

THE INDIAN CITIZEN

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

LETTER OF L. W. OAKES TO GREEN MCCURTAIN

Hugo, I. T.

June 21, 1903

Hon. Green McCurtain

Sans Bois, I. T.

Dear Sir:

Replying to your letter of the 13th inst will say that I am somewhat surprised at your answer to the following questions asked by me. "Now if you and the commission have a legal right to hold up pine lands from allotment because, as you say, the incompetent Indians are being robbed of their pine holdings, why don't you ask the commission to hold up agricultural lands for the same reason?" You answer this question by saying that the same reason does not exist, because the agricultural lands are fixed, and can not be deported, while the pine timber can be removed from the soil, etc., Now, I did not ask you to take such responsibility on yourself as to prevent the whiteman from deporting these lands from the Indians. I asked you

to protect him from being swindled out of his agricultural holdings. You admit that you knew that these land deals were on and that you had advised the people against making the deals and asked them to refund the money and cancel the contracts; yet you say the same reason does not exist. The facts are that you have no right to ask, nor the commission any legal right under the treaty to assist you in holding up these lands from allotment.

Now let us see if this is true. Sec. 8.

The terms allottable land or lands allottable shall be deemed to mean all the lands of the Choctaw and Chickasaw Tribes not reserved from allotment."

"Sec. 9. All lands belonging to the Choctaw and Chickasaw tribes in the Indian Territory except such as are herein reserved from allotment shall be appraised at their true value; provided that in determining such value consideration shall not be given to the location thereof to any mineral deposits or to any timber except such pine timber as may have been heretofore estimated by tribes, and without any referances to improvements located thereon." You can readily see that there is no gap laid down, for it says all lands not reserved are subject to allotment. I will also call your attention to Sec. 68, which reads, "No act of congress or treaty provisions, nor any other provision of the Atoka Agreement inconsistent with this agreement shall be in force in the said Choctaw and Chickasaw Nations. Now Brother McCurtain, these are plain, undisputable facts, that you nor the

commission and not even congress has the right to add to or take from one single line of this treaty. Now there isn't but one thing left for you to do, and that is to prove to the people that you intend to give them protection that you have promised them, and when you are going to do it, and how it is to be done, so that they can tell whether you mean a temporary holdup or a permanent one.

Two months have passed and nothing has been done by you, and when you get through investigating the pine deals investigate the segregation of the coal deals and report the cause.

Respectfully

L. W. OAKES.