

McCurtain & Hill,
Lawyers,
South McAlester, I.T.

South McAlester
Saturday

My dear Governor:

I have just returned from Okmulgee City where I went this A.M. on my way to see you, but learned there that you were in Tallahassee. I have returned here where I find D.C. is in Athens but Mr. Hill present.

Since my last conversation with you I have found out more about the timber swindle. The timber thieves promised Judge Humphrey Senator Clapps support if he would get the timber for them, and the conspirators divided up

\$13,000 among them. I am
determined to have the
matter investigated and
Judge W. removed or
reprimanded if possible
and need your help.

I have asked Mr Hill
to see you and show
you a copy of the
charges and I respect-
fully but earnestly
request that you will
give me such a
letter on the subject
to the Atty. General as
will show that we
will not submit
tamely to be robbed.

I would wait myself
to see you but have
made another appointment
that requires my departure.

Wm Green M. Curran
Rhin child

Most Respectfully

A. G. Moore

EXECUTIVE OFFICE, CHOCTAW NATION

GREEN McCURTAIN, PRINCIPAL CHIEF

KINTA, I. T.

1905

*A Letter to be written to
J. W. White National Light Horsemen*

(WESTERN UNION TELEGRAM)

Kinta Indian Territory ~~XXXXXXXXXX~~ January 2, 1905.

To The President of the United States,
Washington D. C.

We the undersigned citizens of the Choctaw Nation desire to
protest against the appointment of J. George Wright to succeed himself
as Inspector for the Indian Territory.

His official conduct has been altogether unsatisfactory and
not in harmony with the best interest of the Choctaw People.

We have no confidence in his integrity or competency as Inspe-
ctor for civilized indians.

Glean McEustain

Principal Chief Choctaw Nation

George V. Seatt

Treasurer Choctaw
Nation

Daniel Holson

High Horse mare

J. F. Gilstrap

C. B. Bascom

Robert Carney

James McQuiberry

Sans Bois County Judge

Wm Moore

Sans Bois County Clerk

Steve Perry

Cooper Anratt

Elias Holson

H. J. Watkins

Frank Robinson

Richard Edmunds

Sampson Brown

Billy Thompson

\$5.15

Cash

R A L L S' R E C O R D

S. McAlester, I.T., Jan. 2, 1905.

The Indian Citizen:

I pointed out, in my last article, of Dec. 19, 1904, the motive that prompted Ralls to assail the Citizenship Court in the allowance of half the contract fee to the attorneys who represented the two Nations in the fierce contest that raged for five years in removing fraudulent court-claimants from the citizenship rolls. I stated that the records of the citizenship court revealed shameless conduct on the part of the claimants, and that the public must be left to judge whether or not Ralls was a partner in the crime. It is not attempted here to give the whole story, but it will appear in serial form.

Ralls talks glibly about a "square deal" and having given the Choctaws and Chickasaws a "Christmas present". Let us see about this! From his earliest connection with citizenship matters he has been against the Choctaw and Chickasaw people. He has not only had more cases perhaps than any other one man, but he has had the worst cases. In the trial of his cases before the Citizenship Court he has been uncovered in a way that should cause any man having the least spark of self-respect to flee the country.

The records of the Citizenship Court are public records and subject to inspection by anybody. Let us look at a few of his cases, and see if he has dealt a "square deal", and if he is entitled to gratitude for having bestowed a "Christmas present" upon the Choctaw and Chickasaw people.

The case of P. D. Durant, et al, vs Choctaw and Chickasaw Nations is No. 8, on the South McAlester docket. In this case the applicant and their ancestors had always borne the name of Duren. They changed their names to Durant. Certain marriage licenses were filed as evidence and in them the name 'DUREN' was changed to 'DURANT'. This was forgery of the boldest and most outrageous character. It was not only forgery, but clumsy forgery, since an examination of the face of the papers showed clearly what had been done. Whoever did

this violated the criminal laws of the country, and if justice had been applied the bars would have closed over him. Ralls was the attorney in this case, and the applicants were admitted by Judge Clayton. It is only necessary to read the opinion of the Citizenship Court to show what was done and attempted in the case. Was this a "square deal", and did Ralls give the Choctaws and Chickasaws a "Christmas Present" when he procured the admission of these people?

I next refer to the case of Hiram Lancaster, et al, No. 82, on the S. McAlester docket. In that case the testimony taken before the Citizenship Court showed that the applicant went to Mississippi and took affidavits for use before the United States Court which were false, and which he knew to be false. Yet they were filed as evidence in the case and judgment was rendered upon them. The explanation of the applicant, when asked why he did not correct the affidavits which he knew to be false, was as follows: "My health was bad, the weather hot, the time short and my means were limited."

Ralls was the attorney in this case and the judgment which he procured deprived the Choctaws and Chickasaws of many thousands of dollars of tribal property. Was this a "square deal" or a "Christmas present"?

Another case which illustrates the proclivities of Ralls as a "square dealer" and a "Christmas present" giver, is the case of Eliza A. Alexander, No. 86, on the South McAlester docket. Ralls was the attorney in the case and filed the petition in the Choctaw and Chickasaw Citizenship Court. The attorneys for the Nations, learning the character of the case set about exposing it. They went to the State of Mississippi and from the mother of Eliza A. Alexander a statement that neither she nor any of the members of her family were Indians or ever claimed to be, and that she had no knowledge of the fact that her daughter and family had been adjudged Choctaw Indians. Armed with this statement the attorneys for the Nations awaited the day of trial. Ralls did not appear, but permitted his client, a poor old ignorant country woman to face the ordeal. When confronted with her mother's statement, she broke down completely and in open court abandoned her claim entirely. Yet, with Ralls as her attorney,

she and her family, more than a score in number, were admitted to citizenship by Judge Clayton. How does this case harmonize with Ralls idea of a "square deal" and Christmas present".

In the trial of cases before Judge Clayton and Judge Townsend, Ralls had as his able assistants, certain "standing witnesses" chief among whom were Lige Colbert and Sam Perry, colored. Upon their testimony hundreds of persons represented by Ralls were admitted to citizenship and property of the tribes of the value of millions of dollars taken away.

When Lige Colbert was brought into the Citizenship Court he testified cheerfully that Henry S. Foote, (one of the Judges of the Citizenship Court) was a prominent Chickasaw Indian in Mississippi and a candidate for Governor before the emigration of the Chickasaws west; that he had a daughter who married a man named Brevitt, (the stenographer of the Citizenship Court).

Sam Perry was brought into the Citizenship Court, and when confronted with more than a score of affidavits which he had made in cases before Judge Clayton and Judge Townsend, he broke down completely, and it was thereby conclusively demonstrated to the satisfaction of everybody that he was a falsifier and perjurer, and that it would require several ordinary lives in a penitentiary to satisfy the judgments he richly merited.

Sam Perry and Lige Colbert were Ralls' main-stays in the trial of his citizenship cases. He had others who may be termed lesser lights. They show with less volume, yet with equal brilliancy in point of their accomplishments as falsifiers and perjurers. In this class are named Cassie Kemp, Joe Freeman and Joe Nelson.

With the records of the Citizenship Court subject to the inspection of everybody, showing the perpetration of things shocking to common decency, it is curious that this man Ralls should continue to stir. The only explanation possible is that he is utterly lacking in self-respect, and that he agrees with all of us that his reputation as a citizenship lawyer in all the term implies, in the Choctaw and Chickasaw Nations, is so well known that it ~~ix~~ cannot be added to or taken from.

In conclusion it may be proper to suggest that Ralls erred in not getting some one to prepare his statement for publication. It has been appropriately said somewhere, "that fools will enter where Angels dare ^{not} to tread". The writer is responsible and is the sole author of all that appears over his signature and Ralls would stick his small head in the fire before he would whisper the epithet "drunken prevaricator" in ^{the writer's} ~~my~~ hearing.

The records quoted and yet to be quoted are as conclusive as human testimony can be. Ralls is not in a position ~~to~~ to demand a "square deal" or to recklessly deprive himself of \$540,000.00 as a "Christmas present."

McCurtain & Hill,
Lawyers,
South McAlester, I. T.

Jan., 30, 1905.

Gov. Green McCurtain,
Kinta, Ind. Ty.

