

Kinta, Indian Territory, May 4, 1904.

Yantis & McCurtain,

South McAlester, Indian Territory.

Gentlemen:-

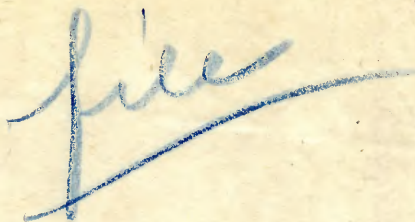
I desire at some future time to conduct my business under the name of Sans Bois Trading Company. What is necessary just at this time, not being prepared to assume this name or style, to keep any one else from taking up the same name?

The case of Joel Garland before the contest department of the Dawes Commission at Atoka I believe comes up the 13th; the parties who are the contestees I understand will not appear; is it necessary that Garland bring witnesses to prove his right to contest?

Very respectfully,

Dictated.

G W Scott

A large, stylized handwritten signature in blue ink, appearing to read "G. W. Scott", is written over the typed name.

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN INSPECTOR

FOR

INDIAN TERRITORY,

D 9478-1904

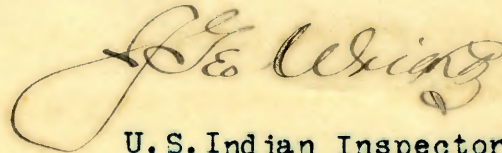
Muskogee, Ind. T., May 9, 1904.

Honorable Green McCurtain,
Principal Chief, Choctaw Nation,
Kinta, Indian Territory.

Sir:-

Referring to the resolution of the National Council of the Choctaw Nation, approved by yourself October 28, 1903, and entitled "A resolution requesting the Secretary of the Interior to revoke the order withdrawing the pine lands from allotment, and to permit citizens to file on the same under certain restrictions," I have to respectfully state that I am in receipt of advice from the Honorable Acting Secretary of the Interior that the Commission to the Five Civilized Tribes was on April 25, 1904, directed to proceed to allot such pine lands the same as other lands, inasmuch as it was apparent Congress would adjourn without legislating concerning such pine lands.

Very respectfully,



U. S. Indian Inspector
for Indian Territory.

D.H.K. (C)

Winta, Indian Territory, May 10, 1904.

Yantis & McCurtain,

South McAlester, Indian Territory.

Gentlemen:-

Herewith enclosed please find mortgage executed by Edna Powell on twenty acres of land; there is also enclosed therewith a check for 25¢ to pay for the filing; also a letter to the Clerk requestin him to file the same. I have not been accustomed to taking mortgages on land; freedmen can now sell their land without restriction as I understand and it seems that a mortgage on the same would be all right. If there is anything wrong with this mortgage please advise me what it is also advise what is necessary to do in case it is not drawn just right.

After you will have examined it please refer to the Clerk for his file together with the check and letter addressed to him.

Very respectfully,

Dictated.

CW Scott

Kinta, Indian Territory, May 10, 1904.

E. J. Fannin,

South McAlester, Indian Territory.

Sir:-

Herewith please find mortgage by Edna Powell for \$409.50 due October 15, 1904, for your official file but not for record. For your fees I enclose check for 25¢.

Very respectfully,

Kinta, I.T., May 11, 1904.

Mr J.J.Watkins,

Harris, I.T.

Dear sir:

Replying to your recent letter, have to say that the last session of Congress took the jurisdiction of the Indian Courts in all probate matters and vested it in the U.S. Judges. The appointment of Simon Taylor is therefore of no consequence, and the proper thing for you to do is to make application for appointment of the estate of your deceased brother, to the U.S. Court. I have been authorized by the Tushkahoma party to employ an attorney to look after these matters for the citizens, free of cost, and I have appointed Yantis & McCurtain, of S. McAlester, I.T., to this place. You should therefore write them at once and lay the matter before them and they will take up the matter of making your application.

Yours truly,

South McAlester, Ind. Ty., May 13, 1904.

Gov. Green McCurtain,
Kinta, Ind. Ty.

