GEORGE A.MANSFIELD. J.F. McMurray. Meiven Gornish.

#### LAW OFFICES OF

GENERAL COUNSEL FOR
THE CHOCTAW NATION
THE CHICKASAW NATION

MANSFIELD, MC MURRAY, & CORNISH.

South McAlester, Indian Territory,

1905

You are enaby notified that a representative of our firm, acting on behalf of the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation, will be at Indian Territory, on the day of 1905, for the purpose of delivering patents for lands in the Choctaw and Chickasaw Nations, issued in thename of the following person or persons who are members of your family:

Parents may recei e pate.

Patents issued in the name of deces, prisoners, convicts, and incompetents. It be delivered to their legal representatives. In all other cases the allottees must present themselves in person and receive their patents.

Respectfully,

Washington, D. C., January 28, 1905.

Hon. Green McCurtain,

Kinta, Indian Territory,

Dear Governor:

Henry Ansley has njust delivered to us your letter of January 25 relative to the Peel claim.

We shall give the matter immediate and necessaryxxxx attention to the end that the interests of the Nation may be protected.

We have no accurate and definite information relative to the claim never having had the same referred to us heretofore, and we write you for all the information you have or can send us about it.

We are under the impression that the matter was looked into by Council a year or two ago, and that it developed that the sum of \$2500. was paid, either to Peel or to James Dyer for him, and that the Nation is now in possession of the warrant showing such payment.

The whole matter of the investigation and finding by Council was set forth, either in one of your messages or in a report of the Committee, and what we must have, in order to fully understand and present the matter, is these findings by Council.

If you have them please send at once. If not and you know just where the same can be obtained, will you kindly send out and produce the same and send to us, and we will take care of whatever expenses may be incurred, in our regular expense accounts.

All the members of the firm are here now andw will remain for some time yet.

With very best wishes, and hoping that you are well again, we are, Your friends,

Washington, D. C., January 28, 1905.

Hon. Green McCurtain,

Kinta, Indian Territory/

Dear Governor:

We beg to report to you the progress of the Sypher case.

The case was set for final hearing and argument before the Court of Claims on last Tuesday, but the hearing was continued to Wednesday.

On Wednesday the case was orally argued, the argument continuing throughout the entire day.

Sypher and John M. Thurston, Ex United States Senator from Nebraska appeared against us.

Our Mr.

NUMEXWEXTER Mansfield made the principal argument for the Nation,
and we feel that the case is now before the court in the best possible
shape. We have not been informed just when the court will act, but
we should say that there will be no delay, as it seems to be understood that the court will make its findings and report to Congress
at this session.

As to other matters while various bills and amendments have been offered it is impossible to yet determine just what will be seriously insisted upon in the way of legislation. We feel confident in staing that we will be able to keep down proposed legislation of damage to the Choctaws and Chickasaws. A supreme effort was made to get an appeal from the Citizenship Court, but that has failed, and will hard by be revived again.

to receive any specific suggestions of may wis plante. Your friends,

GENERAL COUNSEL FOR

# MANSFIELD, MC MURRAY & CORNISH. THE CHOCTAW NATION THE CHICKASAW NATION

South McAlester, Indian Territory, February 17, 1905.

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

Dear Governor:

As suggested by our Mr. Cornish on yesterday, we have made copies which we herewith enclose of the papers in the matter of the claim of the heirs of Peter P. Pitchlynn, the originals of which, according to your directions we have retained.

Dictated. Enclosure.

Gray Court y respecti

Feb. 20, 1905.

Messrs Mansfield, McMurray & Cornish,

Washington, D.C.

(entlemen:

I am in receipt of a letter from Henry Ansley asking that I wire you protesting against the resolution introduced by Stephens which proposes an investigation of affairs here. While I am not courting an investigation of any character whatever, yet at the same time I do not want to go on record as opposing a thing of the saint It occurs to me, however, in this connection, it would be well fo urge the Senate Committee not to open up this question by creating a committee for the purpose of this investigation, for the reason that many who have pretended claims against the Choctaw and Chickasaw Nations would be given a chance to put a good face upon the same by appearing and offering evidence to that affect. I have in ming the Mulvane matter, the Pitchlyon claim and the Winton claim for legal services rendered the Mississippi Choctaws I think that it is wrong that the Choctaws should be forced to pay half the expense incurred by the Committee, as set out in the resolution before me. I feel sure that you will understand my potition and that you will agree with me that it is accorrect that I not place my self on record as opposing the measure on general principles.

