

SUPERIN-  
TENDENT  
FOR  
FIVE  
CIVILIZED  
TRIBES



VOL. 1

FOREMAN  
TRANSCRIPTS

Council impouch Rogers, P. (23?) (1?).

Imp. - 13072.

F. T. Parks, dated Ed-advocate -  
dated 2-6-1906.

Value Chiropractic Institution P. (1?).  
Date, 11-9-1904.

Pay Mrs. Logan - P. (1?), dated  
Dec. 20, 1900.

Jno. South & Will Marks - Trip money - P. 96.

G. V. Allen Higgins, P. (1?) (24?) Date, Nov. 30, 1905.



Copies of  
MANUSCRIPTS

In the Office of the  
SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES  
MUSKOGEE, OKLAHOMA

(CHEROKEE)

Oct. 21, 1872  
to  
June 19, 1908

Compiled from original records  
selected by

GRANT FOREMAN

O.H.S.



A C T S   &   R E S O L U T I O N S,  
ENACTED AND PASSED AT THE EXTRA SESSION OF THE NATIONAL COUNCIL,  
15th October, 1872.

A N   A C T

AUTHORIZING THE APPOINTMENT OF A DELEGATION:

WHEREAS, It is deemed expedient that a Delegation shall be appointed to represent the Cherokee Nation before the Government of the United States.

Therefore,

BE IT ENACTED BY THE NATIONAL COUNCIL, That there be appointed in the manner prescribed by the VI Article, Section 3, of the constitution of the Cherokee Nation a Delegation of three persons, who shall be, and are hereby authorized to proceed to Washington City for the purpose of representing the Cherokee Nation before the Government of the United States, in relation to such subjects and with such powers and authority as may be hereafter conferred upon them by the National Council.

BE IT FURTHER ENACTED, That the persons composing said Delegation, shall be allowed besides their necessary expenses, the sum of two hundred dollars each for traveling expenses, and ten dollars per day, for services while necessarily absent from home upon said business.

BE IT FURTHER ENACTED, That in order to meet the expenditure authorized by the foregoing section of this act, that the sum of five thousand, seven hundred dollars (\$5,700,00) be and the same is hereby appropriated out of any money in the National Treasury belonging to the general fund, not otherwise appropriated.



And the Principal Chief is hereby authorized to draw warrants on the National Treasurer in favor of such Delegation for the same.

TAHLEQUAH, C. N., October 21, 1872.

Approved.

LEWIS DOWNING,  
Principal Chief.

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JOINT RESOLUTION OF THE NATIONAL COUNCIL, INVITING THE CREEK, SEMINOLE, CHICKASAW, AND CHOCTAW NATIONS TO CO-OPERATE WITH THE CHEROKEE NATION, IN OPPOSING ALL TERRITORIAL MEASURES, THAT ARE PENDING BEFORE CONGRESS AND THAT MAY BE PROJECTED.

WHEREAS, The National Council, have deemed it expedient that the Cherokee Nation send a Delegation to the Government at Washington, D. C., at the next ensuing session of Congress, for the purpose, among other things, of operating before the Government against all Territorial projects or measures, that may be attempted for the Indian country in Congress.

Therefore,

BE IT RESOLVED BY THE NATIONAL COUNCIL, That the Principal Chiefs of the Creek, Seminole, Chickasaw, and Choctaw Nations, and of the other Indian tribes, inhabiting the Indian country, be, and they are hereby invited and requested co-operate with the Cherokee Nation, and its Delegation in their efforts in opposing the Territorial measures aforesaid; and they (the said chiefs) are hereby respectfully requested to send a Delegation to Washington from their respective Nations, with instructions to oppose all such Territorial measures.

BE IT FURTHER RESOLVED, That the Principal Chief, be, and



is hereby requested to transmit copies of these resolutions to each of the Chiefs of the Creeks, Seminole, Chickasaw, and Choctaw Nations and other tribes of the Indian Territory, and to open correspondence with them for the purpose named and to urge upon them, co-operation with the Cherokees in opposing said Territorial measures.

TAHLEQUAH, C. N., October 25, 1872.

Approved.

LEWIS DOWNING,  
Principal Chief.

AN ACT MAKING AN APPROPRIATION FOR THE SERVICES OF MEMBERS OF THE NATIONAL COUNCIL, EXTRA SESSION 1872.