Dear Father:

I enclose herewith form of notice of your action in retaining our firm in matters of administration and guardianship before the United States court. I think you should publish this notice in the Citizen right away, and it might be a good idea for you to have seventeen copies made for the various counties and send to the sheriffs to be posted at the county court houses.

I think Judges Clayton and Humphry will treat us pretty fairly in these matters. It is not yet determined whether the court will order up the business from the tribal courts, or whether they will require the business to be instituted in the United States court anew. In any event it is necessary that public notice be given of your action in the matter.

Your son,

A. McCurtain.

Kinta, Indian Territory, May 16, 1904.

Yantis & McCurtain,

South McAlester, Indian Territory.

Gentlemen:-

Jimson Thompson has filed as administrator for the estate of his brother, James Thompson, deceased, and has bargained to sell the same to me. Jimson Thompson is the only brother of James Thompson, deceased; James Thompson had a wife and two boys all of whom died prior to his death leaving Jimson Thompson the only heir and through him, his son, Billy, and Billy's son, Isom: I desire to know if a deed executed by Jimson Thompson for lands allotted to James Thompson, deceased, as homestead or otherwise will hold in law.

Very respectfully,

Dictated.

C W Seaton

Kinta, Indian Territory, May 16, 1904.

Yantis & McCurtain,

South McAlester, Indian Territory.

Gentlemen:-

Anna Belvin, a full blood Choctaw woman died a year or such a matter ago; Israel Cooper was appointed administrator of the estate by the Probate Court of Sans Bois County and he has filed up on lands for her. She has no relatives closer than a first cousin on her father's side and two first cousins, one degree removed, on her mother's side, that is, her father's name was Jim Chaha; his sister was the mother of Morris Williams and his brothers and sisters; the sister of her mother has two grand-children: I desire to know which side will get the estate in law or if it will be divided between the two sides; I desire to know also if Aleck Williams who is a son of Morris Williams' brother will be entitled to share equally of Morris Williams' share in case it is divided or in case the father's side of the house, being the closest relatives, get the entire estate.

Very respectfully,

Dictated.

C. W. Scott

Kinta, Indian Territory, May 16, 1904.

Yantis & McCurtain,

outh McAlester, Indian Territory.

Gentlemen:-

Robert Bohannon, of Tushka Mamma, Indian Territory, filed upon some land for his minor children which land was furnished him by me: I desire to take a five years lease on the land; I desire to have him appointed guardian in order that he might execute this lease to me. If necessary to know the names of the children in making the application please advise me and I will furnish the same. In the meantime I am writing Bohannon for these names which I think of course will be necessary.

Very respectfully,

Dictated.

J. W. Scott

Kinta, Indian Territory, May 16, 1904.

Wentia & McCurtain,

South McAlester, Indian Territory.

Gentlemen:-

Hollis James, during the lifetime of his wife, Cornelia James, filed, representing her as her husband, on some land; since that time Cornelia James, the wife, died; there survives her one daughter who is not of age under the laws of the United States which fixes eighteen years for a woman but she is married. I understand the Commission allows them to file for themselves if they are married even though they are not of age according to law in years: I desire to know if a deed executed by Hollis James, the husband, and signed by Louisa Terrell, the daughter who is not of age would be safe and would hold in law.

Very respectfully,

Dictated.

G W Scott

SPCAG 4220

Kinta, I.T., May 16, 1904.

Mrs Norma E. Smiser,
Atoka, I.T.

Dear Mrs Smiser:

I herewith enclose copy of notice which I wish you would
have appear in this weeks 'Citizen'.

Yours truly,

Kinta, I.T., May 18, 1904.

Honorable J. Blair Shoenfelt,

United States Indian Agent,

Muskogee, Indian Territory.

Sir:--

Replying to your letter enclosing the two attached communications, have to advise that I have been investigating the matter of the accounts presented by Alf McCay for money expended in removing cattle from the Choctaw Nation, and find that there are a number of the persons whom he claims to have paid sums of money who state that they did not work as long as he claims they did.