Dear Sir:

The court took up the probate docket at Poteau Friday, the 28th inst., and we appeared as counsel for the minors in the pending cases.

The matter of the Betsey Holmes estate and administration was called up by us, but counsel for Henry Cooper announced that they were not ready, consequently the matter went over until some future time. However, after explaining to the court that the land had been filed upon and that there was nothing to administer, the court instructed counsel for Cooper to inform him that he could not take possession of the land under the vacation appointment. The Judge also informed Cooper's counsel that if it developed on proof that the land had been filed upon, as set up in our protest, he would promptly revoke Cooper's vacation appointment. We have no doubt but what the appointment will be revoked whenever there is a hearing had; but as opposing counsel announced that they were not ready for a trial the matter had to go over. We instructed Sampson Wade just to go ahead in his possession, as Cooper could not attempt to take possession under the direction of the court, as above stated. The question of heirship and a right to inherit is a matter that can not be determined in a proceeding like this, but must come up on a regular action to try title. Kizzie Martin will have to bring ejectment proceedings against Sampson Wade if she wants to assert whatever rights she claims to inherit. The case will then be settled on proof.

Gov. Green McCurtain--2.

The court announced some very wholesome doctrines concerning matters of leases, in fact, his announcement brought forth many inquiries from persons who had clients interested in leased lands. The Judge declared that he would follow the law both in spirit and in letter; some of those present were inclined to think that the judge's declaration to require strict compliance with the statute would work a very great hardship in many cases. The Judge takes the position that a white man who has gone on a place of his own accord and improved it and made him a farm has no right to it under a lease contract that he subsequently enters into with some Indian to allot it; he went so far as to say the white man didn't have any right to the improvements, that he put them on the place at his peril, and that he could not remove them, but that they became a part of the realty and went with the allotment. He also says that all contracts for leases of minors' lands must be accompanied by a good and sufficient bond to the guardian made by the lessee,- that he will not approve any lease contract in the absence of such bond. Many of the lawyers present were disposed to take issue with the Judge on this, but a reading of the statute soon showed that the Judge was correct in his views.

We are informed that there have been some two or three hundred cases filed at Antlers since the last term of court. One hundred and twenty of these cases were filed, so we are advised, by one Lunsford who, we think is an attorney in the general employ of Thomas Bros., of Talihina. However, we shall look into all cases that have been filed regardless of by whom they are filed.

Yours truly,

McCurtain & Hill

DCM

Yours Academy.
Twight. D. T.
Feb. 1900.

Gov. M. Curtains,

Dear Sir:-

I will write to you a few words to inform, that I am well as usual - and hope you are the same. School getting along fine, kind. One thing I want to know -

About Term Council, I like to know when they going meet.

I don't know the sure, but some of the people say, Council will call about sometime in March. So I want to know sure or not.

2

I like to hear from you
at once.

Yours Truly:

Peter J. Wilson.
Dwight.
D. J.

P. S.

I am going school here now,
try to learn a few more lessons.

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

UNION AGENCY

Muskogee, Indian Territory, February 4, 1905.

Honorable Green McCurtain,

Principal Chief Choctaw Nation,

Kinta, Indian Territory.

Sir:-

Further replying to your request of December 20, 1904, that the Indian Police might be sent to Byars, Indian Territory, to investigate the complaint of Joe Williamson, of Palmer, Indian Territory, charging that one Gillette had intimidated the Mississippi-Choctaws to such an extent that they have left their allotments through great fear of bodily harm to themselves, you are advised that in compliance with your request I dispatched an Indian Policeman to Byars, Indian Territory, for the purpose of making the investigation suggested.

I quote you all of that portion of his report referring to the matters under consideration:

"I went to Byars, I. T. on the 27th in compliance with your order on the 16th inst to go to Byars, I. T. and interview those people as to being intimidated by one Gillette. I visited Nealy Ewings house in the neighborhood that is occupied by those Mississippi Choctaws and asked them personally if they had been threatened or intimidated in any way by Mr. Gillette and they all answered no that he(Gillette) had never said anything

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out of the way to them. I find them living on their allotments and doing fairly well. I find that some of them have raised from one to seven bales of cotton themselves besides corn and other stuff.

As to those people being run off of their allotments by fear of being hurt or harmed in any way by Gillette or any one else is not true. They are home and on their allotments and living in fairly comfortable houses.

I respectfully submit this as my report."

Very respectfully,

J. Blain Wright
United States Indian Agent.

JG

Feb. 20, 1905.

Honorable W.H. Ansley,

c/o Metropolitan Hotel, Washington, D.C.

Dear Sir:

I am in receipt of your letter of the 17th inst, enclosing resolution introduced by Mr Stephens which creates a Committee for the purpose of investigating the accounts and indebtedness of the various Nations of the Five Tribes. I am not willing to go on record as opposing this resolution; while I am not courtting an investigation of the various amounts appropriated by the General Council under by administration, yet I am not prepared to run from anything that has been done. I think it proper to say that the bill ought to be objected to for the reason that it opens up an avenue for all sorts of pretended claims against the Indian Tribes. It would afford D.W. Mulvaney and others who have rendered no service whatever to the Indians an opportunity to present their spurious claims, and it might hapen secure thereby a favorable report thereon. I have written Mansfield, McMurray & Cornish, in this mail in which I have stated substantially the objections here written. I hope you will do what you can to convince the Committee that it ought not to pass this resolution as it imposes a cost upon the Indians that they should not be called upon to bear. Hoping that you may succeed in defeating the same, I am,

Yours truly,

Prin. Chief C.N.

McCurtain & Hill,
Lawyers,
South McAlister, B. C.

March 18, 1905.

Gov. Green McCurtain,
Kinta, Ind. Ty.

Dear Father:

I am just in receipt of your letter of this date, stating that Gov. Johnston refuses to let the patents be copied; that the patents are in the immediate possession of Rosenwinkel in Mansfield, McMurray & Cornish's office, and that Rosenwinkel is agreeable to my taking the patents, provided I take a few of them at a time, etc.

This is the exact condition that I have all along feared,-- that there would be objection from Mansfield, McMurray & Cornish, as there will always be to any matter with which I have any concern. It is well enough for them to say, or have it said, that Gov. Johnston objects, and that the patents are under the immediate control of Rosenwinkel or some other; but that deceives none but the uninitiated. In accepting the employment of this company I positively refused to bind myself to transact any business with the Chickasaw Nation, for the reason that I know its complete domination. I, therefore, undertook the work only after a presentation to you of the matters involved.

I can see how Gov. Johnston could perhaps object to copies being made of the patents coming under his immediate jurisdiction, that is, patents that will have to be delivered by him; this objection he could make with or without reason for it, and it would be just as effective, for he is supposed to have control of the

Gov. McCurtain---2.

patents for the purpose of delivery. But how he can control, or through Rosenwinkel in Mansfield, McMurray & Cornish's office control, the Choctaw Nation patents, is a matter which I must confess is entirely beyond my understanding. How Rosenwinkel in Mansfield, McMurray & Cornish's office has acquired any control of these patents at all, either Choctaw or Chickasaw, I mean lawful control, I can not understand. The law is very plain in its language regarding the transmission and custody of these patents, and unless the law is susceptible of a construction that doesn't appear in print, Rosenwinkel in Mansfield, McMurray & Cornish's office has no right to the possession of these patents whatever,-- they belong in the executive offices of the two nations, and nowhere else.

Unless you can control the patents belonging to Choctaw citizens, and will permit me to make copies of them, I feel that I must decline the employment offered, for I do not want to undertake a service which I can not well perform. I would, therefore, earnestly request that you direct that all patents to Choctaw citizens be returned to your office, the place of their proper custody. This done, I can take Wellshear and make copies of those patents right in your own office, in fact, I would not desire to take them from under your immediate control and supervision for a moment. I hope you will consider this matter in the light of the suggestions here made, and accommodate me to this extent.

My little girl is improving very much now.

Let me hear from you.

Your son,

D. McCurtain

DCM

Please treat this letter as strictly personal

March 28, 1905.

Honorable J. George Wright,
United States Indian Inspector,
Muskogee, Indian Territory.

