

See other
side of
This sheet } Wilburton
akla
Box 599
Sep 2 - 1910

Miss Cora Mc Curran
Kinta akla

Mrs George Ridde handed
me a note this morning
from you stating the
sickness of little Lester
you take the piece of
Bleeding which you will
find enclosed and bind
it around his Body in the
name of Jesus. Believing
that he will heal your
Brother Believe with all
of your heart and read
the acts of the apostols I
Remain yours truly in
Christ a minister of the
Gospel of Christ E. A. Buckles

p.s. Read acts 19 - Chapter
and 10-11-12 unless you
can see that God can
work a in these days
and also in these days
also Read acts 13-14

McCurtain & Hill,
Lawyers,
McAlester, Okla.

Novbr 23, 1916.

Gov. Green McCurtain,
Kinta, Okla.

Dear Father:

Herewith I hand you application in duplicate for Mrs. Nancy Folsom to sign and acknowledge before a Notary public and return to B. G. Brink, Dist. Apt., at McAlester. The trouble heretofore was that Mrs. Folsom would not consent to a conditional removal of her restrictions, and as she could not make a showing of the required business experience to entitle her to an unconditional removal her application was denied. I think, however, if she will sign and return the enclosed application it will be granted all right.

Peter Hudson sent me a letter that Ben McCurtain had written you, stating that you had instructed him to send the original to me and a copy to Dr. Wright and to keep a copy himself. Peter said he was puzzled about sending one to Dr. Wright. I think myself no attention whatever should be paid to Dr. Wright,

as any correspondence you have with him, direct or indirect, might be mis-used by him as a recognition of him in some way.

I am perfectly willing to aid Peter in whatever way I can and you wish, but with the distinct understanding that Dr. Wright is to never again be recognized in any capacity as representing the Choctaw Nation. Already his unsavory reputation has done much to damage us at Washington.

Mr. Burke telegraphed us Friday that his committee would reconvene in Washington today. I was at Idabel, was there all last week, in citizenship matters, and as those hearings are not yet concluded, and as I want to finish consideration of the proposed bill to dispose of our coal lands before going to Washington, I was unable to get off at this time, so still went on Monday and will arrive Washington today. I am just this moment in receipt of a letter from Peter saying that he will start for Washington this afternoon. I will start to Washington just as soon as I can get off.

We are going to have another meeting on the bill Saturday between the Choctaws and Chickasaws and probably with the mining operator and would like to have you with us.

Your son,

A. M. Curtain

When the restriction removed, applications are returned I think you better write ^{Mr.} ~~Mr.~~ Nelson's restrictions should be removed.

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ROBERT C. CLOWRY, President and General Manager.

RECEIVED at

18.KS. BY. 44 DPR.

Wo- NewYork Ny Aug 9th-10.

Green McCurtain,
McAlester, Okla.

The World would be pleased to print 500 words from you on the Indian contracts situation & how you regard the action of McMurray and Lawyers to-ward the indians and general sentiment on how the Indians. Have been treated by white men wire collect.

335-PM

The World.

SEE OTHER SIDE FOR TELEGRAM

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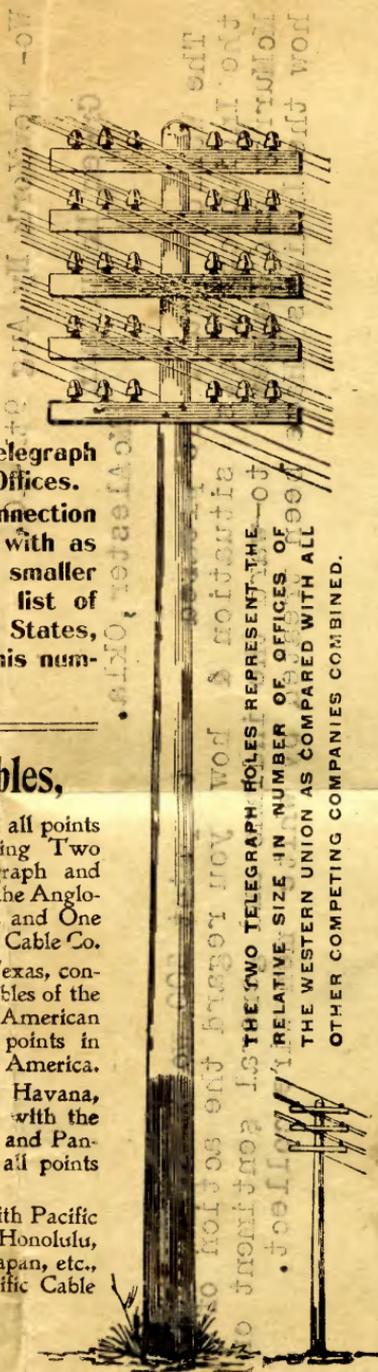
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THE POSTAL TELEGRAPH-CABLE CO. OF TEXAS.