In the further respect to this matter, have to advise that some of the persons whom had cattle which Alf McCay had instructions to remove, informed me that they would pay the expense of the gathering of these cattle if they were permitted to ship them out of the Nation themselves. This I am informed they were permitted to do. I still have up the matter of the investigation of these accounts, and when this matter is finally concluded I will make detailed report to your office.

Yours truly,

Prin. Chief C.M.

Kinta, Indian Territory, May 21, 1904.

D. C. McCurtain,

South McAlester, Indian Territory.

Dear Sir:-

I have two lots appraised to me by the townsite commission in the townsite of Sans Bois. Is there any advantage or disadvantage in paying the appraisement all at once? By paying it all now would that get the deed quicker than by paying as payments are due?

In case I should want to take a lien on lots just appraised would it be necessary to have such lots paid out in full?

Very respectfully,

Dictated.

G W Scott

LAW OFFICE OF
YANTIS & MCCURTAIN,
SOUTH McALESTER, I. T.

May 23rd 1904.

Hon. George W? Scott,
Kinta, I.T.

Dear Sir:-

Yours of the 16th inst received several days ago, and answer to the same has been delayed because of the death of Judge Yantis of this office. Answering each question separately, we beg to submit the following:

First- The estate of Anna Belvin will go to the brothers and sisters of the intestate's father and their descendants. Alex. Williams, if the only child of his mother, will take equally with Morris Williams; otherwise per stirpes, that is to say, if Alex. has brothers and sisters all of them will take the same share as Morris Williams, all of their share to equal Morris' share.

Second- Louisa Terrell, being under eighteen years of age, can not convey real estate. Marriage does not give female infants capacity to convey real estate. See 21st Ark. page 592 and 38 Ark. page 278.

Third- Yes, it will be necessary to have the names of the children when petition for guardianship is filed. We expect to have some blanks right away, and will send them to you if you desire them.

Fourth- Jimpson Thompson being the sole surviving heir of James Thompson, deceased, he would inherit all of the property of his brother. If Thompson is an Indian citizen by blood, before the restrictions as to alienation are removed he will have to make application to sell under the rules and regulations prescribed by the Secretary of the Interior.

LAW OFFICE OF
YANTIS & MCCURTAIN,
SOUTH MALESTER, I. T.

In our judgment, Thompson can sell all of the lands inherited from his brother. There may be some doubt as to that part of it which was, or would have been the homestead of his brother, but as the homestead character failed with the death of the brother, we believe that that also can be sold with the balance. However, application would have to be made to the Secretary of the Interior and his opinion would be decisive.

We believe that the above are all of the inquiries submitted by you. We regret the delay in answering, and in future your matters will have prompt attention.

Very truly yours,

(H)

M. C. Yantis & D. C. McCurtain

Kinta, I.T., May 23, 1904.

Mr Peter J. Consor,

Consor, I.T.

Dear sir:

I am just in receipt of your letter of May 20, 1904, and in reply thereto I desire to say that the United States Court, under a recent act of Congress has assumed jurisdiction in all probate matters, such as the appointment of Guardians, administrators, etc, over Choctaw estates. The Dawes Commission will not permit any one holding an appointment under the Choctaw Courts to file upon land at either of the land offices. I have designated D.C. McCurtain, at S. McAlester, as the attorney for the Nation in this matter and have directed him to prepare papers in all cases of this character for citizens of the Nation, without attorneys cost to them. It would be well for the old lady you speak of to communicate with him at S. McAlester and he will gladly furnish you any information ~~you~~ she may desire to take.

Replying further to your letter relative to R.E. Lee, in which you request that I forward you his letter, I desire to say that this is rather a family quarrel in your county and I do not desire to take a hand I would be very much in a position of the outsider ~~in~~ in the man that tried to prevent the husband from whipping his wife to death, and find that the whole crowd was on me after it was over. Looking at the matter from this point of view it seems to me that you are in decidedly the best position and I feel that you ought to treat the matter humorously, and not pay any attention whatever to the article in question. I hope you will accept my view and not attempt to stir up any further trouble along that line. Every body in that county knows you and Judge Nelson. I feel that you do not need any defense and I think you are perfectly able to take care of yourself on all occasions. Be sure to think of this advice before you do anything rash. Politics, as you know, is a dangerous thing to monkey with. You want to think three or four times before you act, and very often not act at all. Politics needs a heap of cold water, and I recommend it to my Sugarloaf Co. friends.