Sir:--

I notice, through press reports, that, as United States Inspector for the Indian Territory, you have served notice upon the delinquent cattle owners in the Choctaw Nation that after April 1, 1905, all cattle on which taxes have not been paid will be removed from the limits of the Choctaw Nation; and that District Inspectors and Police will have positive instructions not to receive delinquent taxes to avoid the removal of the cattle.

As the Chief Executive of the Choctaw Nation I am very much interested in the collection of the cattle tax on a basis that is safe, economical and just to both the Nation and the tax-payer. I desire to respectfully suggest that the plan you have outlined does not commend itself as safe, economical or just to either the Nation or the taxpayer. The object of the law was; first, to derive a revenue. Every means was to be exhausted to this end. Failing in this, as a last resort, the cattle were to be driven from the limits of the Nation. The law says, explicitly, that the taxes shall be "due and payable on demand", and I respectfully submit that the published notice already referred to is not the demand as contemplated by the Act. It occurs to me that only where delinquent tax-payers flatly refuse to comply with the law either in the presence of the

(2)

Inspector or by written communication should force be used in the removal of the cattle. While the showing made last year was not up to expectations, it was a preliminary work that would have rendered the task much easier during the present year. The past experience of the Choctaw Nation in the attempt to remove cattle unlawfully held here has been one of great difficulty, enormous expense, and fruitless in results. I therefor most respectfully urge a modification of the instructions to the District Inspectors in order that the Inspectors may visit the taxpayers in person and made the demand as in my opinion is contemplated by the law and that only those who positively refuse to comply with its provisions be inflicted with its penalty.

Respectfully submitted.

Pr in. Chief C.N.

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN INSPECTOR

FOR

INDIAN TERRITORY,

D 11299-1905.

Muskogee, Ind. T., March 31, 1905.

Mr. E. H. Wilson,

National Secretary Choctaw Nation,

Fort Towson, Ind. T.

Sir:

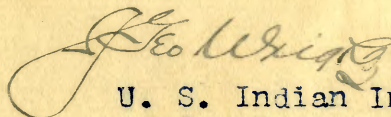
For your information I beg to quote you the following recent instructions from the Department with reference to submission of Acts of the Tribal Councils in Indian Territory:-

"You are advised that the President desires the words 'Executive Mansion' be stricken from the certificate of the National Secretary, and that the words 'White House' be used in lieu thereof. It is also the wish of the President that all the papers attached to the Act, including the Act itself, precede the certificate of the National Secretary. The certificate should, therefore, be next to the jacket.

You are requested to advise the tribal authorities of the different nations of the President's desires and to request them to comply therewith."

I have to respectfully request that you give the necessary instructions that the above suggestions may be followed.

Very respectfully,



U. S. Indian Inspector
for Indian Territory.

.K.(CER)

J. W. EVERIDGE,

National Attorney, Choctaw Nation.



GRANT, IND. TER., April 13 1905

Hon. Green McCurtain
Kiuta, Ind. Terr.
Dear Sir:-

I understand there is a vacancy
on the Indian Police Force to be appointed
at or near Antlers. Should it be true
and you conveniently can recommend me
to the Indian Agent I will assure you
that it will be highly appreciated.

Thanking you for many favors.

I am yours respectfully,

Thos. W. Everidge

(Shriff)

Hugo Ind. Sir
April 19th 1905

Hon. Gran McCurtain

Kinta J. J.

Dear Sir & Friend

yours to hand
and in reply will say that
if you will send some one who
is a Notary Public to take evi-
dence and swear them to same I
am perfectly willing to go with
him for I can prove every
assertion that I made my
letter you. And now I make
an other charge. That is that
D.C. McCurtain & his are working

to protect your people
 we have some Choctaws who
 for a little money consideration
 will keep their grafters & tongues
 Rob the Choctaws like themselves.
 so we find the poor fulbeeds
 in a very bad shape and I
 fear worse a coming.

Just as soon as the weather
 clears send your man and
 I will take the time and go
 with him and help investigate
 these matters and I hope to
 see George W. Huskins removed
 from office he is a rascal and
 should not be allowed to run

loose with any authority amongst
those Choctaws he tells them
that they owe this to this Company
or that Company he will have
them arrested. but that the
Goodwater Lumber Co is all
OK due to them John Moore
was having some pine cut in
side of his field which had
been deadened. & Jenkins
went to his house and told
him to stop cutting that
timber or he would have
arrested. So John quit and
now his timber must rot if he
dont sue to the Goodwater Co.
all this he knows.

your friend
Wm. H. Harrison

I saw several Red River County
people at Antlers who told
me of these agents work.
But they told me further that
^{they} had found out that you had
sent no body out to do
such work and that you
was very much against such
actions of the Attorneys for the
Choctaws. The clerks of the Courts
are reaping a rich harvest off
our Choctaws. But it looks like
with all your efforts to protect
your people they get the worst
of it all along the line.
as it looks. with all your efforts

3

and ask the Court to hold
up on about one Hundred
bonds until next Court
which was done. But was
very anxious that Henry Dauphin
& Peter Hudson bonds should
be approved They were appointed
Guardians & Administrators on
one Hundred or more ~~of~~
orphan & minor children. The
Southern Trust Company has
agents all over the lower
district getting names of
orphans & minors. And telling
the Choctaws that you had sent
them out to do this work.

against the Choctaws forcing
them into the hands of the
Southern Trust Company.

Myself Joe Everidge & Dr Nash
was present at Antlers probate
Court a few days ago and
saw and heard enough to
convince any body of the
fact. D C was not there but
Nash got up in open Court
and charged the trustees
with being wholly incompetent
to manage their affairs and
that the bonds was nothing but
straw bonds he criticized
our people at a great rate

THE SOUTHERN

F. F. STEVENS, PROP'R & MANAGER

Operated on the European Plan. Modern in Equipment. Electric Fans

TRY US AND SEE IF WE CAN'T KEEP YOU WARM OR COOL

Fort Smith, Ark., April 22, 1905.
Gov. Green M. Curtain,
Kinta, Ind. Ky.

Dear Father:-

I herewith return William Harrison's letter. Harrison seems to be a chronic grumbler, and really his constant prating is not entitled to respectful consideration. This matter is just as I told you it was. The grafters being unable themselves to be appointed guardians or administrators have resorted to the subterfuge of having some poor Indians make application and receive the appointments, and then the grafters impose themselves and their nefarious schemes upon these ignorant Indian guardians and minors, and at once proceed to dissipate the property of
(over)

the minors. Who is held responsible?

The Indian guardian of course; The grafter is not bonded, and in no way does he appear responsible. This is the practice that William Harrison, by his vigorous and unwarrauted attack upon my firm, would uphold. I don't take much stock in the brand of good feeling towards the Indian that William Harrison entertains. Every body knows William Harrison, and to know him is to avoid him as you would unhallowed ground.

I don't know anything about that fellow Hucksins, of whom Harrison complains, but it looks very much like Harrison is working for some other lumber company or companies as against the Goodwater Lbr. Co. With these comments I choose to dismiss Harrison from

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3

Fort Smith, Ark., _____ 190__

further consideration.

George H. Scott tells me that it is your opinion that Mansfield, McMurray & Cornish and myself cannot agree, and, therefore, you must decline to appoint me delegate. Now, in this I think you are mistaken. If it be your desire that I co-operate with them, I would certainly obey your directions to the letter, though it might conflict with my own judgment, should you appoint me. Another thing I want to assure you of, I stand ready to do whatever I can to aid you in the successful administration of the Choctaw's affairs, and I would do nothing and insist upon nothing that would cause you the slightest worry in your noble
(over)

4.

work. And if my attitude is not in accord with your superior judgment, before I would give you worry or cause you any trouble of mind, I would withdraw myself and my views from consideration entirely. I fully realize that you have a heavy task before you, and I am also sensible of the fact that you are by far the ablest and most patriotic friend the Choctaws will ever know. And I don't say this because you are my father, but I glory in the fact on that account. Therefore, I earnestly invite you to suggest to me whatever you would like me to do, and I would esteem your suggestions as fatherly advice which I might well follow. I will say this, however, I would much rather

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5.

Fort Smith, Ark., _____ 190__

receive your decisions from you yourself than by message delivered by another. I feel that being your son entitled to your confidence, especially in matters intended for me, be they favorable to my fancy or otherwise, I should receive them in that same confidence. In saying this, I am not resentful, but I must, in truth to myself, say that I am somewhat humiliated.