Yours truly.

Kinta, Indian Territory, February 21, 1905.

Messrs. Mansfield, McMurray & Cornish,

Metropolitan,

Washington, D. C.

Dear Sirs:

In addition to what I said in my last letter against the reappointment of Clayton, it now occurs to me that it would be well to quote the records of his Court wherein Jim Cole and William Kelton ere given light sentences, when the facts in these cases shi led that they were each guilty of cold blooded murder. I men in these specific cases with the hope that it may lead to the discovery of other cases, in which crimes have been condoned and the criminals turned loose through the lax administration of the law.

The Ramsey case as well as the Pine Timber Straw Bonds that he permitted to be given in his Court are another instance of the in justice done in his Court. I believe that if you would conduct an investigation along these lines that you would be able to present a formidable array of facts in support of our contention that Clayton should not be reappointed. I understand that he is now in Washington, and that he has assured his friends here that nothing stands in his way. I feel that you have already done much to bring his disreputable conduct to the attention of the President, and that you will be albe to

circumvent any effort he may make to succeed himself.

I see by the papers that Mr. Busby has given it out that he had a very satisfactory talk with Congressmen Curtis and Senator Stewart that the Tribal Tax would be repealed at this session of Congress. I hope you will keep an eye upon this matter and provent any action of that kind.

Yours truly.

Phincipal Chief.

#### LAW OFFICES OF

### MANSFIELD, MCMURRAY & CORNISH.

South McAlester, Indian Territory, April 14, 1905.

Monorable Green McCurtain,

Principal Chief, Choctaw Nation,

Kinta, Indian Territory.

Dear sir:

We have prepared and have ready for delivery some two hundred and fifty patents for allottees who reside in and surrounding Kinta. We have also prepared and mailed out notices to each of these allottees asking them to be at Kinta on Thursday, April 20, 1905, for the purpose of receiving their patents.

We write this letter in order that you may be fully advised of the progress made in connection with the delivery of the patents.

Respectfully.

Mauslida Millunay Hornis

#### LAW OFFICES OF

GENERAL COUNTEL FOR
THE CHOCTAW NATION
THE CHICKASAW NATION

### MANSFIELD, MCMURRAY & CORNISH.

South McAlester, Indian Territory, April 17, 1905.

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

Dear Governory.

Pro-Lesky called at the office this morning to

a letter and the sea to you from J. G. Ralls, and also stated that you thought that the notices sent out by us of the delivery of patents should state that the delivery was made by us, acting on behalf of the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation. This is in substance what the notices sent out by us state. We enclose you herewith a blank copy of the notices sent out by us to all persons entitled to receive batents.

In regard to the letter of ry Re to you as

be surficient to notify him in the harder of business that the delivery of patents has commanded, end that he can receive his patent when delivery is made at Atska. I am of the opinion that when we commence the delivery of patents at Kinta and this becomes mentally known, that the trouble about the delivery of patents will cease.

I will try to come down if I am well enough on the day we begin the delivery of patents. I have not been well

since my return from Washington, and have been advised to
go to Hot Springs for a couple of weeks. If you will go
with me, I believe I will make the telp. I understand that
you will not been feelfactual for some time, and

would like to go as soon as possible, as I believe it will save me a spell of sickness.

Your friend,

Distated. Enclosure.



W.O.B.

FOR THE INTERIOR,
FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING:					

, Indian Territory, May 25, 1905.

Hone Green McCurtain,

Principal Chief of the Chectaw Nation,

Kinta, Indian Territory.

Dear Sir:

I enclose you herewith for your information, copies of a notice which the Commission is this day distributing throughout the Choctas and Chickasaw Nations.

Respectfully,

Chairman.

McM 25/4

#### DEPARTMENT OF THE INTERIOR, WASHINGTON.

I.T.D. 4651-1905. 4602May 27, 1905.

Hon. Green McCurtain,

Principal Chief Choctaw Nation. Kinta, Indial Techitary

Sir:

I am in receipt of your letters dated April 11 and May 10, 1905, relative to the issuance and delivery of Choctaw and Chickasaw allotment patents to the allottees.

The delay in replying to your said letters was occasioned by my desire to procure the advice of the Hon. Attorney General upon the proper construction of the law in the premises, and the copy of your reply to the letter of the Commission to the Five Civilized Tribes dated the 1st instant, forwarded in your letter of the 10th install warded to the Attorn preparation of his opinion.