BE IT ENACTED BY THE NATIONAL COUNCIL, That the sum of five thousand, one hundred and seventy five dollars and ninety cents, be and the same is hereby appropriated out of the General fund, not otherwise appropriated for the use and benefit of the following named persons, according to the amount set opposite each persons name, to\*wit:

No.	Names.	No. days.	Per diem.	Am't.
1--	W. P. Adair, Services,	20.....	\$4.....	\$80/00
2--	S. H. Bengé, "and Intp't.	20.....	8.....	160/00
3--	Rabbit Bunch, "	20.....	".....	80/00
4--	Rope Campbell "	20.....	".....	80/00
5--	John Chambers, "	22.....	".....	88/00
6--	Levi Toney, "	22 .....	".....	88/00
7--	Rich'd Fields, "	21... ..	".....	\$84/00



No.	Names	No.	Days	per diem.	Am't.
8--	Johoster,	20		\$8.	80/00
9--	Geo. Keith,	22		"	88/00
10--	John Landrum,	22		"	88/00
11--	Allen Ross,	20		"	88/00
12--	Thomas Ross,	22		"	88/00
13--	W. P. Ross,	20		"	80/00
14--	John Shell,	14		"	56/00
15--	Tail Sixkiller	14		"	56/00
16--	Jesse Thompson	24		"	96/00
17--	Chas. Thompson	22		"	88/00
18--	William Wilson	24		4	96/00
19--	G. W. Johnson Cl'k Sen...	22		"	88/00
20--	Jno. Tehee, Messenger,	20		2	40/00
21--	N. Chamberlin Ass't Intp't	20		4	80/00
22--	C.M.M'Clelland, Stationery furnished.....				3/20
23--	John R. Duval, services..	22 days		\$4	88/00
24--	Crawler Hicks,	20		"	80/00
25--	Rob't Crawford,	22		"	88/00
26--	Wallace Vann,	20		"	80/00
27--	Osey Hair,	20		"	80/00
28--	French,	20		"	80/00
29--	Wm. Hendricks	20		"	80/00
30--	Rufus Ross,	20		"	80/00
31--	Nathaniel Fish,	20		"	80/00
32--	Chee-chee,	22		"	88/00
33--	Thomas Petitt,	22		"	88/00
34--	Rich'd Benge,	22		"	88/00



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No.	Names.	No.	Days	per diem.	Am't.
35	Chicken Cristy, Services,	20		\$4	80/00
36	Oo-squah-loo-gah	20			80/00
37	Poor Bear,	20			80/00
38	Corn Silk,	22			88/00
39	Soldier Sixkiller,	22			88/00
40	Ne-tak-a-ka,	22			88/00
41	Walter Feeling,	20			80/00
42	Daniel Hyder,	22			88/00
43	Moses Ridge,	22			88/00
44	Joe Sutte-yah	22			88/00
45	Wm. A. Daniel,	22			88/00
46	Lacey Hawkins,	22			88/00
47	Chu-he-sut-tah,	20			80/00
48	Coffee Blackbird,	20			80/00
49	John Brown,	24			96/00
50	H. T. Landrum,	24			96/00
51	John Fallen,	24			96/00
52	Writer,	22			88/00
53	Franklin Gritts,	22			88/00
54	Edward Moore,	22			88/00
55	J. C. McCoy,	24			96/00



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Female Seminary

March 23rd 1873

Miss Nannie Garrison

Friend Nannie

I suppose you are not coming back up here to school this session, are you not? I am staying here again and am learning awful fast this term, for just two stay in a room this term and I can study a great deal better. Oh! Nannie don't you think Mr. Foreman and Ruth is married one month to day, and when you sent that kiss to her I just give it to Mr. Foreman and told him to give it to her, and don't you think that poor Worcester is gone to Louisville, Kentucky, to go to school, and is going to be gone two years, but we had a splendid time before he left. He and I went to town (torn) back and we awful show too, you (torn) it was dark most when we got home, (torn) had a splendid time. And Ruth and Worcester and I all went and set up with Fannie Gibson before she died, and Sisie Nave and Susie were there too, and Sam too, and all of them went to sleep but Sam and Sisie and Worcester and I and Sue but she was reading all the time and us five sit up all night. Oh! we just had a splendid time. Worcester and I just had a splendid long talk of the past present and future, and we fixed every thing up you know before he went off. Oh! yes, Nannie there is a new family moved up here. They are living at Mrs. Naves place. They came from Alabama, and Sam is just flying around with one of the girls and she is awful pretty too, and smart, they are old acquaintances of Mr. McSpaddens, and Sam has sent me several



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bouguets such nice ones too, and is always lending me some new book. Mrs. Thompson is boarding the schollars and Mrs. Sblin is teaching. Sam is staying with Mr. Thompson and he takes the Miss Nicke--(torn) out riding in Mrs. Thompsons buggy. (Torn) we just have a splendid time too. And (torn) Thompson keeps such a good table and three times a day at that. I do wish all of you girls would come back up here.