PRESS TELEGRAM.

August 9th, 1910.

The World,
New York, N.Y.

The congressional investigation in progress here brings to light a most systematic effort on the part of J. F. McMurray and his agents, among whom are some Indians of prominence, to get from the Indian people a part of their property in the settlement of the same by the Government. The committee in charge of the investigation has impressed the country with its fairness and likewise with its determination to get at the very root of the evil, and we believe the investigation sounds the death-knell of the McMurray contracts, and we believe further that one of its inevitable results will be to inspire legislation for the early settlement of tribal affairs by Congress. The Indian people are a unit upon the proposition to wind up their affairs at once, if possible, and while they do not impugn the motives of the Government in its methods of settling their affairs, yet history justifies them in their complaint that with the increasing demands of the white people for changes in the Indian country, the longer the final settlement of our affairs is postponed just in that measure will our interests and our policies have to give way to an overwhelming majority sentiment. The white people in our country demanded and received concessions in the matter of purchasing townlots in the various townsites in the Indian Territory when they were sold; they

were permitted to buy one business lot and one residence lot at fifty per centum of their appraised value and the other improved lots at sixty-two and one-half per centum of their appraised value. The town lots which had been bought from us were not yet paid for by the purchasers before they began resisting in the courts the right of the Indians to collect from them permit and occupation taxes, a right which had been guaranteed to the Indian tribes by treaty, and which had not been repealed. When the courts of last resort sustained, as they must have done, the right of the tribes to collect those taxes, then the white people appealed to Congress to exempt them from payment of Indian taxes, and Congress did it. When the Government of the United States induced the Indians to allot their lands it was upon consideration that their lands should not be taxed. But as soon as the Indian country was made a part of the state of Oklahoma, then the white people demanded that the Indian lands be subjected to taxation, and Congress did it, notwithstanding its solemn promise to exempt those lands from taxation so long as the title remains in the original allottees. Thus has it been the experience of the Indian people that every innovation in their affairs has of late been in favor of the white man's demand because he represents a majority sentiment. Therefore we are in favor of a speedy settlement of our affairs which will be complete and final. Green McCurtain, Prin. Chief, Choctaw Nation.

D. C. McCURTAIN.

E. P. HILL.

H. C. Curtin & Hill,
Lawyers,
At McAlester, Okla.

September 12, 1910.

Gov. Green McCurtain,
Kinta, Oklahoma.

Dear Father:-

Herewith enclosed is letter addressed to the Secretary of the Interior, through Hon. J. G. Wright, Commissioner, in which request is made for the consent and authority of the Secretary of the Interior to hold our regular session of the Choctaw council beginning October 3rd. In preparing the letter I thought ten days time would be sufficient and hence the request is made for that time. I expect to go to Muskogee in a few days and will then take up the matter with Mr. Wright, and you might, if you want to, write McHarg a letter telling him of your request and asking him to aid you in Washington. However, I believe it will be alright anyway.

I also enclose copy of Rules and Regulations issued by Acting Secretary Pierce governing the selection of lands by freedmen under the privilege granted them by the Act of April 26, 1906, wherein they are given the privilege of purchasing at the appraised value enough land together with their allotments to make forty acres in acreage.

I also enclose letter to Acting Secretary Pierce calling attention to the fact that a number of parties have contracts with the freedmen whereby they are to get fifty per cent of

McCurtain & Hill,
Lawyers,
McAlester, Okla.

Gov. McC. -2-

the lands for advancing funds to the freedmen for the purchase of the lands. I don't know what, if anything, the Department can do to stop that practice, but we can put it up to them to stop it.

Inasmuch as Mr. Burke's committee will re-convene in Washington in November before Congress meets in December, I have decided to abandon my trip to South Dakota and go to Washington in November and see him there where I will have an opportunity to lay our matters, not only before him, but may be able to get him to lay the matter before the other members of the committee at the same time. It is my purpose when I go to Washington in November to stay there throughout the entire session of Congress. And I fully believe that we should be able at that time to present something to Congress in the shape of a proposition for the final settlement of our affairs, because I believe that Congress will at this session take some decided steps in that direction.

