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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON.

DEC 27 1932

Mr. A. A. Grorud,
c/o Committee on Indian Affairs,
United States Senate,
Washington, D. C.

Dear Mr. Grorud:

This will refer to your visit to the Office on December 9th, at which time you left a petition signed by the members of the Council of the Seminole Indian Protective Association, urging a per capita payment from the funds now on deposit in the Treasury to the credit of the Seminoles in Oklahoma.

The Act of April 26, 1906 (34 Stat., p. 143), provides:

That when the unallotted lands and other property belonging to the Choctaw, Chickasaw, Cherokee, Creek, and Seminole tribes of Indians have been sold and the moneys arising from such sales or from any other source whatever have been paid into the United States Treasury to the credit of said tribes, respectively, and when all the just charges against the funds of the respective tribes have been deducted therefrom, any remaining funds shall be distributed per capita to the members then living and the heirs of deceased members whose names appear upon the finally approved rolls of the respective tribes, such distribution to be made under rules and regulations to be prescribed by the Secretary of the Interior.

However, in view of the fact that oil and gas revenues are still accruing monthly to the Seminole Indians, it would appear that the conditions of the act quoted have not yet been fulfilled and specific legislation would be necessary to authorize a payment to the Seminole Indians at this time. The last payment to these Indians was authorized by the act of May 25, 1918 (40 Stat., p. 580), in the following language:

That the Secretary of the Interior be, and he is hereby, authorized to pay to the enrolled members of the Seminole Tribe of Indians of Oklahoma entitled under existing law to share in the funds of said tribe, or to their lawful heirs, out of the Seminole school funds, or any moneys belonging to ~~the~~ said tribe in the United States Treasury or deposited in any bank or held by an official under the jurisdiction of the Secretary of the Interior, not to exceed \$100 per capita: Provided; That said payment shall be made under such rules and regulations as the Secretary of the Interior may prescribe: Provided further, That in cases where such enrolled members or their heirs, are Indians who belong to the restricted class,

the Secretary of the Interior may, in his discretion, withhold such payments and use the same for the benefit of such restricted Indians: Provided further, That the money paid to the enrolled members or their heirs, as provided herein shall be exempt from any lien for attorneys' fees or other debt contracted prior to the passage of this act: Provided further, That the Secretary of the Interior is hereby authorized to use not to exceed \$2,000 out of said Seminole school fund, or other money of said Seminole Tribe, for the payment of salaries of all necessary employees and other expenses for the distribution of said per capita payments.

An examination of appropriation acts prior to this time also indicate that specific authorization has been made for numerous payments to this group of Indians.

The total now to the credit of the Seminoles is \$225,616.25, of which \$151,198.65 has been derived from oil and gas revenues. In the Seminole school fund there is a balance of \$50,015.39 and miscellaneous small funds account for the balance. When the last payment was made there were 3,132 names on the roll and upon this basis a \$25 payment would require \$78,300 and a \$50 payment \$156,600. A \$50 payment could be made without in any way disturbing the so-called Seminole school fund, but it is customary in cases of this kind to have an expression from the Superintendent of the jurisdiction as to his views concerning the necessity and desirability of such payment. We are therefore referring a copy of the petition to Superintendent Landman with the request that he inform this Office at an early date as to his views. We are also asking that he furnish information as to the approximate number of Indians to share in such payment and the amount of time that will be required to prepare the roll in advance of making such payment, if authorized.

In the event the payment is authorized if funds are not provided for additional temporary clerical help, it may be delayed somewhat because of the fact that this Office does not have other funds with which to provide the temporary force.

We are inclosing a copy of the petition, the original having been placed in the files of this Office.

Sincerely yours,

(Signed) J. Henry Se

12-21-MTT

Assistant

Inclure 160434.

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UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
FIELD SERVICE
MUSKOGEE, OKLAHOMA

January 4, 1933.

The Honorable

Commissioner of Indian Affairs.

My dear Mr. Commissioner:

Reference is made to Office letter of December 27, 1932, relative to the desirability of a per capita payment to the Seminole Indians of this jurisdiction.