Write soon and tell me what that is you said you had to tell me in your letter. Goodby.

Tell Ellen to write.

Josie



Elm Springs  
Oct. 28, 1877

Mr. G. B.

Dear Friend:

I received a letter from you some time ago. I would have written sooner but I have had no opportunity (Sic) to do so. Well what is all of the newes up thare. This is a hell of a country. Thare is no amusements for a young man at all. Good country for wild cats. I don't no where I will go when I leave here. When I am in Sill I can see nothing but wild Indians. Thar is a good many there. The Government killed one hundred head of there horses the other day. I wanted them to give them to me but they wouldn't have it that way. Tell Kershaw he had better come out here and Scout. They have lots of them. How is all of the girls. Remember me to them all. Ask Fannie if she couldn't write to me. It would be a great comfort to my poor aching heart. Tell her my love for her is tender. Time will prove all things, then she will know how tender it is.

This is the lonest place out of hell. There isn't a soul here but me. They never have any partys here. Thare is only one girl in the neighborhood and she is caught and could weather is coming. What will I do for a bed fellow this Winter. Send me one and I will marry her right off. I have got a good six shooter and gun. I can protect her from all danger.

With my best wishes to all of the familie I will now close. You must write. Love.

Your Friend,

W. B. Guiberson



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Pauls Valley

C. N.

P. S. Who is driving from your house to Manesoild. I wish I was up there on that route. If I stay here until next spring I am then going to California. I heard George had left.

Supper is ready so I must eat you bet.



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Fort Smith, Arkansas  
November 27, 1877

Mr. Bullett Foreman

Sir:

If you will make all necessary arrangements to keep the right stand I will commence to run to your house the first of January. That will give you plenty of time to get everything ready. We will want the exclusive use of the Barn. No other stock to be put in them at all--will be at your house three nights in each week--4 horses & 2 men besides the passengers. You will have to keep 2 rooms in readiness all the time so in case there is any ladies on hack you will have a separate room for them.

Answer at once if you accept the proposition. We will pay you the same as we are now paying Miller--12 $\frac{1}{2}$ ¢ per meal for stock & men.

Respt.

Sam McLoud



11

Cherokee Orphan Asylum

June 5, 1878.

Mr. P. M. Lynch

Dear Uncle

I will write a few hasty lines this evening as school is nearly out, and I want you to come for me and that soon as possible. Please come to our examination if you can and if you cant come write and let me know. So I will know what to do but if you should come please send or bring here a pair of nice shoes. That is all I need for Examination I believe. We are all well and not so much sickness in the neighbor hood as there has been some time back. I cant say that I have improved much in book as I did last term. Yet I think I will pass all right. We are preparing for the Examination. We all anticipate a grand time from the dialogues we are getting, Every boy and girl is wishing for that great day to come for we all want to see Aunts and Uncles. There are going to be ten graduates this summer. Two of the boys that goes will be teachers in the Asylum, Johnson I think will not go home with us this time. He is talking of going by Tahlequah. Give my love to all the children and kiss them and to Aunt Susie also, and return two. I now close, this leaves me well and all others here. Please reply soon as possible from your niece,

Minnie

To my only uncle.

P.S. Mr. Lynch, Minnie was well when she wrote this letter, but now she is suffering very much with the mumps. She has just got well of the sore eyes. She said you better not come after her



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until about a week or two after school is out, for the little ones might catch the mumps.

Respectfully,

One of the girls.