The Commission to the Five Civilized Tribes was directed to advise you and the Governor of the Chickesaw Nation, and your attorneys, of the opinion of the Attorney General, dated the 22nd instant, that the approval of the Secretary of the Interior is

a transfer of such a title as was intended by law to be vested in the allottees. The Commission was also directed to confer with you and Governor Johnston with a view to expediting matters as much as practicable in the execution and delivery of

Respectfully

Secretary.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

DIRECT.

FMS.

I.T.D. 5709-1905. 5711-1905.

June 22, 1905.

L.R.S.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen: -

After a conference with Mr. D. C. McCurtain, who is accredited as the personal Representative of the Principal Chief of the Choctaw Nation, and in accordance with the request of said Principal Chief, who states that the Tribal Executives are agreed that the Choctaw and Chickasaw allotment patents shall be approved by the Secretary after being signed by them, and at their request you are directed to transmit the Choctaw and Chickasaw patents, when prepared by you, by special messenger to the Principal Chief of the Choctaw Nation, and after obtaining his signature to the patents, the same messenger will take the patents to Governor Johnson for his signature, and then return the same to your Commission to be forwarded to the Department for approval in the usual manner.

When approved, the Department will return the patents in like manner, when you will record the same and transmit the Choctaw allotment patents by the messenger to the Principal Chief of the Choctaw Nation for delivery to the allottees, and you will

also transmit by messenger the Chickasaw patents to the Governor of the Chickasaw Nation for delivery to the allottees.

The Department has expressed its gratification at the acquiescence of the Tribal Execution, and is a second to the tribal execution, and is a second to the tribal execution, and is a second to the tribal execution.

The Department has expressed its gratification at the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution, and is a second to the acquiescence of the Tribal Execution.

It is the desire of the Department that the execution and the delivery of patents be expedited as much as practicable by the Commission.

Respectfully,

E. A. Hitchcock.

Secretary.

Inadvertently omitted from Commission's letter of June 27, 1905.

THE BUILDING WAS SENT SUSPENIED LINES IN

COMMISSION TAMS BIXBY, THOMAS B. NEEDLES. C. R. BRECKINRIDGE.

DEPARTMENT OF THE INTERIOR, COMMISSION TO THE FIVE CIVILIZED TRIBES.

WM. O. BEALL, Secretary.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES Muskogee, Indian gerritory, June 27, 1905.

Hon, Green McCurtain,

rerritor

Dear Sir:

I transm sion, Mr. G. H. W Choctaw and Chick to said citizens men, for followeout Nation.

This action letter of June 22, 1905 of parents to allotment copy of which is hereway to especially invite year and of the Secretary of the interior as follows:

> "You are ing his signatur take the patent then return the the Department

by special messenger of the Commisnomestead patents to citizens of the responding ablotment patents Choctaw and Chickasaw freed-. of the Choctaw

conformity with departmental e to the execution and delivery Choctaw and Chickasaw Nations. d for your information. I desire on to that portion of the letter

telefold to transmit the Choctaw and Chickasaw patents, when prepared by you, by special messenger to the Principal Chi to fithe Choctaw Nation, and after obtainof the Choctaw Nation, and after obtainthe patents, the same messenger will Covernor Johnson for his signature, and to your Commission to be forwarded to opproval in the usual manner."

S.McAlester, I.T., July 7,1905.

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

Dear Governor:

We duly received your letter dated June 27,1905, relative to patents in our hands.

You enclose a letter from the Indian Agent inquiring if patents had been delivered by us to certain persons therein named. We have examined the record of patents delivered which we have and beg to advise that patents have been delivered to the persons named in the agents letter opposite whose names check marks appear.

We note your request that the other patents be transmitted to you in order that they may be sent to the Commission. Prior to the receipt of your letter we had been communicated with by the Commission and arrangements made to have a man sent to S.McAlester to receive the patents and receipt for them. The man came several days ago in pursuance to this understanding and all patentsin our possession have been delivered to him and a receipt of the commission taken.

As you know when the patents were originally transmitted to us they were charged to us upon the records of the Commission and it was necessary for us to return them to the Commission in order that their records charging us with the patents might be canceled by the execution of their receipts to us showing the return of the patents to them.

We herewith return the Indian Agent's letter.

Very respectfully, (Signed) Mansfield, McMurray & Cornish.

(The original of this letter sent to Hon. Dana H. Kelsey July 12,1905)

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Copy of Mansfield, McMuray & Cornish letter with reference to return of patents.