The preparation of a per capita payment roll covering the originally enrolled members of the tribe would not take long, probably ten days or two weeks. However, approximately fifty per cent of the enrolled members are now dead. The distribution of per capita shares to the heirs would extend over a period of years. We now have some undistributed shares of the per capita payment of 1918, awaiting final determination of heirs.

The original roll contains 3,132 names; of these 409 were unrestricted Indians and 986 were freedmen. It is estimated that there are about 7,500 heirs among whom the shares of the deceased enrolled Seminoles would be divided.

The preparation of the roll and payment to ~~the~~ living enrolled members could be handled by the existing office force. However, provision should be made in the act authorizing the per capita payment, if enacted, for the travel expense incident to making the payment, also the employment of an examiner of Inheritance, a stenographer, and their expenses to cover a period of one year --- \$6,000.

As for the need of the payment, exclusive of depression conditions which have affected them less than most localities, the Seminoles are in about as good financial condition now as they will ever be. The Seminole oil field has yielded large sums in royalties to individual Indians, and is still upon a pro ration basis of production. Disbursements are being made at the rate of \$40,000 to \$50,000 each month in Seminole County from individual accounts. This, of course, does not help a large number of Seminoles who have not been fortunate enough to have oil leases or those who have no lands, through removal of restrictions by law, or otherwise. But due to the commendable characteristic of

their tribe in looking after their own, many Seminoles derive indirect assistance from the good fortune of their relatives and fellow tribesmen. We are called upon for less indigent Indian relief in the Seminole jurisdiction than in any of the Five Civilized Tribes territory. A per capita payment would, no doubt, be of assistance to a number of the poorer and undoubtedly needy Seminole Indians, freedmen, and their heirs, at this or any time.

This office can see no objection to making a per capita payment to the Seminoles at this time.

It is noted that the petition is presented by the council of the Seminole Indian Protective Association, headed by Caesar Burgess. This Association represents a comparatively small group of Seminoles, which band is more or less at odds with the General Council, or group of bands. The latter group recently elected George Jones as the Seminole Chief, after a nation wide selection of delegates to the council.

The act approved April 25, 1932, provides:

BE IT ENACTED, ETC., That hereafter the Secretary of the Interior shall not sell, lease, encumber, or in any manner dispose of, any land or any interest in land belonging to the Seminole Tribe or Nation in Oklahoma or reserved for the benefit of such tribe, except with the approval of the Seminole Tribe or Nation acting through its general council selected in pursuance of Seminole customs.

It would appear that the spirit of the act might be violated by the distribution of oil royalties from the tribal lands, without first obtaining the approval of the general council, and it is recommended that such approval be first obtained before proceeding with a per capita payment.

Very respectfully,

(Sgd) A. M. Landman

Superintendent.

Frank J Boudinot
ROBERT L. OWEN

SOUTHERN BUILDING
WASHINGTON, D. C.

April 27th, 1933.

Hons. George Jones, Chief,
Chili Fish,
Allan Crain,
Louis Fife,
Nina Tanyan,
Charles H. Brown,
Robert Fish,
Walter Wise,
Wilsey Palmer,
Alex Cully,

The SEMINOLES

Of

OKLAHOMA.

And

Others;

My friends:

I have your letter of April 19th, and express my thanks to you for your acknowledgment of the service which I have been able to render under difficulties which have been almost unendurable - except for the co-operation and assistance of Senator Owen it might not have been possible.

We went together yesterday to call on Mr. John Collier the new Commissioner of Indian Affairs, Mr. Ickes the new Secretary of the Interior, Mr. Margold the new Solicitor, and Mr. Walters the New Assistant Secretary. We had a very kind reception indeed and believe the Seminoles will get a "New Deal" from this Administration. We talked very plainly to the Commissioner and we are satisfied that we can rely upon his sympathy and assistance. I am anxious to keep in close touch with him and to get his support in recognizing and authorizing your Committee, or Council to act for the Group in connection with your matters here. The Congressional Committees already have recognized you, as you know. I expect also to get his affirmative support in getting authority (express) from Congress to prosecute your cases in court, and thus prevent the dismissal of your suits

on the ground that you have no capacity to sue or to have counsel. We expect a "New Deal" by this Administration, but it is imperative that I have your full, aggressive, co-operation and support. It costs money to live; an office is necessary, and while I do much of the writing, etc., myself (as much of it as I am able to do with my other work), I am compelled to use a stenographer at times. Then there is postage, car fare and other incidentals required to transact your business properly.