Your friend,

E. P. Hill

LAW OFFICE OF
~~YANTIS &~~ McCURTAIN & Hill,
SOUTH MALESTER, I. T.

May 25, 1904.

Mr. Geo. W. Scott,
Kinta, Ind. Ty.

Dear Sir:

We are in receipt of your letter of the 21st inst., addressed to Mr. McCurtain of our firm, in which you state that you have two lots appraised to you in the town of Sans Bois, and you ask: Is there any advantage or disadvantage in paying the appraisement all at once? By paying it all now would that get the deed quicker than by paying as payments are due? In case I (you) should want to take a lien on lots just appraised would it be necessary to have such lots paid out in full?

Answering your first inquiry, we will say that there is both an advantage and a possible disadvantage in making full payment at once. Full payment being made you are entitled to a patent; and that is, of course, an advantage. But there is a disadvantage in making full payment in that the property becomes taxable. However, in this case this disadvantage is not very considerable for the reason that there is little likelihood of Sans Bois town ever becoming incorporated and empowered to levy taxes. Your second inquiry is answered in the foregoing statement.

The third inquiry, we shall answer by stating that it is not necessary to have the lots paid out in full in order to take a lien upon the same. Your lien, however, would be in the nature of a second mortgage.

Very respectfully,

McCurtain & Hill.

May 25 1894

Tamaha

I. T.

U S Indian Agent

Dear Sir

Will you please tell me if it
law to collect back permits
the Officers are going around
collecting permits and back
permits and collecting 20 cts
per head on cattle will you
please tell me if that is a
law too please let me
hear from you at once

And Oblige

Yours Truly
John White

Tamaha

Box 14

No. 30400
RECEIVED
MAY 27 1904
OFFICE OF U. S. INDIAN AGENT,
MUSCOGEE, IND. TER.

5/25

John White,

Tamaha, I.T.

Sumner

Asks if the officers can
collect back permit.

✓

Respectfully referred to
Green McCurtain, Prin.Chief,
Choctaw Nation, for consid-
eration and appropriate action

W. H. Shaw
U.S. Indian Agent.
W. H. Shaw

LAW OFFICE OF
YANTIS & MCCURTAIN,
SOUTH MOALESTER, I. T.

May 28th 1904.

Hon. George W. Scott,

Kinta, I.T.

Dear Sir:

While looking over our papers to-day we found yours of the 19th had been unanswered. We regret this delay which was occasioned by the confusion incident to the sudden and unexpected death of Judge Yantis.

You ask if Tillman Jimmison, acting for his wife who is under the age of 18 years, can file for her.

In reply to said inquiry, you are respectfully advised that under section 3636 Manfields Digest, the marriage of a female ward terminates the guardianship. In that event, the husband succeeds to all the rights of the guardian, and X Tillman Jimmison, as the husband, would have the right to file upon land for his wife.

Very truly yours,

M. C. Fair

file

(H)

Kinta, I.T., May 30, 1904.

Messrs Mansfield, McMurray & Cornish,

South McAlester, Indian Territory.

Gentlemen:

I have received a number of complaints from citizens who reside in the S.E. portion of the Choctaw Nation to the effect that they had appeared at the atoka Land Office for the purpose of selecting certain pine timber lands situated south of the second base line, and that the officials at the land office have refused to make said allotments upon the grounds that the said pine lands had not been appraised. I am further informed and believe that persons connected with the Dawes Commission at Muskogee are interested in withholding said lands from allotment and I desire that you investigate this matter fully and as a last resort that you take the matter up with the President, while in Washington. I dislike very much to adopt this course, but it seems to me that the arbitrary actions of the Commission leaves me no other alternative.

Yours truly,

Prin. Chief C.N.

Warrant J. I. May 30th, 1904.

Hon Green McBristain

Kinta J. I.