To return

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REFER IN REPLY TO THE FOLLOWING:

# DEPARTMENT OF THE INTERIOR, COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, September 29, 1905.

Green McCurtain,

Principal Chief, Choctaw Nation,

Kinta, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of September 26, 1905, inclosing Choctaw-Chickasaw Homestead Patents No. 5621 and 5622 to Sophina Garland and Peggy Garland, respectively.

You are advised that the above patents will be forwarded to the Secretary of the Interior for his approval.

Respectfully,

Commissioner.

AS!

# DEPARTMENT OF THE INTERIOR, COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, December 8, 1905.

Honorable Green McCurtain,

Principal Chief of the Choctaw Nation,

Tista, Indian Territory.

Dear Sir:

Receipt is hereby acknowledged of your letter of December 5, 1905, transmitting for the approval of the Secretary of the Interior, homestead and allotment patents to Choctaw citizens, as follows:

Homestead:

2383 Nicholas Nail

2384 Amy Nail

2385 Lucy Nail

Allotment:

1689 Nicholas Nail

1690 Lucy Nail

1714 Amy Nail

Respectfully,

Acting Commissioner.

er Comen

### MANSFIELD, MCMURRAY & CORNISH.

South McAlester, Indian Territory, December 30, 1905.

Hon. Green McCurtain,

Principal Chief, Choctaw Nation,
K inta, Indian Territory.

Dear Governor:

We are in receipt of your letter dated December 26, 1905, relative to the application of Bob Carney and replying thereto we have to advise that the clipping you enclose does not correctly set forth the status of the case. There are a great many freedmen who are endeavoring to have their names transferred to the Indian roll but in September of this year our Mr. Cornish went to Washington and argued the questions of law before the Assistant Attorney-General and the result was that he held that his former decision was erroneous and that freedmen could not be transferred to the Indian roll.

This decision will be applied to all pending applications and we have no doubt that we will be able to defeat all of them.

As to the other cases we are taking steps to argue the questions of law before the Attorney-General of the United States and feel sure that we will succeed in reversing the opinion of Mr. campbell.

With best wishes, we are,

Your friends,

REFER	IN REPLY	TO THE	FOLLOWING:

# DEPARTMENT OF THE INTERIOR, COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

Muskogee, Oklahoma, January 25 1908.

Hon. Green McCurtain,

Principal Chief, Choctaw Nation, Kinta, Ok.

Sir:

For your information I enclose herewith copy of a communication from the Secretary of the Interior dated the 22nd instant, relative to the employment of the firm of Mansfield, McMurray and Cornish in certain cases, together with copy of my reply thereto.

If you have any suggestions to submit to the Department in connection therewith and will so advise me, I will forward the same to the Honorable Secretary for consideration.

Very respectfully,

JGW-C Encl.

Commissioner.



# **TELEGRAM**

### THE POSTAL TELEGRAPH-CABLE COMPANY

OF TEXAS.

This Company transmits and delivers Messages subject to the terms and conditions printed on the back of this blank.

S. M. ENGLISH, GENERAL MANAGER

COUNTER NUMBER.	TIME FILED.	CHECK.	GOVERNMENT	PAID.	NIGHT.	
	M.					
Send the following message, without repeating, subject to the terms and conditions printed on the back hereof, which are hereby agreed to.						

Send the following message, without repeating, subject to the terms and conditions or many the back hereof which are hereby agreed to. Secre tary Interior,

Washington, D. C.

Referring your letter twentysecond have conferred with and delivered copy to McMurray who states firm's previous proposition holds good.

Other members in California. McMurray can call on you any time desired preferably after February second, on receipt of advice from you. His address McAlester, Oklahoma.

WRIGHT.

Commissioner.



#### THE POSTAL TELEGRAPH-CABLE COMPANY

OF TEXAS.

## This Company transmits and delivers the within Message subject to the following TERMS AND CONDITIONS.

To guard against mistakes or delays, the sender of a message should order it REPEATED; that is, telegraphed back to the originating office for comparison. For this, one-half the regular rate is charged in addition. It is agreed between the sender of the message written on the face hereof and The Postal Telegraph-Cable Company of Texas, that said Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any unrepeated message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery, of any repeated message beyond fifty times the sum received for sending the same, unless specially insured, nor in any case for delays arising from unavoidable interruption in the working of its lines, or for errors in cipher or obscure messages. And this Company is hereby made the agent of the sender, without liability, to forward any message over the lines of any other company when necessary to reach its destination.

