

CHARLES E. INGERSOL.  
PRESIDENT

# MIDLAND VALLEY RAILROAD COMPANY

## LAW DEPARTMENT

J. W. McLOUD.  
GENERAL SOLICITOR

FORT SMITH, ARK., January 12, 1904.

Hon. Green McCurtain,  
Governor, Choctaw Nation,  
Kinta, Indian Territory.

Dear Sir:

I enclose you herewith for filing in your office, as provided in Act of Congress approved February 28th, 1902, and entitled "An Act to grant the right of way through Oklahoma Territory and Indian Territory to the Enid and Anadarko Railway Company, and for other purposes".., map of additional grounds required for railroad purposes by this Company at the Cameron Coal & Mercantile Company's Mine in the Indian Territory, together with receipts in duplicate, which kindly sign and return to me and much oblige,

Yours respectfully,

*JWM Loud*  
General Solicitor  
H

JWM AWH

Encls



Kinta, I.T., March 9, 1904.

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

Sir:--

Replying to your letter of the 7th inst, wherein you advise that nine of the 19 occupants along the proposed line of railway have refused to accept the award; and request me to select some competent person to act as one of the referees to assess these damages, I have to advise that I have this day Commissioned Mr James Bower, who is a Choctaw Indian by blood, to act as such referee. Mr Bower lives at Oak Lodge, Indian Territory, where he may be communicated with at your pleasure.

Very respectfully

Prin. Chief C.N.



DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

UNION AGENCY,

Muskogee, I. T., March 7 1904

Hon. Green McCurtain,

Prin. Chief, Choctaw Nation,

Kinta, I. T.

Sir:

Under date of February 18 1904, the Honorable Acting Secretary of the Interior approved my report in the matter of the assessment of damages for right of way of the Fort Smith and Western Railway Company on its line of railway extending from the Arkansas state line westwardly a distance of 18.74 miles.

This proposed line of railway passes through the lands of 19 occupants, ten of whom have accepted the award and nine have dissented therefrom.

With reference to the nine dissenting occupants, it will be necessary to have the compensation to be made them determined by referees. The Commissioner of Indian Affairs directs me to appoint one of the members of this board, the railroad company one, and you one.

I shall be pleased to have you select some competent person to act as one of the referees to assess these damages, and to advise me as to his name and post office address, giving me the full Christian name of the person selected by you.

Very respectfully,

JFW(E)

U. S. Indian Agent.

*Added for an Indian by Wood*

*JFW*



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Antlers, I. T.

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Hon- Green McCartoon  
Sambor O. T.

Dear Sir

Will you please tell me whether or not  
the Wisconsin R.R. Co. owns 25 feet on  
each side of R.R. right-of-way fence  
or not? How wide is their right  
of way. Though the Chetowen <sup>rights</sup> hold  
in your belief do you think they have  
a right to stop or hinder any one  
from running to their fence with a  
fence where the party has land on  
both sides of the R.R.?

This is a point under dispute now  
and would like to know what you  
think is law in regard to the Chetowen  
rights in the matter. They are refusing  
to give stock gaps on crossings or allow  
citizens to join fences with them.  
An early reply will be greatly appreciated.  
Yours True Friend  
C. E. Walker



FORT SMITH & WESTERN RAILROAD COMPANY

OFFICE OF GENERAL MANAGER

J. J. MAHONEY  
GENERAL MANAGER

FORT SMITH, ARK., April 16 1904

IN YOUR REPLY REFER TO OUR FILE NO.

*Handwritten:* Mr. Green McCurtain,  
Governor, Choctaw Nation,  
McCurtain, I. T.,

Dear Sir:--

I understand that Mr. J. Bower of Oaklodge, I. T. has been appointed by the Choctaw Nation as one of the Referees to assess and award damages along the right-of-way of our line of Railroad from Fort Smith to Coal Creek.

I beg to advise that, personally, I have no objection to Mr. Bower, but inasmuch as this line of Railroad is located through the land occupied and allotted by his relatives, I do not believe that he can do the Railroad justice. I would, therefore, request, if consistent, that you make another appointment.

Very truly,yours,

*Handwritten signature: J. J. Mahoney*  
General Manager



Kinta, I.T., April 20, 1904.

Mr J.J.Mahoney, General Manager,  
Fort Smith, Arkansas.

