and Chickasaws,

THEREFORE

BE IT RESOLVED BY THE GENERAL COUNCIL OF THE CHOCTAW NATION ASSEMBLED

That, in response to the message of the Principal Chief, we hereby declare our emphatic opposition to the proposition to set aside a large portion of our lands as a forest reserve, and we do earnestly and respectfully insist that said lands shall be sold in accordance with the Atoka agreement at the very earliest time consistent with the best interests of the Tribes, and the proceeds divided among the Choctaw and Chickasaw Nations. Another disposition of these lands would be in plain violation of our contract with the Federal Government, and to this we earnestly protest.

We further respectfully ask that when said lands are sold in accordance with our agreement, that they be put in the hands of the same commission we have requested shall have charge of the sale of the coal and asphalt lands.

Proposed by

Approved this
the 7th day of
October 1908
Green McCurtain
Principal Chief
of the Choctaw
Nation.

No 3
Read and interpreted
passed the Senate
and referred to
the Lower House
Oct 7-1908
Attest
At Head G.W. Choate
Recording President
Secretary.

Read & Interpreted
& passed the House
& referred to the
Principal Chief

attest Oct 7-1908

~~W.H. McLean~~
~~Recording Secy~~

W.H. McLean
Speaker of
the House
and
Interpreted

Attest

We now committe on ~~the~~ ^{the} message will record ch
for you committtee on ~~the~~ ^{the} message will record ch
forage of the following my name J. L. Ward Chairman of
the Chicks Measg

A M E M O R I A L O F T H E C H O C T A W I N D I A N S R E L A T I N G T O T H E
D I S P O S I T I O N O F T H E C O A L A N D A S P H A L T L A N D S A N D D E P O S I T S .

-----oo-----

T H E P R E S I D E N T , T H E C O N G R E S S O F T H E U N I T E D S T A T E S , A N D T H E
S E C R E T A R Y O F T H E I N T E R I O R :

Y o u r m e m o r i a l i s t s , the Choctaw Indians, through
their General Council in Regular Session assembled, would respectfully
represent:

That the Choctaw and Chickasaw Tribes are the joint owners in
fee simple of four hundred and fifty thousand acres, more or less, of
coal and asphalt lands and deposits within the limits of what was for-
merly the Choctaw and Chickasaw country.

That the United States Government, by the Act of Congress ap-
proved July 1, 1902, agreed with the Choctaw and Chickasaw Tribes that
their coal and asphalt lands and deposits should be sold and the pro-
ceeds divided among the members of said Tribes. It was agreed that said
coal and asphalt lands and deposits should be sold at public auction
under direction of the President.

That owing to the opposition of the Interior Department to
the manner of sale provided in the agreement, no effort or attempt was
made to sell said lands or deposits under said agreement. That there-
after, to wit; April 21, 1904, Congress, over the protest of the Choctaws,
changed the manner of sale of said coal and asphalt lands and deposits
from public auction sale to that of sealed bid, and withdrew the leased
lands from sale. That the change in the manner of sale and the withdrawal

of the leased lands from the market resulted in a total failure to sell said lands or deposits or any part thereof.

That Congress, by the Act of April 26, 1906, withdrew the whole of said coal lands and deposits, both the leased and the unleased lands, from sale, and notwithstanding the desire of the Choctaws and Chickasaws to dispose of said lands and deposits, and the promise and agreement of the United States Government that the same should be sold in accordance with the desires of the tribes, the Choctaws and Chickasaws are now without authority or provision of any kind for the sale of their said coal and asphalt lands and deposits.

Your memorialists respectfully and earnestly request that not only the agreement to sell the coal and asphalt lands and deposits be carried out, but that said lands and deposits be sold in the manner provided in said agreement, or as nearly so as may be compatible with the best interests of the Choctaw and Chickasaw tribes. Your memorialists would further represent that it is to the interest of the tribes that said coal and asphalt lands and deposits be sold and the proceeds divided, for the following reasons:

The lands owned by the Choctaws and Chickasaws, including the coal and asphalt lands, which were formerly a part of the Indian Territory, are now embraced within the limits of the State of Oklahoma, and it is no longer desirable or to the best interest of the Indians to own their property in common, or to perpetuate their tribal interests.