Trusting that you will feel free to advise and direct me in a way that I will be of assistance and not of worry to you, I am,
Yours Son,
W. C. M. Turtain

In obedience to your request delivered by Deane, I did not take up the price timber allotment question while in Muskogee.
Deane



POSTAL TELEGRAPH-CABLE COMPANY.
OFFICE OF MANAGER.

Atchison Kans April 25th, 1905

Hon. Green McCurtain

Chief Choctaw Nation.

Dear Sir:-

Referring to

patent sent my wife, Mrs. Jennie Meeks, specifying Lot 2 Block 3 --

I cannot see how they took half or more of the land from us, which we bought from Capt W.A. Welch, papers for same I have in my possession specifying property known as the Fuller place---it extends thrice the distance of a lot, and even if they were cut in lots, why am I cut out of all the land but 1 lot?

I can get the dimensions of this ground easily, if you can have this adjusted for me---

The garden spot to this place sets to the North of it, and I cannot see why I was not given Lots 2 3 and 4 if there was enough ground for it, but under no circumstances could it be cut down to one lot

The title being made to my wife was all right, I did not care anything about that, but I do want what I bought from Capt Welch, and hope you will see into this for me

I was formerly employed on Frisco at Bengal, and the Depot was too warm in the summer was why we always lived in that shack--hence I afterwards bought it

Kindly answer at your convenience

Yours very truly

J. W. Meeks

1
5-8-1905

Ada. Ind. Ter

Gavener McCurton Dear

Sir I am trying to get my
Wife on the Choctaw rate
as an inter married citizen
and I no you air moing to
her maring Jimmison Jones
if you rember I rate you once
in regard to the matter and
you told me to appear before
the commissioners and I did
so at Mister Junction and
Judg McKinnon turned
me down under the Treaty
of 1875 Where a White Person
marid an indian and then
~~marid~~ Seprated and marid
a nother White Person

2

forpited all rits and I
talked with you in regard
to the matter at Mister and
you told mee to watch
and if eney was allowed for
mee to make aplication I
no you no my Wife and
Jimmison James Was married
and that I went before
the commissioners at Mister for
you Was there and I talked
to you about it and now
if you will make out an
aplication that you no her
and Jimmison James Was married
and that you saw mee at
Mister trying to put her
on the Choctaw trail
it will bee a favor to

3

Me as I Want to Send
it to the Secetary of inter.
and he will enter her name
on the roll Please do all
you can for me hoping
to hear from you by
return mail My Wife
Marid Jimmison James
acarence With the Chastaw
laws and then Seprated and
me and her was maried
my name is John Rogers
A Brother to Henry Rogers

Yours Very Resp
J. A. Rogers

Atoka, Ind.Ter., May 8, '08.

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

Dear Sir:-

I have the pleasure to acknowledge receipt of your very kind letter of April 27.

I note all that you have to say and am very grateful indeed for the kindly sentiments expressed. The most that I can say is that I will use my best endeavors toward the attainment of the high standard that has been set.

I will take great pleasure in meeting your secretary, Mr.P.S.Lester and hope that he will soon favor us with a visit.

Again thanking you, I beg to remain

Sincerely yours,

Paul B. Smith
Editor Indian Citizen.

Executive Office Choctaw Nation

Green McCurtain, Principal Chief

Kinta, Indian Territory, May 10, 1905.

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

Sirs:

I am in receipt of your letter dated May 1, 1905, transmitting a copy of an opinion by the Assistant Attorney General for the Interior Department, dated January 14, 1905, in which he held that patents to allotments in the Choctaw and Chickasaw Nations should be approved by the Secretary of the Interior before delivery to allottees. You also state that you are directed by the Secretary of the Interior by letter dated April 22, 1905 to request the Chief Executives of the Choctaw and Chickasaw Nations to return, for approval by him, patents to lands in the Choctaw and Chickasaw Nations when they shall have been executed.

The whole subject has been carefully considered by me, in conference with Honorable Douglas H. Johnston, Governor of the Chickasaw Nation and it was our belief, until the receipt of your said letter that the Department was fully advised of our position in the premises.

On January 12, 1905, we advised the Secretary of the Interior as follows:

"The Chief Executives know of no law authorizing such approval, and they see no reason why the patents referred to should not be delivered to allottees in accordance with existing law."

Nothing has transpired since the transmission of such communication except the promulgation of the opinion of

the Assistant Attorney General for the Interior Department
 ab
 above referred to; and nothing is therein contained which
 throws any further light upon a proper construction of exist-
 ing laws governing the execution and delivery of patents in
 the Choctaw and Chickasaw Nations. We have however carefully
 examined said opinion, and in order that you may be advised
 of our views relative thereto, we shall briefly set them
 forth.

It is held by the said Assistant Attorney General
 for the Interior Department as follows:

"First: That since the law does not expressly
 exclude the necessity for approval of patents in the
 Choctaw and Chickasaw Nations, by the Secretary of the
 Interior, the inference is that he has such power.

Second: That since the government of the United
 States has a reversionary interest in the lands referred
 to, that patents executed by the chief executives should
 be approved by him, before delivery to allottees, in
 order that the reversionary title of the United States
 should pass.

Third: That it is necessary that patents, before
 their execution and delivery to allottees, should be
 examined and compared for the elimination of errors,
 therefore they should be submitted to and approved by
 the Secretary of the Interior."

Answering the first proposition, we have to say
 that we do not believe it could be successfully maintained
 that the Secretary of the Interior is "a reservoir of all
 power; and that he still has and may exercise all power
 except that specifically taken away by statute. If this is
 true no laws would be necessary to confer any power upon the

Secretary. We submit that the Secretary of the Interior, like all other public officials, has only such power and may exercise only such power as is conferred upon him by the provisions of law; and in the present instance if it had been expected that he should approve patents to lands in the Choctaw and Chickasaw Nations, it would have been so stated in the face of the legislation.

Answering the second proposition, we have to state that we do not deem it necessary in this connection to inquire whether or not the government has, in the lands of the Choctaw and Chickasaws the reversionary interest referred to by the Assistant Attorney General. If it has that interest or any other interest, patents issued in accordance with existing law would pass any interest the government might have. Patents to lands in the Choctaw and Chickasaw Nations are being executed and delivered under the provisions of the Atoka Agreement and the Supplementary Agreement which are Acts of Congress, approved respectively on June 28, 1893 and July 1, 1902. The form and manner of conveying title is of the government's own making as well as of our making and it is bound thereby in the same way that we are bound thereby. If Congress had felt that any title which the government might have in the lands should have been conveyed, it would have made specific provision therefor. If the government should have a substantial interest, reversionary

or otherwise in our lands, we can hardly think it would be willing to have such interest conveyed by the prefatory approval of a Cabinet officer, through a subordinate in his office and without any warrant or authority of law. Power to convey away substantial interests of the government of the United States, if they exist could not be found to exist nor could they be exercised by inference and strained constructions.

Some concern is expressed by the Assistant Attorney General that the patents thus executed will not convey full title to lands. Upon this point we feel no concern whatever and we, as well as the Choctaw and Chickasaw people feel that the patents executed in accordance with the provisions of existing laws and treaties vest full title in the allottee.

In answering the third proposition, we have to say that there is certainly no contention upon our part that patents should not be carefully examined and compared and all errors avoided before execution and delivery to allottees. It is to be presumed that before the patents are transmitted to us by the government's representatives, that they have been carefully examined and compared with the government records of allotments and all errors eliminated. We cannot presume, nor should it be presumed from any quarter that patents transmitted to us by the government's representatives have not been carefully examined and compared with its records, or that they contain errors. Even if, when they reach us for execution,

they should still contain errors, their transmission from Indian Territory to Washington, where there are no records of allotments and their formal approval by subordinates in the Secretary's office cannot be said to bring about the desired examination, comparison and elimination of errors. The Chief Executives of the Choctaw and Chickasaw Nations are more anxious, if possible, than the government's representatives, that patents be correct; and if, after transmission to us and before execution and delivery to allottees, errors are discovered, either by us or by the governments' representatives, we shall gladly co-operate by returning the patents to be re-drawn, in order that such errors may be eliminated.