I called Mr. Washburn up over the telephone this morning and told him the amount of your bill, and he said that in a few days he would send you form of application with full instructions and that you could send the same in for payment. I suppose

Kinta, Oklahoma. September 13, 1910.

(COPY)

Honorable Frank Pierce,
Acting Secretary of the Interior,
Washington, D. C.

Dear Sir:-

I have before me copy of Rules and Regulations governing the purchase of land by Choctaw and Chickasaw freedmen to equal with that already allotted to them forty acres in area, which rules were promulgated by you and copy thereof furnished me by the attorneys for the Choctaw Nation, Messrs. McCurtain & Hill, as received by them from Hon. J.G. Wright, Commissioner to the Five Civilized Tribes.

I very much approve your efforts by the said rules to protect the interests of the Choctaw Nation in requiring bona fide applications to be made by the freedmen who may be entitled to purchase such additional land at the appraised value as may be necessary to equal with their allotments already taken forty acres of land. It has already developed, so I am informed by Messrs. McCurtain & Hill, that a number of parties have contracts with the freedmen whereby they are to advance to the freedmen money sufficient to buy the land and under said contracts the parties furnishing money to the freedmen have undertaken to look after the land, that is, the selection thereof, for the freedmen in addition to furnishing them the money to pay for the same, and such parties are to receive fifty per centum of the land or its value under said contracts.

These parties holding contracts with the freedmen are already making applications to the Commissioner to the Five Civilized Tribes to be furnished plats or other information showing the location and appraised value of the unallotted land for the purpose of enabling them to make selection of the land for the freedmen. This condition of affairs where contracts are given in the manner indicated, presents a situation of considerable importance to the Choctaw Nation. It was plainly the purpose of the law, authorizing the freedmen to purchase lands in addition to their allotments, to make up forty acres in acreage, to give to them the opportunity to acquire sufficient land thereby to afford them a livelihood, and was for their particular use and benefit, and it was not intended that the privilege should be abused by anyone or so mis-used as to inure to the benefit of speculators. It is just as plain to be seen, however, that unless some precautions are taken to prevent it, the speculators will be the real parties who will benefit by the privilege accorded the freedmen under the law and that they will become the real owners of the land under their contracts and that the only benefit the freedmen will receive will be fifty per centum of the appraised value of said lands, which will be paid to the freedmen in money by the speculators. To that extent the result will be a mis-carriage of law and its intentions. Furthermore, if these contracts are recognized and the speculators permitted to acquire the lands and become the beneficiaries of the law

under said contracts, it will be a fraud upon the Choctaw Nation. For if those lands were not purchased by the freedmen in good faith, as it was the intention of the law they should be, the chances are that much of the land which would be otherwise purchased by the speculators under a privilege granted to the freedmen, would be thrown upon the open market and bring to the tribes their full value, which, in many instances, would be in excess of the appraised value. While there could be no objection to the freedmen purchasing the land under the law, still that is a privilege that is confined to the freedmen and is not one that should be allowed to be abused by the speculators through the freedmen, for the injustice of it, both to the tribes and to the prospective purchasers of our unallotted lands, is manifest.

If there be any way by which that practice could be prevented, it will be of great saving to the tribes, and justly so. I therefore submit the matter to you with the request that you give it your careful attention.

Very respectfully,

Principal Chief of the Choctaw Nation.

D. C. McCURTAIN.

E. P. HILL.

H. C. Curtin & Hill,
 Lawyers,
 H. A. Lester, Okla.

737 E. Boulder Street,
 Colorado Springs, Colo.
 March 8, 1909.

Gov. Green McCurtain,
 Kinta, Oklahoma.

Dear Father:

Your telegram of the 8th inst., was received, as follows:

"I am requested convene council come at once".

I wired you this date, as follows:

"Can't come just now Ewart sick in bed. If extra session postponed will come later. Who requests extra session and for what purpose. Answer".

I am just now in receipt of your second telegram of this date, in which you say:

"Delegates make the request to prepare for final settlement".

I don't see how we are going to have an extra session of council unless authority is first procured from the Secretary of the Interior, as the recent Indian Appropriation Bill contains the following provision, according to my information:

"The tribal councils when meeting shall receive compensation only for the length of time authorized by the Secretary of the Interior".