That each member of the Choctaw and Chickasaw tribes owns an equal undivided interest in the coal and asphalt lands and deposits, and the use of the same for school purposes is an unequal distribution of said property.

That by authority of the Act of Congress of May 27th, 1908,

the State of Oklahoma is attempting to tax most of the allotted land of the members of the Five Civilized Tribes. It is not right or proper that the Choctaws and Chickasaws should be required to pay their school or educational expenses from their coal and asphalt royalty fund, or from any other fund belonging to the tribes, and at the same time pay taxes to the State.

The repeated interference of the State and county officers with the Interior Department officials in the control of the coal lands, in the matter of the collection of rents, the eviction of intruders, etc., makes the administration of that business, difficult, unsatisfactory and unprofitable.

The Government and the tribes are alike without any system of authorized inspection of the mines since statehood, and, therefore, have no way of knowing whether the coal is being taken from the mines in a proper and workmanlike manner, and with due regard for the property of the tribes, or whether the operators are culling and mining only the very best and most accessible coal and abandoning the balance of the coal to waste. The Government inspection of mines was superseded by the State authorities, and the State authorities are under no requirement to look after the property of the tribes. Consequently, the tribes are without the care and protection necessary to the preservation of their property in the mines.

In many ways does the conflict of jurisdiction between the United States Government and the State government interfere with and prevent the successful administration of Indian affairs within the State. It is, therefore, not only desirable and proper but it is necessary and imperative that the remaining tribal interests be disposed of and the proceeds divided among the members of the tribes at the very earliest practicable time.

Your memorialists would earnestly recommend and respectfully

ask for the passage of an Act by Congress authorizing the sale of said coal and asphalt lands and deposits by a commission of three persons, to be appointed by the President, one on the recommendation of the Principal Chief of the Choctaw Nation, who shall be a Choctaw by blood, and one on the recommendation of the Governor of the Chickasaw Nation, who shall be a Chickasaw by blood. That such commissioners be paid at the rate of five thousand dollars per annum together with their traveling and other necessary expenses, and that such commissioners shall receive no compensation, commission, or per centum other than the five thousand dollars per annum to be provided by law.

Your memorialists would further recommend that the commission appointed to sell the coal and asphalt lands and deposits belonging to the Choctaw and Chickasaw tribes be directed and required to advertise the same in such manner as to attract competitive bidding at the sale, to the end that said property may bring the best price obtainable in an unrestricted market. We would recommend, also, that there be no restriction or limitation upon the amount of coal or asphalt land that any one purchaser may be permitted to buy, and we make this recommendation for the following reasons:

If the purchaser should be restricted to a small amount, the large operators and men with capital able and desiring to buy the coal lands in large tracts could not be induced to enter the market, and the result would be that the coal lands would go to purchasers of small means and at small prices. If, on the other hand, the amount that each purchaser may buy is unlimited, the man with large capital would be attracted, and the man with small means would not be shut out, for the price per acre, and not the number of acres desired, would determine the purchaser's opportunity to buy.

Anticipating the objection, that trusts and monopolies would buy up and control the coal lands if there should be no limitation upon the amount each purchaser may buy, we would respectfully submit that

that is not a valid objection against the sale of the private property of the tribes. The coal and asphalt lands and deposits are the private property of the Choctaw and Chickasaw tribes,---- they are not public property in the sense that the public lands of the Government are public ---- and should not be dealt with and disposed of as matters of public interest. They should be disposed of as the separate p rivate property of the tribes, and in accordance with the duty of the Government towards its Indian wards; that is, the coal and asphalt lands and deposits should be disposed of in whatever manner will bring the most money to their owners, regardless of whom the purchasers may be. If this position appears to be a selfish one, we call attention to the fact that the Gov-ernment does not attempt to say to whom the coal companies in our country shall or shall not sell their coal. If those who mine our coal have a right to sell to whomsoever they please, why not we ?