Webbers Falls, C. N.  
Nov. 24, 1886

Mr. G. B. Foreman

Kind Friend

I will write to you to let you know we are all well at present and hope you are. I would like to hear from you and I thought you would write to me when you got to Council but you never have. Bullet, I want to buy John Mayfield & John Drew's walnut logs. Now I want you to tell me if I will be safte in so doing. I can get them mighty cheap if you can get John Brown to compromise with them. I saw Mayfield today and had a long talk with him and he tole me he had 90000 ft. of Walnut logs now. Bullet if you think I will be safte I will go ahead and buy them and if you want any stock in them I will take you in. I can get the money to pay for the logs any day. I want you to see John Brown for me and see if he will compromise with them. If I buy the timber I will pay him some money to go off when I get ready to run it. Now Bullet I can that timber for cost \$750.00 and can sell at \$25.00 per thousand on the bank. Now you can make your calculation just what we can make. Mayfield is keen to sell and I want to buy if I can get things in shape so I will be safte and I want you to go in with me. I will do all the business and not let them know you stand in with me. So I will close about the logs now. I want you to write to me something about the Council when you write. I am getting sleepy. The clock 9 so good bye. Coowie and Children sends their love to you .

I remain as ever,  
Bob Vann

If you lie let it be by a pretty woman.



Cherokee Nation  
Illinois District-

To whom it may concern know all men by these presents that--I Thomas Henson on the first part--have this day bargained and sold to R. W. Walker on Second part--my claim and all of my improvements situated on big Vian creek in Illinois District, C. N. known as the old Johnson Jack claim which claim is bounded on the South by Vian Creek and on the east by the claim of Cornelius and on the north and south extending its full quarter from the fence now for and in consideration of the sum of \$50.00 fifty-dollars, one half of which amount is to be paid down the place remaining as security for the payment of the balance due which amount when paid I bind myself my heirs and executors to warrants and defend the title from all future claimants.

Witness my hand & seal Thomas Henson & This the 13th day of June 1887.

Witness

R. T. Hawks

P.S. The conditions of this Bill of Sale are that unless the other \$25.00 twenty-five dollars are paid by the 20th day of **October** 1887, this Bill of Sale to be null and void.

Thomas Henson X (his mark)

Witness R. T. Hawks

Credited on the within document \$25.00 Twenty-five dollars. I having received that amount.

Thomas Henson X

This June 13th 1887.



W. C. R O G E R S,  
GENERAL MERCHANDISE.

\*\*\*\*Dealer in Live Stock \*\*\*\*

Skiatook, I.T. Mar. 13, 1891.

Hon. G. B. Foreman,  
Campbell, I.T.

Friend, Sir-- Yours of the six at hand and contents noted, and in reply will say--That I had upwards of Two hundred Dollar but of course I had spent some of it. Tavian Bean and Dave Melton and some other one said you counted the money and there was one hundred and forty dollars and I only got back one hundred and nine dollars, short thereof one dollar. I did not know any thing about your having it a tall. They said you had taking it and it was all right. I was so drunk I did not know any thing about it. So dont think any thing of it. All I cared for was what money was short. Frank Morgan had to write up here and gave the hole thing away to Clem Rogers and he beat me out of all of my whisky or he did not send it at tall.

I remain as ever.

W. C. Rogers.

P.S. I hope we will meat in Smith again. If so I bet we will have a better time. How is politix in that part.

Respectfully yours,

W. C. Rogers.



EXECUTIVE DEPARTMENT,  
(SEAL) CHEROKEE NATION, IND. TER.

Tahlequah, June 6th, 1891.

Hon. G. B. Foreman,  
Campbell, Ind. Ter.

Dear Friend:

Inclosed you will find receipt from the Treasury Department for your last salary warrant, which was drawn the 18th of last month. I placed it there for registration under the Act authorizing the 6% interest. You will find your warrant in the Treasury Department.

I was at home the first of this week and found politics in good shape. Everybody wants you to run for the Senate. You will get the nomination--Many want me to make the race with you, but if some body else can be found, I would rather not--

I will be at Illinois Station on the 10th at your meeting.

Yours truly,

Cornell Rogers.



Muscogee, Indian Territory, June 15, 1895.

Mrs. Sarah P. O'Neill,

Sherburn, Minnesota.

Dear Madam:-

I am in receipt of your letter of June 10th, making inquiry in request to the method by which you can enforce your claim as a citizen of the Cherokee Nation.

The Commission to the Five Civilized Tribes has no jurisdiction or authority over that question which is left by the General Government to be disposed of by the Cherokee Nation itself without interference on the part of the Government. That nation has a tribunal or commission of some kind, I do not know exactly what, before whom this question is brought upon petition by the person claiming to be a citizen. This commission hears such evidence as the petitioner has to offer in support of the claim and passes upon the question of citizenship.