I was very sorry to see that provision inserted in the Bill, for I believe that so long as our tribal government is continued we should be left free and untrammelled in the matter of holding council sessions, for already the law limits the sessions to thirty days in a year. Seems to me that that provision could have been defeated if strict attention had been paid to it while the Bill was up. Now, the only thing that can be done, if that even, is

Gov. McCurtain--2.

to get authority from the Secretary of the Interior for an extra session of whatever number of days may be calculated to transact the business for which the council is to be convened in extra session. It may be that the delegates have attended to that feature of the matter before this, and if so then let me know when you will call the council together, and I will try to be with you.

I am especially anxious to be on the ground with you when the proposed legislation to wind up our affairs, or to get ready to wind up our affairs, is formulated. So, when you get this letter if the matter of procuring authority from the Secretary for an extra session has not been procured I would suggest that you instruct the delegates to take that matter up with the Secretary first; if, however, that authority has already been procured, then let me know right away when you will call the council **together**. We are going to have to watch our p's and q's when it comes to the final settlement of our affairs, for the woods are full of buzzards that are just waiting to get a final bait.

Unless you call the council together in extra session I will not return until some time in May, but if you call them together before then I will come sooner.

Let me hear from you right away.

Your son,

D. McCurtain

P.S. I had a letter from Peter written at Fort Smith, in which he said something about employing some lawyer in Washington who "is close to the new administration". What do you know about that matter? You know the town of Washington is full of self-styled "influential" lawyers, and we don't want to jump at conclusions in matters of that kind.

D. C. McCURTAIN.

E. P. HILL.

H. C. Curtin & Hill,
Lawyers,
H. E. Alister, Okla.

Sept. 17, 1910.

Gov. Green McCurtain,
Kinta, Oklahoma.

Dear Father:--

I didn't have time to write you fully yesterday about that freedman matter, but you will see the importance of it from the letter I prepared for you. That is a matter we should press very earnestly and very vigorously; in fact, I have thought it of sufficient importance to consider going to Washington for the purpose of taking it up there in person with Mr. Pierce. However, I have had no chance to talk to you about that.

Now, about your message. If the Secretary grants you permission to hold the council session, as I think he will, you will not have much time for the preparation of your annual message. I suppose, though, you have drafted in pencil the matters and things you will want to discuss in the message, and that the final draft of the same will be work of only a short while. If it should become necessary by reason of any delay, or for any other cause, to follow up your request to Washington, I will go there for that purpose if you want me to, although I prefer not to go on there until some time in November, at which time I expect to go there for the session. Let me hear from you.

Your son,

D. C. McCurtain

Kinta, Oklahoma. September 17, 1910.

Hon. J. C. Wright,
Commissioner,
Muskogee, Oklahoma.

Sir:-

I have your letter of September 10, 1910, addressed to Messrs. McCurtain & Hill, Attorneys for the Choctaw Nation, as follows:-

"I enclose herewith copy of the rules and regulations promulgated by the Department governing applications by Choctaw and Chickasaw freedmen exercising their preference right to purchase sufficient unallotted lands at the appraised value to equal, with that already allotted, forty acres in area.

There are in the aggregate approximately 3,000 freedmen entitled to such preference right and the land which they are entitled to purchase will aggregate approximately 45,000 acres.

Copies of these regulations have been sent to each and they advised that their applications should be made not later than October 1st, and a large number of applications are being received and which, although submitted in accordance with the regulations, are apparently prepared and forwarded by attorneys and others engaged in land business, although being signed by the proper applicant.

Your attention has heretofore been called to this matter and to the fact that it appears persons engaged in the land business are advancing these freedmen money to make these purchases and undoubtedly making contracts or agreements with them for portions of the land applied for.

Every effort possible is being made and will be made by this office to prevent speculation in the purchase of these lands as far as possible, as it is realized that such lands are being purchased at the appraised value for allotment purposes made

Hon. J.G.W. - 2 -

some years ago, whereas if purchase were not made by freedmen such lands would be disposed of on the market at a much better price, thereby resulting in the Nation securing a correspondently better price for these lands.

It is suggested that you examine the applications being received at this office for the purchase of these lands for the purpose of ascertaining whether or not the Nation desires to protest against favorable consideration to any particular applications.

Please advise me of your conclusions."

I have been advised by Messrs. McCurtain & Hill that some St. Louis parties, and possibly others, have secured contracts from the freedmen to furnish money for the purchase of the lands, look after the location and selection of the lands, etc., and for such loans and services they are to receive from the freedmen fifty per centum of the lands or of their value. I have heretofore written Hon. Frank Pierce, Acting Secretary of the Interior, calling his attention to that condition, and asking the Department to take some action to stop that practice, if possible.