You have about \$28,000.00 of accumulated "interest" outside of the principal amounts which you do not wish to use or invade at this time. None of this money is of any benefit to the Seminoles as now held and used by the Department for its own purposes. A comparatively small part of this "interest" could be used by you now to the great advantage and benefit of your group's interests. Your Committee and Council is working for the whole group who own the money, and I am working under your direction and authority. We need money, both here and there, to enable us to do the necessary work properly and in a dignified manner to insure success.

I ask, therefore, that you adopt a resolution providing that your Executive Council may expend not to exceed \$500.00 per month out of your accumulated "interest" (in no event to reduce the corpus or principal of your fund) to pay for your work (expenses, etc) here and there in Oklahoma. I believe with your co-operation and such a resolution the Commissioner and Secretary will recognize and endorse this plan.

Senator Owen has spent heretofore more than ten thousand dollars in prosecuting the claims of the Seminoles (which of course he was under contract to bear on a contingent basis), and he now tells me that he is ⁱⁿ serious need himself - and It seems to me only fair that you

should endeavor to return to him the \$1,628.-- which, as I understand, was not a part of the expenses he agreed to pay. However, I want you to know that I make this observation without knowing just what the understanding was at the Severs Hotel at Muskogee. I was not present at your conferences on financial matters, as you know, and I may be entirely unjustified in saying anything about it. Senator Owen is in almost desperate straits financially, and that is my excuse for mentioning the matter.

I discussed the question of R.R. Rights of Way and the oil rights (the right of the Seminole Government to lease, etc) with the Commissioner. He was very much interested and asked me to give him a full statement of the matter, with particular things we wish him to look into specially. I shall do this right away. I am taking the lease question up with the Frisco people, with the view of getting their express consent for you to enter the Right of Way. A single good well would justify many times over the expenditure of the money I am suggesting you provide out/^{of}your accumulated interested.

I inclose a form of resolution covering the suggestion. Of course you could revise it to suit your own ideas. I have included a provision under which such delegation as you may send here could be paid also. As the situation is at the present time on the Hill (before the Committees of Indian Affairs and Congress), there is an express agreement that no legislation touching our matters will be considered at this Special Session. This situation may change at any time of course, and so you ought to be ready on short notice to send a delegation here to appear before the Committees with me when these very important bills come up for consideration. I think you should have, all things considered, five of your best men - but three anyhow. It is almost certain that the expenses, etc., of the delegation can be arranged as in-

dicated in form of resolution herewith.

The objective of the plan I have is two-fold: 1st. To secure complete recognition of your Council (Government), with right and capacity to sue for the Group on your contracts with the Government where you claim vested rights of property, real and personal, under those contracts have been violated - or attempted to be abrogated, contrary to the guarantees of the United States Constitution, etc. 2nd. Probably more important than the first, because dealing with actual lands and moneys known and recognized to be yours, to have the Government authorities, all of them, recognize and agree to your right to say what shall be done with that property and money.

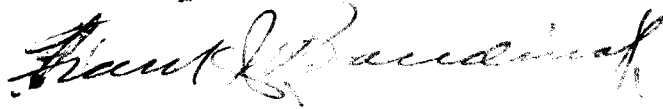
I know from experience with my own people and from well known history of other Indian tribes that per capita payments of large sums of common funds to the living generation has never done lasting good. All of us understood this if applied to land, and therefore we objected, and rightly, to allotment in severalty. But we failed to appreciate that when the land was sold and changed into money its nature remained exactly the same. The Cherokees paid out \$8,000,000.00 per capita (the price paid them for the "Outlet" in 1893). That money at 5% would have produced an income of \$400,000.00 a year perpetually. Under our polity, yours and mine, neither the land nor the money paid for it belonged to the then living generation. It should have been held and the interest only used for educational purposes, or under proper and safe restrictions loaned to individual members at a low rate of interest, or even at no rate of interest, for useful purposes, but to be repaid to the fund. The Osages have been paid more than \$300,000,000.00 - they have very little comparatively to show for it now, and one can easily see that in a few years, if they continue as heretofore, the Osages will be as poor as any of us. In emergency conditions, as at present, a part