Dear sir:

I am in receipt of your letter of recent date in which you state that the referee appointed by this office is not satisfactory to your road for the reason that the line runs through land owned by relatives of Mr Bower. In reply will say that as this appointment was made at the request of the U.S. Indian Agent, and as his office has already been notified of the appointment of Mr Bower I feel that the proper procedure would be for your office to take the matter up with the Indian Agent, requesting him to request this office to make another appointment. At the time this appointment was made I had a personal conversation with Mr Bower and he stated that this line did not go through the land of any of his relatives except one sister, and he was of opinion that she would accept the offer of the Railroad, and upon that statement I considered him competent. Trusting the suggestion herein will meet your approval, I am,

Yours truly,

Prin. Chief C.N.



## MIDLAND VALLEY RAILROAD COMPANY

LAW DEPARTMENT

J. W. MCLOUD,  
GENERAL SOLICITOR

MUSKOGEE, OKLA., May 19, 1909.

Hon. Green McCurtain,

Governor, Choctaw Nation,

Kinta, Oklahoma.

Dear Sir:

I enclose herewith notice of hearing of Referees in the matter of condemnation, by this Company, of certain lands of the Nation at this Company's crossing at the South Canadian River, as described in the notice. These lands are shown on the filing maps recently filed in your office, entitled "Maps of Additional Grounds required for railroad purposes near Mile Post 60.8 and near Mile Post 61.1, respectively." Kindly acknowledge receipt of this notice.

As, is our custom, we are sending waiver of notice and agreement to Messrs. McCurtain and Hill, whom I understand from you are empowered to act in the matter, stipulating for compensation on the usual basis.

Yours truly,

*J. W. McCloud*  
General Solicitor.

SHK-W

Messrs. McCurtain & Hill,  
McAlester, Okla.



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*Fort Smith, Ark, 7/14/04.*

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G. McC.

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citizens to select these townsite lands as part of their allotment in order for me to provide protection for the people who had bought possessory rights in the various Choctaw towns along our railroad. I went to Mr. George Scott, who was a personal friend, and asked him to select for me a number of reliable Choctaws for the purposes I have just mentioned. I agreed to purchase all of the occupancy rights and pay all expenses incident to selecting these allotments, and further pay a good price for these lands when allotted. Mr. Scott agreed to select these people for me, and did so; and further than this, he went with me to Atoka and helped these people select their allotments, I paying all the expenses. I make this detailed statement because I see that Mr. Hunter charges that you took these people to Atoka for other purposes, and paid their expenses. In this way I bought from Mr. Julius Powell lands near Bokoshe, as shown by attached letters and statement of Mr. Powell himself.

I sincerely hope that this statement will cause Mr. Hunter to withdraw the unjust and untruthful charges made against you in this connection. Honorable warfare in politics is always to be admired, but resorting to unfair and dishonorable methods is a strong indication of weakness.

Yours very truly

*DBS*



CANADIAN VALLEY AND WESTERN RAILWAY COMPANY,

LEGAL DEPARTMENT

J. E. SHARP,  
GENERAL ATTORNEY.

Purcell, I. T., December 3, 1904.

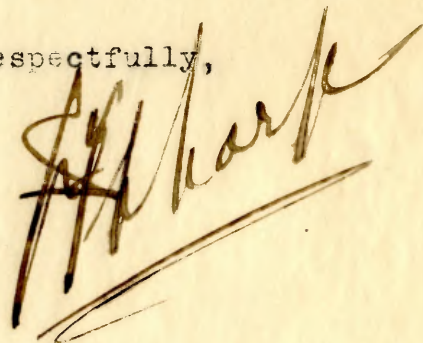
Hon. Green McCurtain,  
Kinta, I. T.

Dear Sir:--

I enclose herewith receipt for the four sections of the location maps of the Canadian Valley and Western Railway Company, sent you by American Express from Muscogee on December 1st, which you doubtless received the day following; our maps were filed with the United States Indian Agent at Muscogee on November 25th and with Governor D. H. Johnston, of the Chickasaw Nation on December 2nd, 1904, and are to-day being forwarded to the Hon. Secretary of the Interior, so we are attempting to comply literally with the provisions of the so called Enid and Anadarko Law regulating the location and construction of railroads in the Indian and Oklahoma Territories.

The enclosed form recites only the facts and I will ask you to kindly sign the same and return to me in the stamped envelope which I herewith enclose.

Very respectfully,

A handwritten signature in dark ink, appearing to read "J. E. Sharp", with a long, sweeping underline.

Dict. to OHL.

Enc. 2.