In view of your said letter to Messrs. McCurtain & Hill, I take this occasion in answering the same to request that the Department issue no deeds or do anything else in recognition of the freedmen's rights to lands applied for until this shameful condition of affairs can be brought to the attention

HON. J. G. W. - 3 -

of Congress for whatever remedy Congress may see fit to devise for the protection of the Choctaw Nation and the freedmen in the matter.

Under the law, Indian Appropriation Act, approved March 3, 1910, at page 28, it is provided, among other things, that:

"All rights to acquire land for allotment by Choctaw and Chickasaw freedmen shall cease December first, nineteen hundred and ten."

Rules and Regulations of the Department promulgated July 22, 1910, provided in Section 7 thereof, that:

"Payment shall be made in cash, certified check, or postal money order, payable to the Commissioner to the Five Civilized Tribes, at Muskogee, Oklahoma, prior to December 1, 1910, and upon default of such payment all rights under the application will thereupon terminate."

In order that opportunity may be had to bring this whole matter to the attention of Congress, which does not meet until December 5, 1910, I take the liberty to suggest the necessity of changing or modifying the Rules and Regulations of July 22, 1910, so as to extend the time when payment may be made for the land to be selected by the freedmen. I think the law is fairly susceptible of the interpretation that the freedmen

Hon. J.G.W. - 4 -

have until December 1, 1910, in which to make application for the land which they may be entitled to purchase under the Act of April 26, 1906, and that payment therefor can be made later. I am very desirous that the condition attending the purchase of additional land by the freedmen, especially that feature of it showing outstanding contracts by the freedmen amounting to an enormous speculation in and abuse of the freedmen's rights, be called to the attention of Congress.

Aside from the fact that the contracts are unjust to the freedmen, they are a fraud upon the Choctaw Nation and a travesty upon the law. It was never intended by Congress that anyone should benefit by that law except the freedmen, and the right to purchase additional land at the appraised value was granted to them as a privilege to be used in their own right, and not used by or through them for the benefit of speculators. If the speculators are to be permitted by a misuse and abuse of the freedmen's rights to acquire possession of thirty or forty thousand acres of our best lands at the nominal price of their appraised value, which is in nowise their real value but was put on the lands arbitrarily and for allotment purposes only, then the purposes of the law have

Hon. J.C.W. - 5 -

miscarried and the law itself is a dismal failure. For, in the first instance, the freedmen got not the land, which it was intended by the law they should get at a price within their reach, but instead a mere pittance; in the second instance, the Choctaw and Chickasaw tribes lose to the speculators much of the real value of their lands, which if sold in an open market would bring much in excess of their allotment appraisement values.

I respectfully ask, therefore, that the rules of the Department be so modified as to extend the time when payment will be received, not may be received, so that the matter may be brought to the attention of Congress for whatever remedy it can devise to properly protect the interests of the tribes and the freedmen.

Very respectfully,

Prin. Chief, Choctaw Nation.

Kinta, Oklahoma. September 17, 1910.

Mr. C. Schofield,
Sioux Falls, So. Dakota.

My Dear Sir:-

I am in receipt of your esteemed favor of the 30th ultimo, and I have read the same with much interest.

I appreciate greatly the kindly interest that you manifest in the Indian and his welfare.

I believe, however, that you are mistaken as to the land that the Indians are now trying to dispose of. From your letter I gather the idea that you are under the impression that the proposed sale of Indian lands is an effort to dispose of the individual allotted lands of the Indians. The lands which we are seeking to sell are the unallotted tribal lands, or lands which belong, not to the Indians in their individual capacity, but are owned by the tribe. Aside from the tribal lands which we are now trying to dispose of, each Indian citizen was allotted 320 acres of the average allottable land in his own right.

It has long been the policy of the United States Government and, under the present conditions, the desire of the Indians, to dissolve their tribal relations and tribal interests. The allotment of lands was the first step in that direction, and after the allotment there yet remains quite a lot of land be-

longing to the tribe yet undisposed of; and in accordance with the policy of the Government and the desire of the Indians to break up their tribal relationship and assume the role of United States citizens, and because of the conditions existing it is desirable, in fact necessary, to terminate all tribal relations and dissolve all tribal interests at the very earliest time practicable. For it is impracticable to longer continue our tribal relations and our tribal interests since statehood and do so with any profit to the Indians. For those reasons we are seeking to dispose of our remaining tribal property, in the manner suggested and for the purposes stated, and it is not the disposition of the individual property to which reference is made.