My dear Governor, sir,

I have this day sealed myself to drop you a few words, which, I want mention to you is this that I want to know whether these probate matters has been already issued by the Probate Courts of this Nation of Administrator or Guardianship should be transferred to the United States by the order of that court. Under that Law which passed by the Congress does not say any thing about Indian probate courts shall cease, and be transferred to the said court. Of course under the Treaty they Indian are entitled to be held until 1906, unless the Choctaw laws should be enforced by the United States courts until our Government ceased. But otherwise, that I am afraid it will create law suit for the purpose of delaying the matter. and it seems to me under this law now recently passed has giving a jurisdiction of the United

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states Courts to accept and entertained a probate matters same is our Probate Courts do, and give the Citizens a preference, heretofore been denied, for this reason even the official of Land Office did not required at first, for the parents to be appointed a Guardian for their minor children except they orphan children, this was according to the probate laws, and it was right, but there is no law whereby both parents are still living could do that, and this was done by those land speculators and leasers, upon these ground, the Indian Agents and Courts rules that they parents should give a Bonds and they citizens goes to our courts and get out papers and pay for the cost, and what is already done it ought to be recognized in these Courts; these Courts make an order to that effect be transpired, or either the Secretary of the Interior ought to make a ruling how it should be done in absent of the law. ~~But~~ I am afraid they Indian will be disappoint receiving their payment in these towns site money, unless the Interior department and Indian Agents recognized the action our probate Courts have been executed. And again how

3

many of these Poor Indian would give Bonds for their own children in these Courts. the passed experience are teaching us in these matters, we look to those Courts ruling prior up to this day there is many Indian now unable to give Bonds are languishing in those jails. This law simply means to take this matter out of Indian hand and give to those moneyed men a none citizens at that - because they are interested parties of Land cases of leases. now we might say over half of our nation is under leased. here lately no Choctaw cannot filies on no land except they must be some kind of under obligation to a none citizens or either some wealthy Indian or Court Claimant. Under these present Condition I cannot see how these Poor Indian cant better themselves in these Courts. unless these Courts confine themselves to the Indian and her citizens only for the purpose to caried our laws as directed by the Treaties until 1906. These Attorney appointed by you could not remedies in giving Bonds, unless some ruling must be first made by the Indian department or either Courts having jurisdiction. accepting Bonds. Under Choctaw law home and farms are acceptable in Court. and I hope this new Courts

may accept our surplus⁴ Land so far extend as our
securities by doing this the Choctaws go one another's
bonds. if not there will be hardship brought upon
these poor Parents, still they have done received a trouble
raising their children. now we cannot filed no land
on these Guardianship been issued. I was at Oktoha
last Thursday and ^{saw} several parties are turn down
and these men are come from long distance and
out great deal ~~expense~~, and several are been up ^{to} the
land, ^{this} to finished. from this County are been notified
could not filed no more. I think and believed that
Commission are done great injustice by doing this
they ought to let them filed their land any how. you
must remember not half of the people in both nation
are finished filing their land even their own family
most of them partialy filed. now restriction upon
Land is removed, by these action will many Indian loose
their selection of Land because the Country is full of
speculators are buying up the best land as a surplus
the Commission when asking Congress to removed
restriction, ought to been provision^{made} when the nation had
not complete filing their homestead. the intention of
the Government was to give a good land for their
homestead and this surplus land ought not be allowed
to men Choctaws, ^{finish} filed their homestead.

we must know what we are doing all of these things
our administration as to heard during this summer
election our opponent are accusing our parties was
the cause not ingoing this new ^{Court} to enforce this
law was direct violation of late Treaty. even
official of Land Office at Alaska would not recognize
those papers and some good citizens has been in
sides has positively told me that they would not
filed no papers in these courts until expiration
our Government - because the more out whole lot
of trouble in both courts. Now they have to go
right back on same trail. especially these choctaws
are living eastern part of our nation very hot in
these matter I saw them every day here at Durand
come through train, of course I told them the
^{Congress} passed the law with our protest against them
but the passed over us any how. But you
cant not convince them. and I ask for
we will have great deal over this matter yet
before it finally settled. Hoping to hear
from soon.