Correctness in the transmission of messages to any point on the lines of the Company can be INSURED by contract in writing, stating agreed amount of risk, and payment of premium thereon at the following rates, in addition to the usual charge for repeated messages, viz.: one per cent. for any distance not exceeding 1,000 miles, and two per cent. for any greater distance.

No responsibility regarding messages attaches to this Company until the same are presented and accepted at one of its transmitting offices; and if a message is sent to such office by one of this Company's messengers, he acts for that purpose as the agent of the sender.

Messages will be delivered free within the established free delivery limits of the terminal office. For delivery at a greater distance a special charge will be made to cover the cost of such delivery.

This Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within ninety days after the message is filed with the Company for transmission.

No employee of this Company is authorized to vary the foregoing.

S. M. ENGLISH, GENERAL MANAGER.

COPY.

CWW

Department of the Interior, Washington.

January 22, 1908.

The Commissioner to the

Five Civilized Tribes.

Sir:

The Governor and Principal Chief of the Choctaw and Chickasaw Nations, and various other intelligent citizens of those Nations have been urging that in cases in which the firm of Mansfield, McMurray and Cornish were previously employed, and for that reason have special knowledge and preparation, this firm be re-employed for these cases only at definite, flat fees under strict contract. The cases in the minds of these people are particularly the Allison and Goldsby cases.

There is also a case entitled the Executor of Ayres v.

United States, in the Court of Claims. This was apparently closed out by a decision of April 29, 1907. The Court has required an answer to a motion for a new finding of facts, and the Department of Justice suggests that Mr. Cornish, who previously handled this case practically alone, wuld be most likely to be able to meet the present condition. Therefore, I wish you would personally get in communication with Mr. McMurray, or any other member of the firm, and ask whether the offer made from that firm last Spring to take up and carry through these cases without fee, because of the direct interest felt in them, still hold good

with the modification that there should be fixed by contract a definite fee with no contingencies whatever. Such a fee, if arranged for at all, would be partially in the nature of an honorarium rather than a fee commensurate to employment in the first instance of those especially qualified to collaborate in such work, the idea being that the firm has already been paid liberally in practically the same cases, and if they are willing to take up the work a small fee would be proper compensation for assisting the Department of Justice in finishing the work already begun.

If any of the firm wishes to do so, I would be glad to have a conference on this matter here in Washington. Please inform me by wire.

Very respectfully,

James Rudolph Garfield, Secretary. This agreement between certain members of the Choctaw and Chickasaw Mations and J. F. McMurray, an attorney at law residing at McAlester, Oklahoma, WITNESSETH:

That said members of the Coctaw and Coctasaw wations, executing this contract, and said J. F. McMurray are the parties in interest thereto; that the purpose for which this agreement is made is to secure the services of said J. F. McM., rray in the prosecution before the courts or elsewhere of all of the unsettled claims of the Coctaw and Chickasaw people against the United States and for compensation therefor, and to secure his services in procuring the sale of all of the undivided property of the Choctaw and Chickasaw people.

That the special thing to be done by said J. F. McM rray is to prosecute said claims before the courts of the United States or before the Congress of the United States as in his judgment may be necessary; to represent such members of the Choctaw and Ciickasaw Nations as their representative and attorney in the sale of all of their undivided property of whatsoever character. Said J. F. McMurray is to receive as his compensation therefor ten per cent of all funds derived by us from the amounts collected from the United States Government in settlement of the various claims due the United States to the Choctaw and Chickasaw people, and also ten per cent of the amounts received by said Choctaw and C"ickasaw people for all property, of whatsoever kind, held in common by them, when said property shall be sold; and said J. F. McMyrray is hereby authorized to draw the compensation above provided for out of the Treasury of the United States when any and all claims of the Choctaws and Chickasaws against the United States have been adjusted and the proceeds placed in the Treasury of the United States to the credit of the Tribes, and when any money hereafter

realized from the sale of the tribal property has been placed in the Treasury of the United States. Provided, however, that said J. F. McMurray is to pay all expenses connected with his work in prosecuting these claims or in seeking to bring about the sale of said property and is to receive no compensation except as above specified.

That said J. F. McM rray agrees faithfully and diligently to devote himself to the prosecution and settlement of said claims against the United States and to bringing about the sale of the undivided property of said C octaw and C ickasaw people and the payment per capita of the proceeds therefor to the members of the C octaw and C ickasaw Nations.

That the time for which this contract is to run is five years from October 21, 1908.

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