Very truly yours,

Principal Chief, Choctaw Nation.

Refer in reply to the following:

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

Muskogee, Oklahoma, September 23, 1910.

Hon. Green McCurtain,
Principal Chief Choctaw Nation,
Kinta, Oklahoma.

Sir:

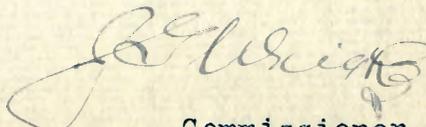
I am to day in receipt of the following telegram from
the First Assistant Secretary of the Interior;

"Your letter of September 14, authority granted
for Choctaw Council to meet regular session commencing
Monday October 3, 1910 for a period not exceeding 10
days. Notify principal chief."

You are accordingly notified.

Very respectfully,

WMC (FH)


Commissioner.

In reply please refer
to the following:

CC
WWB(LB) - 9 27 0

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
UNION AGENCY,

SUBJECT -
Signing of town lot patents. MUSKOGEE, OKLAHOMA, Sept. 27, 1910.

Honorable Green McCurtain,
Principal Chief, Choctaw Nation,
Kinta, Oklahoma.

Sir:-

This office has approximately 100 town lot patents, some of which are re-issues, and I am very anxious to have them signed in order that they may be delivered to the proper parties.

I desire to send them to you by express on Friday next if you will be at home to sign them so that they may then be sent to Governor Johnston of the Chickasaw Nation.

Please advise if you will be at home so that you can sign them on Saturday, October 1, 1910.

Very respectfully,

W. W. Bennett
Acting United States Indian Superintendent.

September 23th 1910.

G. A. Holley,
By Hand.

Dear friend:

You spoke of having the deeds to the Billy lands placed of record, in this connection would suggest that they be kept off record for the present until further notice, as I desire to go over the papers thoroughly with you and to make whatever corrections if any necessary to complete the title.

Respectfully.

September 28th 1910.

Secretary State School Land Commission,
Oklahoma City Oklahoma.

Sir:

Mr. E. W. Ritter of Kinta Oklahoma, secured a loan from your department on eighty acres of land, to-wit: The SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section One T 8 n & R 20 E, I think this loan was \$300.00.

He is acquiring a forty acre tract adjoining to-wit:- The NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and desires to make application for an additional loan either on the tract being acquired or by mortgaging the entire 120 acres for that additional amount. He wants \$300.00 more. His entire tract is worth \$1800.00 or \$2000.00.

I assisted him before in making the application and shall be glad to do so again, and would thank you to please forward the proper blanks for making the application.

Respectfully.

Return in 5 days to
EXECUTIVE OFFICE, CHOCTAW NATION
GREEN McCURTAIN, PRINCIPAL CHIEF
KINTA, OKLAHOMA

Cincinnati Conservatory of Music
Cincinnati,
Ohio

EXECUTIVE OFFICE, CHOCTAW NATION
GREEN MCCURTAIN, PRINCIPAL CHIEF
KINTA, OKLAHOMA

Oct 18th 1910.

Cincinnati Conservatory of Music.

Please send me
a Catalogue.

Very Respectfully
Chas M. Curtain

ref
100

POST CARD



whatevers you do
be sure and wear
your hat - the
flies will
get your head

B. J. Spring
Kinta
Okla.



“The Bald Headed Man Offers Up a Prayer”

“Oh Lord restore to me my crop
Of hair with which my pate to top
If this you'll do my wealth please spare
Or kill the flies, which make me swear.”

Amen.

N The good book says all the hairs of
head are numbered. You don't need
any card index system to keep account of
mine, Oh Lord.

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EXECUTIVE OFFICE, CHOCTAW NATION
GREEN MCCURTAIN, PRINCIPAL CHIEF
KINTA, OKLAHOMA

Nov 9th 1910.

Mr. Paul Harris
Crittlers Okla

Dear Sir

I have been requested by Commissioner J. Geo. Wright to designate one man in each County who is familiar with land and land values in his respective County who shall act as representative of the Choctaw Nation at the sale of the unallotted lands to advise with the Government representative as to the acceptance of bids when offered for the unallotted lands, such representatives to be paid a per diem by Commissioner Wright, I am not advised what compensation will be paid, but would like to know if you are in a position to accept the appointment for Pushmataha ^{and} Hughes County at a reasonable compensation, I will thank you for a prompt reply that I may submit my recommendation.

yours truly

Green McCurtain
P. C. N.