We would further respectfully submit that if the Government deems the disposition of our coal and asphalt property of sufficient public interest to require that the same be disposed of in accordance with the demands of the general public, then the fair and equitable thing for the Government to do, is to purchase the coal and asphalt lands and deposits from the Choctaws and Chickasaws at a fair value, and then dis-pose of the same as public property in whatever manner to the Government seems best. But so long as the coal and asphalt remain the property of the tribes it should not be thought proper to dispose of the same for the interest of the general public instead of the tribes. Manifestly it would be unjust for the Government to require the sale of the separate property of the tribes at a sacrifice under the pretext of benefiting the general public, when the general public has no pecuniary interest in said property. The Government should not be generous to others before it is just to its wards, especially in handling the ward's own property.

Regarding the proposed sale of the coal and asphalt lands and deposits to the State of Oklahoma, your memorialists would respectfully represent that they have no preference for one purchaser or prejudice

against another. If the State of Oklahoma desires to purchase the coal and asphalt lands and deposits, and is willing to pay the full value therefor, we see no good reason why the State should not acquire the same. Your memorialists would insist, however, that if the coal and asphalt lands should be sold to the State, that the same be sold by a commission appointed by the President consisting of three members; one of which shall be a Choctaw by blood to be appointed on the recommendation of the Principal Chief of the Choctaw Nation, and one to be appointed on the recommendation of the Governor of the Chickasaw Nation, who shall be a Chickasaw by blood. Your memorialists would further insist that if the State should desire to purchase said coal and asphalt lands and deposits, and should want to make any deferred payments thereon, said deferred payments be made in negotiable bonds of the State at such rate of interest as would make them readily salable for cash. We suggest this arrangement for the reason that we do not think the members of the tribes should be kept in waiting for their money, which many of them are sorely in need of today; the plan here suggested would afford the State ample time on the payment of its obligations at a reasonable rate of interest, and at the same time it would enable the members of the tribes to get the purchase money for their coal by negotiating a sale of the State's bonds in the market. Or if the State should desire or prefer to negotiate the sale of its own bonds in the market, we would be pleased to have it do so, and in that way raise the money with which to pay the Indians for their property at first hand.

If the coal and asphalt lands and deposits should be sold to other purchasers than the State, your memorialists would insist that no deferred payments be allowed except upon approved and negotiable securities, said securities to be approved by the Secretary of the Interior.

Your memorialists strongly object to the sale of the coal lands surface separately from the coal, for the following reasons:

We verily believe that a sale of the surface separately from

the coal would mean an indefinite postponement of the sale of the mineral.

We believe to sell the land and the coal separately would depreciate the value of each, in this way: The prospective buyers of the surface would object to paying the full value of the land because of the mineral being reserved under it. The bidders for the coal would claim that the coal was worth less on account of being under the land of a stranger, wholly disinterested in the coal but owning the surface. Whereas, if the purchaser of the coal and the purchaser of the land should be one and the same person or party, these objections to paying the full value for both the land and the coal would disappear and have no existence in reason or in fact. We believe, therefore, that the purchasers of the coal should be given an option to purchase the land at the time they purchase the coal. If they should not want the land, then give the party who might want the land an option to purchase the coal. We believe, too, in extending the same privilege to those who desire to purchase the land; if they do not want the coal under the land, then ask the bidder for the coal if he wants the land as well as the coal. In this way you would deprive both the purchaser of the coal and the purchaser of the land of any excuse for not wanting to pay the full value of the one because he did not have a chance to own the other.

We object to the sale of the coal and the coal lands surface separately for the further reason that, should we sell the surface before selling the coal, reservations of surface would have to be made for the present operators, and likewise for those who may purchase the coal in the future. We fear that the coal companies would demand and receive unreasonable reservations of land, and having the use of this additional land without cost to themselves, they would prefer to continue under their leases with the free use and control of the land rather than buy the coal and coal lands and pay for the same. Thus, would the influence of the coal companies and their combinations be used to postpone and delay the final sale of the coal belonging to the tribes.