There is an association at the head of which<sup>is</sup> a Mr. Watts which follows the business of prosecuting these claims. I do not know whether it would be wise for you to put yourself in the hands of that association, and therefore, I do not feel at liberty to express an opinion. If you have any friend in the Cherokee Nation upon whom you can rely for information, I would advise you to write that friend to tell you what you had better do. I only caution you not to fall



into the hands of those who make a business of getting money out of claims without attending to their business very thoroughly.

Regretting that I cannot be of aid to you, I am,

Truly yours,

Henry L. Dawes.

Letter-book copy L. S.

(Copied by BEW, March 31, 1934.)



South McAlester, I. T., July 24, 1895.

Mr. W. R. Campbell,

New Boston, Texas.

Dear Sir:-

Your letter of July 20th, addressed to the Commission at Hartshorne is just received. This is our headquarters for the present .

The writer has known J. P. Byers of whom you speak, quite intimately for several years. His work as an agent for Cherokee citizenship was a blatant fraud and he was indicted in the United States Court at Fort Smith for wrongfully using the mails in that interest, and would doubtless have gone to the penitentiary had he not cunningly departed this life and thus defeated the ends of the law. You and a great many others are out just that much to no purpose.

We can give you no information whatever in regard to the matter of your claim. You will have to apply to the Cherokee authorities for admission as a citizen to that nation.

Very truly yours,

Archibald S. McKennon,

For the Commission.

Copy of Letter Press Copy in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, October 30, 1895.

To the Honorable,

The Principal Chief of the Cherokee Nation,  
Tahlequah, Indian Territory.

The undersigned Commissioners appointed for that purpose by the United States, propose to negotiate with the Cherokee Nation for the purpose of exchanging by said nation upon terms that shall be just, fair and reasonable to all concerned or interested therein, the present tribal title of said nation to its lands and other property for an equal division thereof among all citizens of the tribe entitled to share therein, and an adjustment and full settlement of all demands, claims and other unsettled matters of any kind existing between the United States and said nation, so far as may be necessary and proper for the ultimate creation of a territorial or state government under authority of the United States, embracing said Cherokee Nation and such other nations of the Indian Territory as may desire to become a part thereof.

The United States to put each person in possession of the lands to which he is so entitled, without expense to him, and the tribal government to remain in authority until the completion of the changes herein proposed, and as much longer as shall be agreed upon in such negotiations.

Henry L. Dawes,  
Frank C. Armstrong  
Archibald S. McKennon  
Thos. C. Cabaniss  
A. P. Montgomery.

Copy of Letter Press copy, signed, in office of Supt. of  
Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, October 30, 1895.

Honorable C. J. Harris,  
Principal Chief Cherokee Nation,  
Tahlequah, Indian Territory.

Dear Sir:-

The United States Commission appointed to negotiate with the Five Tribes take the liberty to renew the request heretofore made by them to you to lay the matter before your Council and to request you to submit to them the enclosed proposition with the request that they appoint a commission authorized to negotiate for your government upon the lines indicated in this proposition.

Will you do the Commission the favor to submit this proposition and request to your Council which we understand is soon to be in session.

Respectfully,

Henry L. Dawes,

Chairman.

Copy of Letter Press Copy signed, in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, November 14, 1895.

Honorable Hoke Smith,  
Secretary of the Interior,  
Washington.

Sir:-

We herewith enclose an affidavit of M. L. Grazier, mayor of the town of Afton in the Cherokee Nation.

We understand that he is a reliable man and a good citizen, and believe it our duty to lay this information before you, and suggest that you wire to the Chief of the Cherokee Nation requiring him to give to this party protection, and if ~~he~~ fails to furnish him protection it is our opinion that the Government should interfere directly.

Respectfully,

Henry L. Dawes,

Chairman.

Copy of Letter Press Copy, signed, in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, November 19, 1895.

Honorable S. H. Mayes,

Principal Chief of the Cherokee Nation,

Tahlequah, Indian Territory.

Sir:-

I am in receipt of your letter of the 16th, instant address to the Commission to the Five Tribes, informing them that your National Council has by Joint resolution requested the Commission at its convenience to appear before them and submit the propositions of your Government relative to allotment of lands, the surrender of tribal government and the adjustment of all matters necessary before the acceptance of Statehood.