It was suggested in some former Departmental correspondence that the Secretary should approve Choctaw and Chickasaw patents for the reason that it is provided in the Supplementary Agreement that the Commission to the Five Civilized Tribes shall record them.

The provision in the Supplementary Agreement to which reference is made is as follows:

"All patents to allotments of land, when executed, shall be recorded in the office of the Commission to the Five Civilized Tribes within said nations in books appropriate for the purpose, until such time as Congress shall make other suitable provision for record of land titles as provided in the Atoka agreement, without expense to the grantee; and such records shall have like effect as other public records."

The provision in the Atoka Agreement to which this refers is as follows:

"The United States shall provide by law for the proper record of land titles in the territory occupied by the Choctaw and Chickasaw tribes."

It thus clearly appears that the provision of the Supplementary Agreement above and first quoted was intended to be a temporary one and to be followed only until Congress should see fit to comply with the obligation contained in the Atoka Agreement by providing for the record of land titles "in the territory occupied by the Choctaw and Chickasaw tribes".

This obligation Congress has now complied with. On February 19, 1903 there was approved an Act of Congress, the title of which is as follows:

"An Act providing for the record of deeds and other conveyances and instruments of writing in Indian Territory and for other purposes."

This Act divides the Indian Territory into recording districts and makes it the duty of the Clerks of the United States Courts to record in accordance with certain provisions of Mansfield's Digest of the laws of Arkansas, all "instruments of writing of or concerning lands, tenements, goods or chattles" in the Indian Territory; and it is further provided that such records shall be made in the recording district where the lands or other property are located. It therefore appears that the temporary provision contained in the Supplementary Agreement providing for the recording of patents by the Commission to the Five Civilized Tribes is no longer in effect; and that the law now is that all "instruments of or concerning lands" shall be recorded by the

Clerks of the United States Courts in the recording districts where the lands are located.

The provisions of existing law with reference to the execution and delivery of patents by the Chief Executives of the Choctaw and Chickasaw Nations is mandatory. We have a duty to perform as well as other public officials, and we feel that it is not unreasonable to say that we are as anxious as other public officials to perform the duties required of us in strict conformity to law.

We are unable to understand why it is contended that the Secretary of the Interior should approve patents to allottees in the Choctaw and Chickasaw Nations, when it has never been suggested that he should approve patents to town lots in the Choctaw and Chickasaw Nations. The lands which were set apart for town sites are the same lands set apart for allottees. They were acquired by the tribes at the same time and in the same way and have been held by them under the same terms and conditions. They were set apart for town sites under the provisions of the same laws and treaties that govern the setting apart of allotments to citizens of the Choctaw and Chickasaw Nations; and patents to such town lots were executed and delivered to lot purchasers under the same laws and treaties as patents are to be executed and delivered to allottees. It is true that actual delivery of town lot patents have been made by the government's representatives, but an examination of Section 51 of the Supple-

mentary Agreement (Act of July 1, 1902) will show that it was the duty of the Chief Executives of the Choctaw and Chickasaw Nations to execute and "deliver to purchasers of said lots" the patent therefor, and it could have been successfully maintained that the actual delivery should have been made by the Chief Executives. Since however, it was not suggested that the patents be transmitted to Washington for approval, the question of delivery was not raised. It may be stated that the reasons now existing for the delivery of patents direct to allottees did not exist in connection with town lot patents, since they did not go to citizens of the Nations, except in rare instances. It certainly cannot be maintained that the failure of the Chief Executives to insist upon the delivery by them of town lot patents would have the effect of changing the law with reference to the delivery of allotment patents and confer upon the Secretary of the Interior powers not conferred upon him by law.

We hope you will understand that there is no disposition upon our part to question the exercise, by the Secretary of the Interior of the powers vested in him by law, nor to confuse or embarrass the work of the government of the United States in connection with our affairs.

The recorded history of our relations with the government of the United States throughout the past several years, while I have been Principal Chief of the Choctaw Nation and Douglas H. Johnston has been Governor of the Chickasaw Na-

call for allotment certificates in the hands of allottees in the Choctaw and Chickasaw Nations and prepare and deliver patents in accordance therewith. We should regret to be forced to take this course, but unless the government's representatives are willing to co-operate with us, we know of nothing to do but to proceed as stated.

We respectfully ask that we be advised if the remaining patents will be furnished us for the purposes stated, in order that we may make preparation for the immediate execution and delivery of the same, if furnished; and if not furnished, in order that we may be definitely advised of the attitude of the Department with reference thereto and be enabled to govern ourselves accordingly.

Very

Principal Chief Choctaw Nation.

Durant K.T. May 20th 1905.

For Green M. Crutcher
Kisla K.T.

Dear Governor

I have this day wrote you a few word
in regards of those many Whites married
white man that they never married
according to Choctaw laws and here-
tofore never was brought before the
Dames Commission or before any of
those Courts having Jurisdiction, Now
they are trying to be enrolled by the Dames
Commission or Secretary of Interior, and
these kind of people never was taken
into consideration by the Choctaw people
to divid the estate of Tribal Property
without consent of Choctaw and Chickasaw
and every citizens in this country
are knows that the supplement Treaty
done forever settled this matter.
Now it is every Choctaw and Chickasaw.

to protest such is taken by those attor-
ney and those Land grafter now trying
to get hold all the surplus land now
left to be sold and divided over citizens
now these Land grafter been working
in the last two years taking those
names and agreed to put them through
for half of surplus land, and if they
fail before Commission or Interior
department, and they will present the
matter to the Congress and have them
passed a Bill to admitted them, and I
am afraid we will have trouble
unless we have a good representation
to watch our interest, do you ever study
and see how much in all the money
were expended in Citizenship matter
since 1870 or since the laws in our
statute as provided; it cost Nation nearly
millions of dollars that I personally
knows and still united states people
are not satisfied and still intrigued

on our people, what I would like for
you to do is to call an extra session
of Choctaw Council in September and
present in your Message showing to
our people what it cost our nation
and send it to the Congress when meet
by October. Through Memorial and ask
them admit no person for to be a citizen
for the purpose to drain money and
the land, and these people are collecting
money and to employ the best Lawyer and
best influence person in at Washington
D.C. to encourage some senator and re-
presentation to passed bill in their favor
all of those Antismanned and also some
of these were rejected by these last court.
hoping you may watch all their point
I will do all I can in power to keep
your great work now before you.
hoping for your success at the end.
your humble servant.

J. J. Gardner

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

The Commission to the Five Civilized Tribes is this day directed by the Secretary of the Interior to give public notice that all patents to allotments to citizens and freedmen of the Choctaw and Chickasaw Nations delivered by the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation without the approval of the Secretary of the Interior, **MUST BE RETURNED TO THE COMMISSION** to be forwarded to the Secretary of the Interior for his

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

TAMS BIXBY,

- Chairman.

Muskogee, Indian Territory.

May 24th, 1905.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes.

The Commission to the Five Civilized Tribes is this day directed by the Secretary of the Interior to give public notice that all patents to allotments to citizens and freedmen of the Choctaw and Chickasaw Nations delivered by the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation without the approval of the Secretary of the Interior, **MUST BE REFERRED TO THE COMMISSION** to be forwarded to the Secretary of the Interior for his approval.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,

TAMS BIXBY,

Chairman.

Muskogee, Indian Territory,

May 24th, 1905.

(C O P Y)

D.C.27159-1905.

FWV

DEPARTMENT OF THE INTERIOR,

Direct. WASHINGTON.

ITD-6072-1905.

May 24, 1905.

L R S

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

Gentlemen:

There is enclosed copy of the opinion of the Attorney-General, dated May 22, 1905, relative to the duty of the Secretary to approve Choctaw and Chickasaw allotment patents in order that the title to the allotted lands may be properly vested in the allottee.

The Department confirms its telegram to you dated May 23, 1905, as follows:

Attorney General, on the twenty-second instant, rendered an opinion that the Secretary of the Interior is authorized to approve allotment patents in the Choctaw and Chickasaw Nations, and that his approval is essential to constitute them a transfer of such title as was intended by Congress to be vested in the allottees, and also that a copy of his opinion had been transmitted to each clerk in the United States Court in the Choctaw and Chickasaw Nations for his information and guidance. The Department will see that the allottees receive said patents duly executed and approved by the Secretary. If the tribal executives fail to observe said opinion wire Department immediately. Advise tribal executives, their attorneys, and Inspector Wright. Letter follows.

