[illegible], OKLAHOMA

April 9, 1913.

Hon. John L. Springston,

Vian, Oklahoma.

Dear Sir:

In the matter of the Sheppard estate:

Under the law in force at the time of his death, his widow was entitled to a dower in his land to the extent of one third thereof for her life time, and it becomes the duty of the heirs to lay off and assign such dower, as soon as practicable, after the death of the husband, and the widow is entitled to remain in possession of the entire farm or place and have the use and rents thereof until such dower is laid off and assigned to her.

And it seems from Jacks vs. Dyer, 31 Arkansas, 334, that the widow cannot dispose of her dower interest until it has been assigned according to law; and it seems also from McWhirter vs. Roberts, 40 Arkansas, 283, that the claim for dower is not barred by the statute of limitation so long as the heirs continue in possession, and any heir who is a minor shall act in the matter of assignment of dower through his guardian.

Under the principle and rule that the law, at the time of the death, governs and fixes the interest in his estate, and Sheppard having died in what is now Sequoyah County, prior to statehood, in the year 1904, we would look to the law in force here at that time to determine the rights of the widow and heirs in the estate of the deceased.

ORDER AND RULING CONFLICT

Court Decision on Indian Loan Contrary to Department Edict.

MUSKOGEE, OK., May 19.—Following upon the heels of an order from the Department of the Interior that restricted Indians could not give chattels mortgages upon their property without the approval of the Indian agent came the decision of the United States Circuit Court of Appeals at St. Paul in the Meyers case, holding that an Indian could not prevent a loan agent going up on a reservation and making chattel loans to the Indians.

The order to Dana H. Kelsey, Indian supervisor for the Five Civilized Tribes that in the future a mortgage taken upon the chattels of a restricted Indian would be held of no effect unless approved by the agents of the department came Saturday.

It was on the same day that Judge Van Valkenburg rendered his decision in the Meyers case, and this decision held that the Indian agent could not interfere with a white man going upon an Indian reservation and making chattel loans to the Indians.

Yours very truly,

Lester Keyes,

LK-RP

[illegible]organ is Dead.

[illegible]rgan, called the [illegible]st fin[illegible]cier.

This man had several palatial resi[illegible]nces in different parts of [illegible] and [illegible] on the [illegible]