EXECUTIVE OFFICE, CHOCTAW NATION
GREEN MCCURTAIN, PRINCIPAL CHIEF
KINTA, OKLAHOMA

Nov 9, 1910.

Mr. Ormsby M. Harg
52 William Street,
New York, N. Y.

Dear Sir:—

Replying to your letter of a recent date, we say that the proposition or plan to dispose of our Indian matters by trustees under direction of the court doesn't meet with favor among the Choctaw people. In the first place, there is general opposition to settling tribal affairs in the courts, for the Choctaws and Chickasaws had a poor experience with the courts in citizenship matters, ^{and} the very mention of courts at once calls to mind ~~that~~ our citizenship experience.

Secondly, Secretary Ballinger when he visited Oklahoma recently suggested

EXECUTIVE OFFICE, CHOCTAW NATION
GREEN MCCURTAIN, PRINCIPAL CHIEF

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on the lands and improvements in the hands of original allottees for the year 1908, that the same be refunded to the parties paying the same. So, if you have paid the taxes on the lands and improvements of yourself or your children for the year 1908, where such lands were in the hands of the original allottees, I would advise you to apply to the County Commissioners of your county to order the refunding of such money to you; and if you have any trouble getting it back, then write to the Choctaw Nation's Attorneys, McCurtain & Hill, McAlester, Oklahoma, and call on them to assist you, as they have standing instructions from me to assist any Choctaw citizens in matters of legal business.

As for the taxes for the year 1909, you are advised that it is my purpose to have suit instituted at the proper time in the name of a representative number of our citizens, and thereby test the validity of the Acts of Congress authorizing the taxation of Indian lands. But this can not be done until some effort is made by the State to collect the taxes for the year 1909, and such taxes will not become delinquent until some time in February 1910. Whenever the State undertakes to collect the taxes for 1909 I will use my best endeavors to protect the rights of the citizens, and you can rest assured of that.

Very respectfully,

Prin. Chief, Choctaw Nation.

EXECUTIVE OFFICE, CHOCTAW NATION
GREEN McCURTAIN, PRINCIPAL CHIEF
KINTA, OKLAHOMA

Nov 11th 1910

Mr Ormsby McHarg
52 Williams Street
New York, N. Y.

Dear Sir:

Replying to your letter of a recent date, will say that the proposition or plan to dispose of our Indian matters by trustees under direction of the Court does not meet with favor among the Choctaw people. In the first place, there is general opposition to tribal affairs in the Courts.

Cadoto Okla.

Dec-10th 1910.

Hon Genl McCurtain
Kinta Okla.

Dear Governor,

Your letter of the 8th Inst-
received this morning and contents
noted. I would be very much pleased
if you would have Commissioner
Wright- to forward oath of office to
me so that I can qualify and enter
upon the duties of the office and in the
meantime I can be looking up and
posting myself as to the values of lands
to be sold. I presume that he will
furnish to me a list with map or
some kind of information as to loca-
tions of all unallotted lands in Bryan
County. I will be ready to go to work as
soon as I get instructions as to what
to do. Though I may receive proper papers
in a few days.

Thanking you for your kind consideration
I am Respectfully
S. W. Mayhew

The Western Union Telegraph Company

Jacksonville Ills., Dec 13th-1910.

Hon. Gov. Green McCurtain

McAlister Okla.,

Dear Sir: Will you please advise me where would be a good
140 to 160 acres, agricultural land, for a residence, and
farm home, would prefer near railroad, or within one to
three miles from station, at least if possible

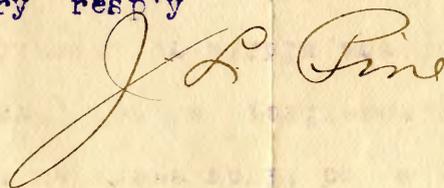
I purchased seven lots in Kinta from Pentengrass,
and heard your name mentioned quite often.

As you are acquainted with that part of Oklahoma
What days would you advise attending Govt sale in order to
secure a Good farm in your judgement, and in what farm
would you suggest,

As my wifes health requires open air, farm, and
warmer climate, could you inform me where good farm, good water
etc.,

Again thanking you kindly, will await your letter

Very resp'y



J.L.Pine Mgr.,

Jacksonville Ills

W.U.Tel Co.,

Copy

December 15th, 1910.