We object to the separate sale of the coal and coal lands surface for the following plain, but true and sufficient, reason that, the question of the separate sale of the surface has been injected into local politics in the State of Oklahoma, and both of the great political parties in the State have declared for the separate sale of the surface and the coal, and that without much care or regard for the interests of the Indians, who, though they own the coal and the land, are in a hopeless minority on that proposition. We believe and fear, in addition to the objections already urged, that if the surface should be sold separately from the coal, it having been made a political question in our country, it will be sold under terms and conditions more favorable to the purchasers than fair to the tribes.

Your memorialists would conclude upon this subject with an appeal to the executive and legislative branches of the Government of the United States to protect the Choctaws and Chickasaws against fraud and imposition of any kind in the disposition of their coal and asphalt lands and deposits. We would warn the authorities against void and illegal contracts of every kind and description concerning the disposition of the coal and asphalt lands and deposits; and against any and all pretended services under such void or illegal contracts; and against all combinations political, corporate, or otherwise, formed for the purpose of, or interested in, securing recognition of any void or illegal contract relating to the disposition of the coal and asphalt lands and deposits belonging to the Choctaw and Chickasaw tribes.

Therefore, we repeat our recommendation for the sale of said coal and asphalt lands and deposits by a commission to be appointed by the President, one member of which shall be a Choctaw by blood and appointed on the recommendation of the Principal Chief of the Choctaw Nation, and one member to be a Chickasaw by blood and appointed on the recommendation of the Governor of the Chickasaw Nation. And as a further assurance to the Indians, and to the country, of the integrity of any transaction by which the coal and asphalt lands and deposits, or

any part thereof, may be sold, we further recommend that it be provided by law that no sale or sales of said coal and asphalt lands and deposits be of any validity or effect until approved by the President.

Proposed by

J. L. Ward

Chairman of the Committee on the Chief's Message.

Approved this
the 7th day of
October 1908
G. Sun McCurtain
Principal chief
of the Choctaw
Nation

A Memorial
Read and interpreted
passed the Senate
and referred to
the House
Attest This the 7 day
of Oct 1908
G. W. Choate
Recording Secy
Medicine Hatch
Read & Interpreted
& passed the House
& referred to the
Principal Chief
this the 7 day of
Oct 1908
W. H. Newmark
Attest Speaker House
H. H. Johnson
acting Clerk House

Approved by

Do. of the Attest to witness to the
above document being read and interpreted
before me this day of October 1908 and no other
than the said date.

One more

Tuskahoma Oklahoma, October 14, 1908.

To the Honorable Senate of the General Council of the Choctaw Nation.

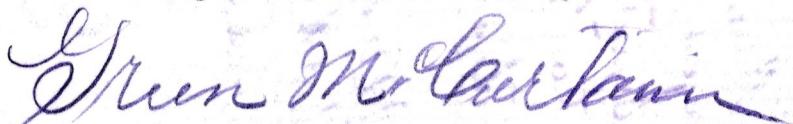
Gentlemen:

By virtue of the authority given me by law to appoint delegates to represent the Choctaw Nation at Washington, D.C., I hereby nominate and submit for your consideration the names of Dr. E.N. Wright, of Olney, Oklahoma, for regular delegate, and Mr. Peter J. Hudson, of Tuskahoma, Oklahoma, for special delegate, and respectfully ask that said appointments be confirmed by your Honorable body.

I fully realize the important work to be performed by these delegates, and my responsibility to the people of the Choctaw Nation, and I have only made these selections after a careful consideration of all the circumstances, and have done what I believe to be for the interests of our entire citizenship.

I respectfully ask your early consideration of this matter.

Respectfully submitted,


Geron McCarlum
Principal Chief Choctaw Nation.

• Read & Interposed
• and approved by the
• Senate, and referred
• to the Governor.

• Out of the Senate on the 24th day of October, 1908, and referred to the House of Representatives.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 25th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 26th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 27th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 28th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 29th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 30th day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 31st day of October, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 1st day of November, 1908, and referred to the Senate.