of the accumulated interest only, not the principal, might very well be donated to the relief of distress to individual Indians in dire need of the necessities of life.

Yours is a great and wonderful program, ultimately to secure your complete liberty and happiness. If you succeed, and I am confident of success if we proceed carefully along the road we have so far travelled together, and successfully, your example will be the model for other Indians to follow to like liberty and happiness.

Will you, as soon as possible, send me all the information about the Frisco R.R. Right of Way - particularly as to when the Right of Way was established and if allotments included the easement or excluded it, etc.?

Sincerely your friend,

A handwritten signature in cursive script, appearing to read "Frank J. Boudinot".

Frank J Boudinot.

P. S. I will mail you copies of the resolution or memorial
form referred to in this letter early next week.

FJB

4/29/33. 4 p. m.

PROCEDURE IN THE DISPOSAL OF SEMINOLE TRIBAL
LAND

MARCH 11, 1932.—Referred to the House Calendar and ordered to be printed

Mr. LOOFBOUROW, from the Committee on Indian Affairs, submitted
the following

R E P O R T

[To accompany H. R. 10362]

The Committee on Indian Affairs, to whom was referred the bill (H. R. 10362) to require the approval of the General Council of the Seminole Tribe or Nation in case of the disposal of any tribal land, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill was originally introduced as H. R. 8169 and House Resolution 114 and referred to the Committee on Indian Affairs. That committee reframed the bill and it is now before the House as H. R. 10362 with the favorable report of that committee.

In the year 1866, by treaty with the Seminole Tribe of Indians, that tribe ceded its entire domain to the United States.

By act of Congress July 1, 1898 (30 Stat. 567), ratifying the agreement made with the Seminoles by the Dawes Commission, it was provided that a certain sum of Seminole funds should be set aside as a permanent school fund to draw interest at 5 per cent per annum and upon the extinguishment of the tribal government should be used for the support of the Mekasukey and Emahaka Academies, and 320 acres of land was excepted from allotment for each of these academies.

In this act the tribal government of the Seminoles was expressly recognized for the purpose of making deeds.

The two schools were established and operated for a number of years. The Emahaka School was discontinued and the property sold and conveyed to private owners without the consent of the Indians. Several chiefs (for a day) were appointed by the President, each of whom refused to sign the deed, and the Secretary of the Interior signed the deed upon the assumption that the tribal government had been extinguished.

Oil was discovered in the region of the Mekasukey School, and on July 22, 1926, a lease of the oil rights in the 320 acres to the Gipsy Oil Co. was made by the Interior Department, which lease has brought in substantial income from royalties. The title to the land was retained by the tribe subject only to the oil lease, which gave the lessee the right to use so much of the surface of the land as is necessary in the drilling operations.

In the summer of 1930, at a time when there was more than \$100,000 in the school fund of the Seminoles, the Mekasukey School was discontinued. The reason for this action given by the Indian Bureau was that the closing was following out the policy of the bureau to have the Indian children educated in public schools with white children, and that the school building, which was also a dormitory in which 116 pupils were housed, had fallen into disrepair and was unsafe.

In 1931 the Interior Department decided to sell the land subject to the lease which runs perpetually as long as oil is produced in commercial quantities from the land and proceeded to advertise the land for sale without consulting the Indians.

The Seminole Indians are dissatisfied because of the discontinuance of the Emahaka School and the sale of that land without their consent and against their wishes and because they were not consulted about the leasing of the Mekasukey lands and because of the discontinuance of the Mekasukey School.