Hon. J. G. Wright,
Commissioner,
Muskogee, Oklahoma.

Sir:-

We have your letter of November 30th, 1910, in which you state that in connection with the sale of the unallotted lands, you are directed by the Secretary of the Interior to request the attorneys for the several tribes to submit briefs "if they so desire", submitting any objections to the expenses in connection with the advertisement and sale, being paid from tribal funds.

In reply, you are advised that we will not be able to submit a brief on the question as to whether the United States Government or the tribes should bear the expenses of the advertisement and sale of the unallotted lands, but will merely submit a statement of the reasons why we think the Government rather than the tribes should bear such expenses.

The question as to whether the Government of the United States or the tribes should bear the expenses of the advertisement and sale of the unallotted lands of the tribes, is not specifically treated in the law, but appears to have been left open by omission or for further determination. Under the Atoka Agreement, Section 29 of the Act of Congress approv-

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ed June 28, 1898, (30 Stats. 495), that question did not and could not arise, for the reason that under the terms of that agreement, which became law by the passage of the said Act of Congress, it was contemplated that all the lands should be allotted and, therefore, no unallotted lands would remain to be sold. However, said Agreement and Act of Congress did provide with reference to the surveying, platting and sale of town-sites in the Choctaw and Chickasaw nations, that no charge should be made against the tribes on account of the expenses in connection with the surveying, platting and sale of such town-sites. The provisions of the Atoka Agreement and Act of Congress aforesaid, on that subject, is as follows:

"That no charge or claim shall be made against the Choctaw or Chickasaw Tribes by the United States for the expenses of surveying and platting the lands and town-sites, or for grading, appraising and allotting the lands, or for appraising and disposing of the town lots as herein provided."

Inasmuch as it was the policy of the Government to pay all expenses in connection with the allotment of lands and the sale of town-sites, we feel that there is some justification for assuming that the Government meant to pay all expenses of all matters connected with the administration and final disposition of tribal affairs committed by law to its charge and jurisdiction. And the fact that the law does

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not in express terms specifically provide for the payment of the expenses of the appraisement and sale of the unallotted lands by the Government, should not, in our judgment, be taken too strongly to mean that such expenses must be borne by the tribes.

Section 14 of the Act of Congress, approved July 1, 1902, known as the "Choctaw-Chickasaw Supplementary Agreement", in relation to the disposition of the unallotted lands, will not, in our judgment, bear the interpretation that the tribes shall pay the expenses necessary and incident to the disposition of the unallotted lands. Said section provides:

"When allotments as herein provided have been made to all citizens and freedmen, the residue of lands not herein reserved or otherwise disposed of, if any thereof, shall be sold at public auction under rules and regulations and on terms to be prescribed by the Secretary of the Interior, and as much of the proceeds as may be necessary for equalizing allotments shall be used for that purpose, and the balance shall be paid into the Treasury of the United States to the credit of the Choctaws and Chickasaws and distributed per capita as other funds of the tribes."

Thus will it be seen that the only use of the proceeds arising from the sale of said lands, authorized by the law, is, first, the use of so much thereof as may be necessary for equalizing allotments, and, secondly, the balance to be paid into the Treasury of the United States to the credit of the two tribes. It would seem from the reading of that section, that no part of such fund can be used to defray the

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expenses of such sale, but must be used for equalizing allotments and whatever balance remains to be paid into the Treasury to the credit of the two tribes, as aforesaid. So much for the use and disposal of the funds arising from the sale or disposition of the unallotted lands.

While the language of section 14 of the Act of Congress of July 1, 1902, supra, does not attempt to forbid the use of other funds of the tribes to defray the expenses of the sale and disposition of the unallotted lands, it contains no suggestion in itself that such expenses shall be paid by the Government from the funds of the tribes, and if there be such authority it must be found elsewhere.

The language of Section 16 of the Act of Congress, approved April 26, 1906, likewise forbids the use of any of the funds arising from the sale or disposition of the unallotted lands to defray the expenses of such sale. Said section requires that all the proceeds shall be deposited in the United States Treasury to the credit of the tribes, and is in part as follows:

"That when allotments as provided by this and other Acts of Congress have been made to all members and freedmen of the Choctaw, Chickasaw, Cherokee, Creek and Seminole tribes the residue of lands in each of said nations not reserved or otherwise disposed of shall be sold by the Secretary of the Interior under rules and regulations to be prescribed by him and