Respectfully your friend

J. J. Sanders

Kinta, Ind. Ter., May 31, 1904.

Honorable J. Blair Shoenfelt,
United States Indian Agent,
Muskogee, Indian Territory.

Sir:--

Replying to your communication of April 5, 1904, in which you state that you enclose statement rendered by Alf McCay amounting to \$1504.80, being for services rendered, as he claims in removal of Bounds, Hale and Crosby cattle, and state further that he has secured vouchers for nearly all of the expenses incurred by him, and ask to be advised concerning the same. I have had occasion heretofore to investigate the vouchers as presented by McCay, and I ascertained in every instance that the vouchers in question were without exception overcharges against the Choctaw Nation for such services. The investigation that was conducted under the direction of this office led me to the conclusion that the Choctaw Nation was not indebted to McCay in any amount. I have been advised that the Bounds, Hale and Crosby cattle were rounded up under the auspices of the owners, and that all expenses incident to the removal of the same were met by the parties in question. I would suggest that you send a man to that section where these operations were carried on and make a thorough investigation with the view of reaching some sort of settlement with McCay. I feel sure that I have no desire to do Mr McCay any injustice in this matter, and

that my only purpose is to protect the Choctaw Nation against the seeming extortion.

Very respectfully

LAW OFFICE OF
YANTIS & MCCURTAIN,
SOUTH MOALESTER, I. T.

May 31, 1904.

Gov. Green McCurtain,
Kinta, Ind. Ty.

Dear Sir:

We enclose you herewith a letter which, like the "nigger's" shirt, shows for itself.

It will be observed that this firm, styling themselves The Choctaw & Chickasaw Real Estate Company, seems to be in the business of preparing and filing papers in guardianship and administration matters; in other words, they have clients of their own, and if they can just get some body to show them how to prepare the papers they will then be able to accommodate their clients. We suppose that they intend to charge their clients for the work of preparing and filing their papers for them. We have hesitated to give this information for the reason that we do not understand it to be our business under the employment given us to advise any real estate companies, or anyone else whose purpose ^{it} is to charge the citizens for this character of work. If they were going to do this work for the citizens without cost to them, we would readily advise them; but if they are to make charges for it we do not feel that the Nation should advise them at all in the matter.

However, we refer the matter to you, and shall be controlled by any suggestions you might have to make.

Yours very truly,

M. Curtin & Hill

Kinta, I.T., May 31, 1904.

Mrs Clara McCurtain,
Durant, I.T.

Dear Mrs McCurtain,

I am informed that the U.S.Court will not permit anyone other than an attorney to represent the Indians in the probate matters in securing the appointment of guardians, administrators, etc. D.C.McCurtain was here yesterday and was anxious to do something for Ben in that line, but his information is such that he will be compelled to form a co-partnership at that point with someone who is admitted to the bar there and in good standing as a lawyer. I am sorry that I can not aid you in this matter but under the circumstances I am powerless to do.

Your friend,

Kinta, I.T., May 31, 1904.

Mr Ben McCurtain,

Durant, I.T.

Dear sir:

I am in receipt of your recent communication on the subject of being named at that point to represent the Nation in Probate Matters and the appointment of guardians, administrators, etc. I have recent advises that unless one has been admitted to the bar and is a regular recognized attorney at law that the court will not permit them to act in behalf of the Indians seeking such aid.

I am sorry that I can not do anything for you in this direction and hope you may be able to find something that will enable you to make a living.

Yours truly,

Kinta, I.T., May 31, 1904.

Mr Walker Wooley,

Alikchi, I.T.

Dear sir:

I am in receipt of your communication of recent date and note what you say with reference to the action of the land office in refusing to permit you to file on certain lands where you live. I will do what I can to assist you in this matter. I have not been advised as to what the intention of the Department is relative to the further reservation of land at Alikchi any further than the newspaper reports that are going around. When there are further developments I will take occasion to do what I can to aid you.

Yours truly,

prin. Chief C.N.