Should the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation still insist that the

Secretary is not authorized to approve said patents and refuse to return patents executed by them to you for transmission to the Department to be properly approved, you will advise the Department by wire when you will be further instructed in the premises.

Respectfully,

(Signed) E. A. Hitchcock,
Secretary.

(C O P Y)

J.W.T.

56652.

DEPARTMENT OF JUSTICE,

Washington, D. C.

May 22, 1905.

The Secretary of the Interior.

Sir:

I have received your letter of the thirteenth instant, stating that, as you are advised, the principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation refuse to return to you for approval allotment patents executed by them in pursuance of the provisions of the Act of Congress of June 28, 1898 (30 Stats. 495, 507) and you therefore request my opinion upon the question whether you are authorized to approve such patents.

The Act of 1898, referred to, ratified an agreement with the Choctaw and Chickasaw Nations, which provided:

"That as soon as practicable, after the completion of said allotments, the principal chief of the Choctaw Nation and the Governor of the Chickasaw Nation shall jointly execute, under their hands and the seals of the respective nations, and deliver to each of the said allottees, patents, conveying to him all the right, title, and interest of the Choctaws and Chickasaws in and to the land which shall have been allotted to him in conformity with the requirements of this agreement, excepting all coal and asphalt in or under said land. Said patents shall be framed in accordance with the provisions of this agreement, and shall embrace the land allotted to such patentee and no other land, and the acceptance of his patents by such allottee shall be operative as an assent on his part to the allotment and conveyance of all the lands of the Choctaws and Chickasaws in accordance with the provisions of this agreement, and as a relinquishment of all his right, title, and interest in and to any and all parts thereof, except the lands embraced in said patents, except also his interest in the proceeds of all lands, coal, and asphalt herein excepted from allotment."

That Act also contains these provisions:

(Section 11) "When such allotment of the lands of any tribe has been by them completed said commission shall make a full report thereof to the Secretary of the Interior for his approval."

(Section 12). "That when report of allotments of lands of any tribe shall be made to the Secretary of the Interior, as hereinbefore provided, he shall make a record thereof, and when he shall confirm such allotments the allottees shall remain in peaceable and undisturbed possession thereof, subject to the provisions of this Act."

The Secretary is also authorized by this Act (Section 15) to approve the appraisement of town lots, and, in case of disagreement, to fix the value thereof, which lots may not be sold until after such approval, and then not for less than their appraised value, unless he consents to the reduced price; the rolls of citizenship are not final until approved by the Secretary (Section 21); he is authorized (Section 13) to provide rules and regulations in regard to the leasing of oil, coal and asphalt and other minerals in the Territory and to make leases therefor, and may reduce or advance royalties on coal and asphalt (Section 29) when deemed for the best interests of the Choctaws and Chickasaws.

The agreement with these Indians which was ratified by the Act of Congress of July 1, 1902 (32 Stats. 641) refers (Section 11, 25, and 30) to the approval of the enrollment of citizens by you; authorizes (Section 14) the sale, under rules and regulations to be prescribed by you, of the residue of lands not therein reserved or disposed of; you are authorized (Section 48) to make rules and regulations with reference to the payment of compensation for improvements upon tracts of land set aside for

town site purposes; the jurisdiction of town-site commissions extends only to such town sites as you may designate (Section 50); municipal corporations are authorized (Section 55) to issue bonds and borrow money, with your approval, for the construction of sewers, water works and school houses; you are directed (Section 58) to ascertain what lands are principally valuable on account of deposits of coal and asphalt, and to reserve same from allotment; patents conveying coal or asphalt lands, executed by the chief executives of the tribes, receive your approval (Section 63); a tract of land, not exceeding 640 acres, in and about the village of Sulphur, is to be selected and reserved by you (Section 64); payments of money in connection with allotments are to be made under your direction (Section 72); and other authority is conferred upon you (Sections 33, 39, 49).

The Act of Congress of February 25, 1903, (32 Stats., 854, 891) makes an appropriation in the following terms:

"For pay of one clerk, to be appointed by the Secretary of the Interior, to sign, under the direction of the Secretary, in his name and for him, his approval of all tribal deeds to allottees and deeds for town lots made and executed according to law, for any of the Five Civilized Tribes of Indians in the Indian Territory, one thousand two hundred dollars to be immediately available."

This provision has been continued in a subsequent appropriation act (33 Stat. 631, 669).

The Act of Congress of July 26, 1892 (27 Stat., 272), provides for the recording, in the office of the Commissioner of Indian Affairs, of deeds executed by Indians.

The Secretary of the Interior is charged with the supervision of the public business relating to the public lands and

to the Indians (R.S. Section 441) and patents conveying public lands are prepared and recorded in the Interior Department. (R.S. Sections 446-461).

You state in your letter, that:

"The practice of the Department relative to the Creek and Cherokee deeds or patents has been to approve the same, after execution by the tribal executives, and then return the deeds to the Commission to the Five Civilized Tribes with directions to record the deeds and transmit them to the Executives of the Tribes for delivery by them to the allottees. It was the intention of the Department to adopt the same procedure with regard to the Choctaws and Chickasaws and the delay in completing the evidence of title has been occasioned by the failure of the tribal authorities to return to the Commission the patents when executed by them."

You do not state whether or not it would be practicable to secure an execution of these patents by such tribal chiefs without allowing them to pass out of the possession of the Commission.

It is to be observed that, by the express provisions of the above-mentioned agreement, confirmed by the act of 1898, the patents to be executed by the heads of the respective nations, convey no more than the right, title and interest of the Indians.

The act, however, seems to contemplate the giving to the allottees of a more complete title than that held by the tribe. It provides (section 29):

"That all the lands within the Indian Territory belonging to the Choctaw and Chickasaw Indians shall be allotted to the members of said tribes so as to give to each member of these tribes so far as possible a fair and equal share thereof

"All the lands allotted shall be nontaxable while the title remains in the original allottee, but not to exceed twenty-one years from the date of patent, and each allottee shall select from his allotment a homestead of one hundred and sixty acres, for which he shall have a separate patent, and which shall be inalienable for twenty-one years from date of patent . . . and the remainder of the lands

allotted to said members shall be alienable . . . one-fourth in one year, one-fourth in three years, and the balance of said alienable lands in five years from the date of patent."

Under a treaty with the Choctaws and Chickasaws, of June 22, 1855 (11 Stats. 611, 612), the reversionary interest of the United States in the lands is recognized, and it might well be contended, therefore, that in the absence of any action in addition to the execution of patents by the tribal authorities, there would be no transfer of the interest of the Government in the land, and that such a conveyance is necessary to carry out the provisions of the Act of 1898.

In view of the broad and general powers conferred upon the Secretary of the Interior in relation to the public lands and Indian Affairs, and the comprehensive supervision expressly given to him, by the acts of 1898 and 1902 concerning the matters therein dealt with, considered in connection with the contemporaneous and subsequent statutory indications of Congressional intent, I cannot conceive that Congress, in confirming the agreement recited in the Act of 1898, above quoted, which contains in itself nothing inconsistent with the necessity for an approval of the patents by you, intended a course should be pursued in this instance different from your practice in matters of this nature.

I am, therefore, of opinion that you are authorized to approve the patents in question, and that your approval is essential to constitute them a transfer of such a title as was intended by the legislation in question to be vested in the allottees.

You request, second, that if I am of the opinion which I have above expressed, appropriate instructions be given to the recording officers in the Choctaw and Chickasaw Nations.

The Act of 1902 provides (Section 66) that:

"All patents to allotments of land, when executed, shall be recorded in the office of the Commission to the Five Civilized Tribes until such time as Congress shall make other suitable provisions for record of land titles."

By an Act of February 19, 1903 (32 Stats. 841), Congress has provided that "the clerk or deputy clerk of the United States court in Indian Territory shall be exofficio recorder for his district," and that:

"It shall be the duty of each clerk or deputy clerk of such court to record . . . all deeds, mortgages, . . . and other instruments of writing of or concerning lands, tenements, goods, or chattels."

I have caused a copy of this opinion to be transmitted to each of such clerks, located in the Choctaw and Chickasaw Nations, for his information and guidance.