That situation resulted in the introduction by Representative McKeown of H. R. 8169 and House Resolution 114. During the hearings before a subcommittee of the Committee on Indian Affairs (February 4, 1932) the Interior Department announced that it had decided "to drop the plans for the sale of the property for the present."

The Seminole Tribe is the smallest numerically of the Five Civilized Tribes, having an enrollment of 3,119, practically all living in Seminole County, Okla. It is the only one of the tribes that has tribal funds available for school purposes and it is the only one of said tribes for which the Government does not maintain a school.

This tribe has, throughout its residence in Oklahoma, and does now, maintain a strong tribal government. The Indians (not counting the freedmen-negroes) are divided into 12 bands, each of which elects a band chief and two band councilmen. These chiefs and councilmen meet annually and constitute the general council, and that body each four years elects a chief of the Seminole Tribe. At the present time Chili Fish, a well-to-do farmer, is the chief of the tribe, and Allan Crain is the second chief.

The purpose of the bill H. R. 10362 is to make certain that the Mekasukey land will not be sold and conveyed away as was the Emahaka land without the consent of the Seminole Tribe, acting through its general council.

The following memorandas from the Secretary of the Interior were filed with the Committee on Indian Affairs under date of March 1, 1932, in response to request for a report upon H. R. 8169 and House Resolution 114, which are identical with the present bill except as to phraseology.

DEPARTMENT OF THE INTERIOR,
Washington, March 1, 1932.

HON. EDGAR HOWARD,
*Chairman Committee on Indian Affairs,
House of Representatives.*

MY DEAR MR. CHAIRMAN: In response to your request of February 17 for a report on H. R. 8169, relating to certain lands and other property of the Seminole Indians in Oklahoma, there is transmitted herewith a memorandum report that has been submitted by the Commissioner of Indian Affairs, to which your attention is invited.

It would appear that there is no necessity for the enactment of this proposed legislation.

Very truly yours,

RAY LYMAN WILBUR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 26, 1932.

Memorandum for the Secretary.

Reference is made to the informal request of the Committee on Indian Affairs, House of Representatives, for report on H. R. 8169, which relates to lands and other property of the Seminole Indians in Oklahoma.

The bill provides that neither the Mekasukey (Mekusukey) property nor other property belonging to the Seminoles shall be sold or otherwise disposed of except under the conditions named therein.

The Mekusukey School property of 320 acres of land and certain improvements thereon is the only piece of tribal property owned by the Seminoles of Oklahoma. This property is now leased for oil and gas and the royalties therefrom are used only as authorized by Congress. There has been received as rentals and royalties from the lease to December 31, 1931, the sum of \$194,140.90.

By joint resolution of March 2, 1906 (34 Stat. L. 822), Congress provided that the tribal existence and "present tribal governments" of the Five Civilized Tribes which include the Seminole Tribe should be continued in force and effect for all purposes under existing laws until all properties of the tribes or proceeds thereof were distributed among the members of the tribe unless thereafter otherwise provided by law. Later by the provisions of section 28 of the act of April 26, 1906 (34 Stat. L. 137-148), "the tribal existence and present tribal governments" of the Five Civilized Tribes were continued in full force and effect for all purposes authorized by law until otherwise provided by law, but certain limitations were placed upon the tribal governments. No recognized elections of principal chief or other tribal officers by the Indians under tribal laws or customs have been held since the passage of the act of April 26, 1906. However, we will be glad for the Indians to have a voice in the disposal of their small remaining tribal property, and if the Seminoles definitely agree upon one whom they desire to designate as chief, and in whose action they will concur, the views of the Indians as expressed through him will be given our careful consideration. Before any recognition can be given to such a leader of the Seminoles, however, there should be an indication of approval of his selection by the various bands or factions existing in the Seminole Nation.

Regarding the sale of the Mekusukey School property, we had the thought that as the building was unused and in quite a poor condition, a sale of the surface land and the building would be in the interests of the tribe notwithstanding low values. However, several members of a Seminole delegation called at our office and protested against the sale, and we ourselves do not now see any real reason why the sale may not be delayed. The Indians have been advised to this effect. Therefore, in view of the present status of the matter, there is no necessity for the enactment of H. R. 8169.