• Read & Interposed, and approved by the Senate, and referred to the House of Representatives.

• Out of the House of Representatives on the 2nd day of November, 1908, and referred to the Senate.

Read & Interposed,
and approved by the
Senate, and referred
to the Governor.
This 24th day of Oct., 1908
Attest (G. W. Chester
Chairman President
Res Secy.

b. MOTION TO REINSTATE DATED NOVEMBER 2, 1908.

Tuskahoma, Oklahoma, October 7, 1908.

To the Senate and House of Representatives:

Gentlemen:

For some time I have had under consideration the matter of an increase of salary for our General Attorneys, McCurtain & Hill. The present compensation of \$2500.00 per year for each of them, is wholly out of proportion for the vast interests which they are charged with protecting, and for the work which they are doing. Protection of our rights against the army of claimants who are employing the best talent in the country to place them upon our rolls, both by suits in the courts and through a strong lobby at Washington; guarding the interests ~~in~~ of the Nation in the disposition of the segregated coal and asphalt lands; protecting the surface of said lands from trespassers by suits in the courts and by assistance to the agents of the Interior Department; looking after the interests of our minor children in fifteen probate courts in the Choctaw Nation; representing the Nation in condemnation suits by railroads that build their tracks and switches over the segregated lands; representing and the Nation before the Interior Department at Washington, Congress for several months each year; advice and assistance to the Principal Chief in the many difficult problems with which he has to deal; services to the citizens of the Choctaw Nation generally without any charge therefor; these and many other matters occupy their entire time, thus making it impossible for them to earn anything at all from their private practice. The interests of the Nation are vast and important, and demand the services of good lawyers. Our attorneys have been faithful in their work and watchful of the interests of the Nation, and they deserve and should receive an increase in their salary. I therefore respectfully recommend that you make an appropriation increasing their

compensation \$2500.00 per annum during the life of their contract which has been approved by the President.

I also regard the salary of our delegates to Washington as entirely inadequate. We can not expect men to go to our National Capitol for a good part of every year to look after important legislation before Congress, and matters of vital interest before the Interior Department and be cramped all the time for the want of sufficient funds to maintain themselves in a station which the importance of the office demands. I know that our attorneys and delegates rendered us ~~xxx~~ invaluable aid during the last session of Congress, and at the coming session of Congress matters of such vital importance to the Choctaw people are to be pressed, that it will require the greatest vigilance and untiring work to protect us from those who would despoil us of our property.

Last year an appropriation of \$8500.00 was made to pay the salary and expenses of a regular delegate and special delegate to Washington. Under this arrangement the regular delegate received \$3500.00 for his salary and expenses, and the special delegate received only \$1500.00 for his salary and expenses, the balance of the appropriation being unused. I think there should be a change so that this matter would be ~~equalized~~^{better}, and I therefore recommend that you pass a bill making an appropriation for the next fiscal year of \$8000.00, and that this sum be ~~equally~~ divided between two delegates to be appointed by the principal Chief. ~~These would be no distinction then in either the salary or the office, and would be very advantageous to the Nation.~~
~~as follows: Regular Delegate \$3000 & special Delegate \$3000.~~

I make the above recommendations after a careful consideration of the matters mentioned, and respectfully ask that they be passed.

Respectfully submitted,

Green McCurtain
Principal Chief Choctaw Nation.

to our self & the Bankers \$90.000.00 for carrying

an insurance of \$100,000.00 to us to cover the loss of policy
and premium on other books for our independent Viseire
fraternal brother took on their turns to get a lot of paper

stored & sent to the office of the Pres. & Secy. and received from him
and told him we had no money to pay him for his services
and he said he would take his compensation in
books & paper & that was
Read and interpreted
and referred to the Chiefs
Message Committee
on 13th day of Oct 1908
E A Mohr
Speaker Pro tem
Secy. of the
Recording Secretary

Attest G. H. Chaile
C. H. C. President

Recd

10/13/08

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President

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