Respectfully,

W. H. Moody,

Attorney General.

DAILY
COMBINED CIRCULATION
TIMES, MORNING, AND STAR, EVENING,
OVER 250,000

SUNDAY
CIRCULATION 125,000

WEEKLY
CIRCULATION 225,000
ONE YEAR PAID-IN-ADVANCE
SUBSCRIBERS

THE KANSAS CITY STAR.
The Kansas City Times.

Guthrie, Ok., May 30, 1905.

Governor Green McCurtain,

Principal Chief Choctaw Nation.

My dear Sir:---

Newspaper reports, which may be without foundation, allege that you favor turning over the Choctaw coal lands to the coming state for school purposes. I would be pleased to print your views at length upon this subject. May I ask you to send a statement to me at Guthrie for use in The Star. I would be under many obligations to you.

Very truly yours,

J. S. Barde.
Staff Correspondent.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

FMS.

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

June 22, 1905.

LAB
"

Honorable Green McCurtain,
Principal Chief, Choctaw Nation,
Kinta, Ind. Ter.

Sir:-

I have the honor to acknowledge receipt of your communication, dated June 19, 1905, which has been handed to me by your son, Mr. D. C. McCurtain, who you state is your personal representative to confer with me concerning the delivery of Choctaw patents. Your son has also handed me your telegram to him, dated the 21st instant, in which you state -

After full conference with Governor Johnson agreed that Secretary approve patents after signed by us.

Said telegram bears the following endorsement:

In the matter of transmission of the patents, it is Governor McCurtain's request that the patents be sent direct to him for signature and when approved by the Secretary, that the patents be sent direct to him from the office of the Dawes Commission for delivery.

(Signed)

Green McCurtain,
by D. C. McCurtain.

I have no objection to the request made by you through your son, and have to advise you that the Dawes Com-

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mission will be directed to transmit the patents, when prepared, direct to you by special messenger, and after the patents have been signed by you, they will be transmitted by the messenger of the Dawes Commission to Governor Johnson, and when signed by him, the messenger will return them to the Dawes Commission to be forwarded to the Department for the approval of the Secretary, through the Commissioner of Indian Affairs and when approved by the Secretary, will be returned to the Dawes Commission to be recorded, and after recording the Commission will send the patents for allotments to Choctaws by messenger to you for delivery to the allottees, and in like manner will transmit to the Governor of the Chickasaw Nation for delivery to the Chickasaw allottees.

I am especially gratified at the spirit manifested in your letter of June 19, 1905, handed me by your son, and I am also pleased to know that your action, and the action of Governor Johnson, is due in no small degree to the excellent advice given you by your son, whom the Department has favorably known as the Representative of the Choctaw Nation here at the Capitol.

Respectfully,

Enrichesock.

Secretary.

MISSOURI, KANSAS & TEXAS RAILWAY SYSTEM.

HOTEL AND RESTAURANT DEPARTMENT.

HOTELS AND DINING
STATIONS.

SEDALIA, MO.
NEVADA, MO.
PARSONS, KAS.
MUSKOGEE, I. T.
OSAGE INN, Osage, O. T.
SOUTH McALESTER, I. T.
CHOCKIE, I. T.
THE DEPOT HOTEL, Denison, Tex.

FRANK E. MILLER, Sup't.
Wainwright Bldg.,
St. Louis, Mo.

HOTELS AND DINING
STATIONS.

"THE DENISON," Denison, Tex.
HUGHES, TEX.
DALLAS, TEX.
HILLSBORO, TEX.
SOUTH YARDS, TEX.
SMITHVILLE, TEX.
HOUSTON, TEX.

Muskogee, Ind. Ky. July 6, 1905.

Gov. Green M. Curtain,
Kiuta, Ind. Ky.

Dear Father:-

I see from the papers that Johnston refuses to sign the patents signed by you. He assigns as a reason for his refusing to sign the patents that he was not consulted in the arrangement made by me with the Secretary. I never assumed to represent Johnston at Washington farther than to present the telegram I received from you stating that Johnston had agreed that the Secretary should approve the patents after they were signed by you and him. I am informed that he told Williams, the Sacco Commission's messenger, that the patents should be delivered jointly. This, of course, lets

MISSOURI, KANSAS & TEXAS RAILWAY SYSTEM.

HOTEL AND RESTAURANT DEPARTMENT.

HOTELS AND DINING
STATIONS.HOTELS AND DINING
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NEVADA, MO.

Wainwright Bldg.,

HUGHES, TEX.

PARSONS, KAS.

DALLAS, TEX.

MUSKOGEE, I. T.

HILLSBORO, TEX.

OSAGE INN, Osage, O. T.

SOUTH YARDS, TEX.

SOUTH McALESTER, I. T.

SMITHVILLE, TEX.

CHOCKIE, I. T.

HOUSTON, TEX.

THE DEPOT HOTEL, Denison, Tex.

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The cat out of the bag; it discloses his real purpose — that of having Mansfield, McMenamy & Cornish deliver the patents, as it is certain that Johnston would never agree that anyone else should deliver them. And this would mean, as it has meant in the past, that you would have nothing to do with the patents after once they got into their hands. It is not necessary for me to call attention to their practical refusal to let you have either the originals or copies of the patents when you asked for them, to show that it would amount to taking the patents out of your hands entirely.

I think the position taken by you is an unassailable one — you bring the one primarily and finally responsible

MISSOURI, KANSAS & TEXAS RAILWAY SYSTEM.

HOTEL AND RESTAURANT DEPARTMENT.

HOTELS AND DINING
STATIONS.

SEDALIA, MO.
NEVADA, MO.
PARSONS, KAS.
MUSKOGEE, I. T.
OSAGE INN, Osage, O. T.
SOUTH McALESTER, I. T.
CHOCKIE, I. T.
THE DEPOT HOTEL, Denison, Tex.

FRANK E. MILLER, Sup't.
Wainwright Bldg.,
St. Louis, Mo.

HOTELS AND DINING
STATIONS.

"THE DENISON," Denison, Tex.
HUGHES, TEX.
DALLAS, TEX.
HILLSBORO, TEX.
SOUTH YARDS, TEX.
SMITHVILLE, TEX.
HOUSTON, TEX.

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for the delivery of the patents to the
Choctaw allottees, you should have
personal control of the delivery. In
this contention of yours the Secretary
has sustained you and heartily con-
curred in your reasons given, and
has agreed that you shall have the
delivery of the Choctaw patents. I
would, therefore, stick to this arrangement
and insist that the Department adhere
to the plan agreed upon. As to Johnston's
refusal to sign, I would just pass
that up to the Department, saying to
them that you have done your part,
and let them deal with Johnston. If
you should agree for the Department to
yield Johnston's point you have no
assurance that he wouldn't tomorrow
advance some other silly reason, and by

MISSOURI, KANSAS & TEXAS RAILWAY SYSTEM.

HOTEL AND RESTAURANT DEPARTMENT.

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refusing to sign the patents attempt to force his conclusions over you. There is nothing in his contention that the patents should be delivered jointly; The law does say they shall be executed jointly, and that is done when you both sign them, and their execution is no part of the delivery; That, I think, is plain, for the law says - executed and delivered, which imports that their execution and delivery are two separate and distinct acts.

I think the Department will stand pat by the agreement made with you; and I don't see how you could well afford to do anything else yourself without putting the Department against you. Just let the Department deal with

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Johnston - he may find himself the defendant in a mandamus proceeding, or become mixed up in some other drastic proceeding.

I will mark this letter personal as I know the other fellows have scouts out to watch my every move, so I request that you keep this letter from any and all.

If you would like to confer with me further about this let me know and I will come to Kinta Saturday

Your Son,
H. C. M. Tustin

WELDON
WILLIAMS

LICK

FORT SMITH
ARK.

Printing
Binding

And
Allied Branches

Not How Cheap, but How Good

Fort Smith
Elevator

Largest Circulation in Arkansas or Indian
Territory. Best Advertising Medium

Fort Smith, Ark., July 6, 1905.

Sold to Mr. Green McCurtain,

Kinta, I. T.,

3,000 Letter Heads
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P.*

\$10.00
2.75

\$12.75

(377)

Wynnewood, I. T.
July 10, 1905-

Hon. Green M. Curtain,
Dear Sir.