C. J. RHOADS, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 26, 1932.

Memorandum for the Secretary.

This has reference to House Resolution 114, to provide that the Secretary of the Interior shall not dispose of any property of the Seminole Tribe of Indians of Oklahoma without the consent of the tribe, upon which comments and suggestions have been requested by the chairman of the House Committee on Indian Affairs.

A provision contained in the act of April 30, 1908 (35 Stats. 70), with respect to jurisdiction over and disposition of lands and buildings belonging to any of the Five Civilized Tribes, reads as follows:

"The Secretary of the Interior shall take possession of all buildings on lands belonging to the Five Civilized Tribes, now or heretofore used for governmental, school, or other tribal purposes, together with the furniture therein and the land appertaining thereto, and appraise and sell the same at such time and under such rules and regulations as he may prescribe and deposit the proceeds, less expenses incident to the appraisal and sale, in the Treasury of the United States, to the credit of the tribes respectively owning the said land and improvements, and immediately after any such sale patents for the realty thus sold shall be made and delivered in the same manner as now provided by law for other tribal property: *Provided*, That when practicable preference right shall be given to the State, counties, and municipalities of Oklahoma to purchase said lands and improvements at the appraised value: *And provided*, That pending such appraisal and sale the Secretary of the Interior may temporarily lease said buildings and lands for the benefit of the tribes, respectively, to which they belong."

Section 6 of the act of April 26, 1906 (34 Stats., L. 137), provides for the signature of the principal chief of the Seminole Nation to tribal deeds. Through the signature of the principal chief is the only way of obtaining the consent of the Seminole Tribe or Nation now provided by law. Said section 6 also confers authority upon the Secretary of the Interior to execute such deeds, if the principal chief refuses, fails, or neglects to act for a period of 30 days after notice, and it is this latter provision of existing law that the enactment of House Resolution 114 would change. The authority conferred upon the Secretary of the Interior by this provision to execute deeds has been exercised in only one instance in the disposition of tribal properties of any of the Five Civilized Tribes.

It will be observed that the consent of the Seminole Tribe is already provided for by existing statute in the only way such consent can be had with any substantiation in law. There is no sanction of law for any tribal council, or for any group of Seminole Indians, to act for the tribe or nation in such matters.

The only property which the Seminole Tribe has remaining undisposed of is a tract of 320 acres of land reserved for the Mekusukey School and certain improvements thereon. In this connection attention is invited to memorandum of this date reporting on H. R. 8169.

C. J. RHOADS, *Commissioner*.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 1932

Mr. McKEOWN introduced the following bill; which was referred to the Committee on Indian Affairs and ordered to be printed

A BILL

To require the approval of the General Council of the Seminole Tribe or Nation in case of the disposal of any tribal land.

- 1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That hereafter the Secretary of the Interior shall not sell,
4 lease, encumber, or in any manner dispose of, any land or
5 any interest in land belonging to the Seminole Tribe or
6 Nation in Oklahoma or reserved for the benefit of such tribe,
7 except with the approval of the Seminole Tribe or Nation
8 acting through its general council selected in pursuance of
9 Seminole customs.

A BILL

To require the approval of the General Council
of the Seminole Tribe or Nation in case of
the disposal of any tribal land.

By Mr. McKEOWN

MARCH 10, 1932

Referred to the Committee on Indian Affairs and
ordered to be printed

72^D CONGRESS
1ST SESSION

S. 4042

IN THE SENATE OF THE UNITED STATES

MARCH 11, 1932

Mr. KING introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

Authorizing the Seminoles of Oklahoma to institute certain proceedings in the United States District Court for the Eastern District of Oklahoma, conferring jurisdiction on said court to hear, consider, and render final judgment thereon, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Seminoles of Oklahoma, commonly called the
4 Seminole Nation or Tribe, being all of the persons whose
5 names appear on the final Seminole rolls approved by the
6 Secretary of the Interior and/or their respective heirs, be,
7 and they are hereby, authorized, and they shall have the
8 right, to institute and prosecute to final determination pro-

1 ceedings in the United States District Court for the Eastern
2 District of Oklahoma, against any party or parties holding
3 or claiming adversely to them, to recover and/or clear the
4 title and ownership to and of any property of which the
5 Seminoles aforesaid as a class or group of individuals,
6 nation, or tribe, may allege they have been unlawfully
7 deprived, and for an accounting.