I write for your advice and
a little information in regard
to my Grandfather's Basil Hinlock
estate.

He had completed his filings at
his death and it was my request
as there was no other heirs but
my sister and I.

That my husband be appointed
administrator.

The Heirs, were both of age
and I did not want any bonded
company to be appointed or
get a hand in the business.
My sister was at Atoka at
school at the time and

some company got around
her and through her request
W. N. Robb was appointed
administrator, positively
against my will.

I have wrote to said admin-
istrator for a division of the
allotment also a division
of the townsits money of
which he drew.

Now, can my sister and
I divide this allotment
without a consent of the
U. S. court or does it go
through a process of law
We the heirs, we are both
of age.

Mr. W. N. Robb the said,
administrator has never
answered my letter so I
thought I would write to
you and find out all about
this matter. Yours truly
Wm. N. Robb

Talishina S. T.

July 12th 1905-

Hon Green McCurtain

Principal Chief C. N.

Kintar S. T.

Dear Gov,

please find here with
Enclose 3 Homestead patent
~~for~~ for Emerson Benton

Nellie Benton

of Levi H Bohanan

as I am Administrator

of this Bohanan (deceased)

I have by send you
this patent by your
order. for which you
will send to have it

approve by the Sec. &c.
yours Truly E. D. Benton

July 13, 1905.

Mrs Alice Lewis,

Wynnewood, I.T.

Madam:

I am in receipt of your letter of the 10th inst, with reference to the administratorship of the estate of your grandfather Basil Winlock, and have this day forwarded same to McCurtain & Hill of S. McAlester, and instructed them to advise you the steps it will be necessary for you to take in the matter.

Yours truly,

July 13, 1905.

Honorable D.C. McCurtain,

S. McAlester, I.T.

Dear son:

I enclose herewith a letter from Alice Lewis, of Wynnewood with reference to the administratorship of the estate of her grandfather, Basil Winlock, to which I wish you would make appropriate reply, advising her what steps are necessary.

Your father,

M.C.

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

Muskogee, Indian Territory, July 15, 1905.

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

Dear Sir:

Receipt is hereby acknowledged of the return by express of the following patents to Choctaw and Chickasaw citizens which have heretofore been executed by the Principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation:


Homestead patent No.	522	to	Lue Conser.
"	"	"	✓ 534 to Benjamin J. Spring.
"	"	"	✓ 611 to Green McCurtain.
"	"	"	✓ 612 to Katie McCurtain.
"	"	"	✓ 626 to Ellis Bohanan.
"	"	"	✓ 628 to Simpson Bohanan.
"	"	"	✓ 640 to Cora McCurtain.
"	"	"	✓ 641 to Bertha McCurtain.
"	"	"	✓ 642 to Lester McCurtain.
"	"	"	✓ 657 to Siney Spring.
"	"	"	✓ 658 to Solomon Spring.
"	"	"	✓ 660 to David J. Spring.
"	"	"	✓ 1693 to Rufus Winlock.
"	"	"	✓ 2433 to Washington Colbert.
"	"	"	✓ 2434 to Ellis Colbert.
"	"	"	✓ 2435 to Elias Colbert.
"	"	"	✓ 2437 to Jincy Colbert.
"	"	"	✓ 2439 to Sim Jones.
"	"	"	✓ 2440 to Nancy Jones.
"	"	"	✓ 3184 to Amos Henry.
"	"	"	✓ 3185 to Arian Henry.
"	"	"	✓ 3186 to Alexander Henry.
"	"	"	✓ 3187 to Roosevelt Henry.
"	"	"	✓ 3760 to Levi Billy.
"	"	"	✓ 3761 to Winnie Billy.
"	"	"	✓ 3763 to Hagan Johnson.

Homestead patent No.	✓3764	to Rhoda Johnson.
"	"	✓3765 to Laura Johnson.
"	"	✓3766 to Lorena Johnson.
"	"	✓3781 to Bennie Winlock.
"	"	✓4189 to Kirby Cooper.
"	"	✓4190 to Dora Cooper.
"	"	✓4313 to Nelson Benton.
"	"	✓4314 to Phoebe Benton.
"	"	✓4334 to Harrison Hitcher.
"	"	✓4391 to Adaline Allen.
"	"	✓4588 to Joshua Yotah.
"	"	✓4726 to John Colbert.
"	"	✓4894 to Davis S. Noah.
"	"	✓4895 to Margaret Noah.
"	"	✓4896 to Alfred Noah.
"	"	✓4897 to Isabelle Noah.
"	"	✓4898 to Irena E. Noah.
"	"	✓4899 to Sophia Noah.
"	"	✓4900 to Webster M. Noah.
"	"	✓4901 to Seth D. Noah.
"	"	✓4902 to Robert Lee Noah.
"	"	✓5135 to Impson Jones.
"	"	✓5142 to Davis Mishamahtubbee.
"	"	✓5143 to Wynie Mishamahtubbee.
"	"	✓6012 to Sina Bond.
"	"	✓6013 to Florence Bond.
"	"	✓6014 to May Bond.
"	"	✓6015 to Bennett F. Bond.
"	"	✓6016 to Wallace Bond.
"	"	✓6020 to Alice Conser.
Allotment	"	✓385 to Lue Conser. 56
"	"	✓442 to Green McCurtain.
"	"	✓443 to Katie McCurtain.
"	"	✓460 to Cora McCurtain.
"	"	✓461 to Bertha McCurtain.
"	"	✓462 to Lester McCurtain.
"	"	✓1139 to Rufus Winlock.
"	"	✓1730 to Ellis Colbert.
"	"	✓2300 to Amos Henry.
"	"	✓2302 to Arian Henry.
"	"	✓2303 to Alexander Henry.
"	"	✓2304 to Roosevelt Henry.

Allotment patent No.	2707	to Rhoda Johnson.
"	"	" 2709 to Laura Johnson.
"	"	" 2720 to Bennie Winlock.
"	"	" 3007 to Kirby Cooper.
"	"	" 3008 to Dora Cooper.
"	"	" 3605 to Impson Jones.
"	"	" 3609 to Davis Mishamahtubbee.

You are advised that the above patents will be forwarded to the Secretary of the Interior for consideration and appropriate action.

Respectfully,



Commissioner.

Detroit House of Correction.

Detroit, Mich.,

July 16th 1905.

Do not Come to visit Prisoners on Sundays or Holidays.

Parties corresponding with prisoners must observe carefully the following directions, viz: Write plainly in English. Do not interline—put but one line of writing on each ruled line. Confine yourself strictly to family and business matters. In directing letters put prisoner's name plainly on envelope. In sending papers use stamps enough to insure delivery. Write nothing on newspapers except name. Daily papers are not admitted. All letters and papers are closely examined. Prisoners can write but once in four weeks, and can see relatives NOT OFTENER than ONCE in four weeks. No food, tobacco or wearing apparel sent to prisoners will be admitted. No criminal news will be admitted under any circumstances.

Put full address of your letter **HERE**; give Town, County and State.

Honorable Green McCurtain Principal Chief Choctaw nation
Kinta, I. T.

Gov. McCurtain dear sir I wish to inform you
that I Daniel Jones very earnestly wish you
to send the deeds of my lands direct to me
here as I have not any agent with any power
of attorney to receive deeds or patents to my
allotments Col H. M. H. Browns has a power of
attorney only to select and file on lands
for me and not to receive patents or deeds
since I pray you will send those papers
direct to me at Detroit House of Correction Detroit
Michigan very respectfully yours

Daniel Jones

Wilburton J. J.

July 23rd - 1905

Dear Gov. Green McLeustain

Yours of 21st inst. to hand.
In Reference to Osborn Carrs
wife will say she is ^{the} Daughter of
Bond Sealy & a granddaughter
of old man Loma she had
employed a lawyer here to take
her case I told her there was
no use of that I told her in the
first ^{place} ~~place~~ and see you but have
not heard whether she did or not
had not heard from it since
well Gov. I have seen in the different
papers where ~~and~~ a person had
to give Bond for his minor children
or not let me hear from you

In regard to it if so it will
throw a hardship on us I ask
this for the facts I know you
will give the facts

Yours Friend

G. W. Riddle