8 Jurisdiction is hereby conferred upon the United
9 States District Court for the Eastern District of Oklahoma
10 and it is hereby directed to hear, consider, determine, and
11 render final judgment in, the proceedings instituted here-
12 under, notwithstanding the lapse of time or statutes of limi-
13 tation and notwithstanding any proceedings heretofore had
14 in the case of Fish and others against Wise and others
15 , and the judgment and decree of said district court
16 shall be subject to review on appeal in accordance with law
17 governing like cases: *Provided however*, That, in such suit
18 if the amount involved exceeds in value the sum of
19 \$1,000,000, exclusive of interest and costs, and the con-
20 struction of treaties and agreements between the United
21 States and the Seminole Indians and/or the constitution-
22 ality or validity of any Act of Congress shall be involved as
23 impairing or affecting vested property rights, then any
24 party aggrieved by the judgment and decree of the said
25 district court shall have the right, which is hereby conferred,

1 to appeal therefrom direct to the Supreme Court of the
2 United States any law now in force to the contrary
3 notwithstanding.

4 The said district court shall have power by proper
5 orders and process to bring in and make party or parties to
6 any proceeding hereunder any person or corporation deemed
7 by it necessary or proper to a final determination of the
8 questions and matters in controversy.

9 Official letters, papers, documents, and records, or
10 certified copies thereof, may be used in evidence, and the
11 departments of the Government shall give access to the
12 attorneys of any party to such suit to treaties, papers,
13 records, or correspondence, as may be requested by such
14 attorneys, and shall furnish certified copies thereof upon
15 payment of the usual cost therefor.

16 The institution and prosecution by and on behalf of
17 said Seminoles of such proceedings, notwithstanding any
18 provision of law now in force to the contrary, shall be by a
19 committee consisting of Chili Fish, Allan Crain, Louis Fife,
20 Charles H. Brown, June Factor, Nina Tanyan, Wilsey
21 Palmer, and Samson B. Harjo, or their successors in office,
22 for themselves and for and on behalf of all other enrolled
23 Seminoles and/or their respective heirs or legal representa-
24 tives, and/or on behalf of the Seminole Tribe, Nation, or
25 Group.

Dec 21 - 402 P.M.
Matter by Land Bill
House of Representatives today
Fredrick C. Long

78th CONGRESS }
1st Session

S. 4042

A BILL

Authorizing the Seminoles of Oklahoma to institute certain proceedings in the United States District Court for the Eastern District of Oklahoma, conferring jurisdiction on said court to hear, consider, and render final judgment thereon, and for other purposes.

By Mr. KING

MARCH 11, 1932

Read twice and referred to the Committee on Indian Affairs

IN THE HOUSE OF REPRESENTATIVES

JANUARY 21, 1932

Mr. McKEOWN introduced the following bill; which was referred to the Committee on Indian Affairs and ordered to be printed

A BILL

Relating to certain lands and other property of the Seminole Indians in Oklahoma, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That neither Mekasukey property in Seminole County,
4 Oklahoma, nor any other property belonging in common
5 to the Seminole Indians in Oklahoma, shall be sold, ex-
6 pended, or otherwise disposed of, except by the Seminoles
7 themselves acting through the Seminole General Council
8 with the approval of the Secretary of the Interior: *Pro-*
9 *vided,* That such Seminole General Council has been selected
10 in pursuance of Seminole customs.

72^d CONGRESS }
1st SESSION } **H. R. 8169**

A BILL

Relating to certain lands and other property
of the Seminole Indians in Oklahoma, and
for other purposes.

By Mr. McKEOWN .

JANUARY 21, 1932

Referred to the Committee on Indian Affairs and
ordered to be printed