I am instructed by the Commission to say in answer that on several occasions they have in writing submitted to the Principal Chief of your Nation the outline of the terms upon which the Commission were authorized to negotiate, and especially, in a letter to your predecessor, of date October 30th, last which the Commission requested him to lay before your Council. Your predecessor replied on the 1st. instant that his office would soon expire and upon his "successor would devolve the duties of Principal Chief. Among the many will be the submission of your propositions to the National Council as requested by you, and to which I will call his particular attention." If he has done so you already have before you in writing those propositions. If he has omitted to do so you will find enclosed a copy of the letter referred to which will enable you to lay these propositions before your Council.



2.

If your Council will authorize any person or persons to negotiate with the Commission the changes in these propositions indicated, they will be glad to meet such authorized person or persons at an early day and arrange all necessary details and make such modifications of the same as may be mutually agreed upon. The terms of such agreement, as you knew, can have no binding force until after approval by both your Council and the /blurred/ Government.

An early reply informing the Commission whether your Council will authorize such a negotiation is desired that the result may be made known to the President and Congress.

I am,

Very respectfully yours,

Henry L. Dawes

Chairman, Commission to the  
Five Civilized Tribes.

Copy of Letter Press copy, signed, in office of Supt. of  
Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, November 21, 1895.

Honorable Henry L. Dawes, Chairman,  
Commission to the Five Civilized Tribes,  
Pittsfield, Massachusetts.

Dear Sir:-

I sent you the following wire this morning:-

"Letter dated twenty ninth from Chief Mayes advises appointment by Cherokee Council commission to confer with Five Tribes Commission. Asks you name time and place. Have wired McKennon and mailed you copy of letter."

The enclosed is a copy of the letter from Chief Mayes referred to.

Respectfully,

Allen R. Boyd

Secretary.

Same letter written Captain A. S. McKennon, Claesville, Ark.

Copy of Letter Press copy, signed, in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Tahlequah, Ind. Ter. November 29th, 1895.

Hon. Henry L. Dawes, and  
Gentlemen of the Commission,

Fort Smith, Arks.

Under an act of the National Council, approved on the 26th. instant, a Commission, on the part of the Cherokee Nation, has been appointed to meet and confer with you on the subject of mission to this and other nations of the Indian Territory. We would be pleased to be informed when it will be convenient for you to meet them for this purpose - at what time and place such an occasion will meet your approval.

Very respectfully,

(Signed) S. H. Mayes,

Principal Chief.

COPY

Copy of Letter Press Copy in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Ft. Smith, Ark. December 4, 1895

Henry L. Dawes,

Pittsfield, Massachusetts.

Montgomery is in Washington. Think it important that majority of Commission meet Cherokees. Have so wired Secretary suggesting you and two others be ordered on duty for such purpose. Hope you can come.

McKennon, Commissioner.

Paid. Govt. Rate. 40.

Copy of Letter Press Copy in office of Supt. of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Fort Smith, Arkansas, December 4, 1895.

Honorable William Eubanks, Acting Chairman,  
Tahlequah, Indian Territory.

Dear Sir:-

We have the honor to acknowledge the receipt of your telegram of the 2nd. instant informing us that the commission of which you are the acting chairman, is ready to meet and confer with this Commission.

As requested by Honorable S. H. Mayes, Principal Chief, we shall be pleased to address you within the next few days suggesting time and place for a meeting.

I have the honor to be,

Very truly yours,

A. S. McKennon - Comr.

For the Commission.

Copy of Letter Press Copy, signed, in office of Supt.  
of Five Civilized Tribes, Muskogee. Copied by RLW 5/2/34



Ft. Smith, Ark., Nov. 14, 1896.

Secretary of Interior,

Washington.

I forward by mail today affidavit of M. L. Grazier an official of Cherokee Nation, whose life is threatened because of his having appeared before our Commission favoring allotment and ask for him protection of the Government.

Henry L. Dawes,

Govt. Rate.

Chairman.

Copy of Letter Press Copy in office of Supt. of Five  
Civilized Tribes, Muskogee, Okla. Copied by RLW 5/2/34



Claremore, I. T.

Sept. 2, 1897

Mrs. Nannie Foreman,

I am writing a history of the Cherokees, and geneologies of several the Cherokee families: including the Foreman family. I will give you three lists that I have; the first one of Alex Foreman's children including G. B. Foreman. The second of Joseph & Ruth Garrison's children (including yourself) and your children. I list them consecutively, giving in each family, the oldest first and so on to the youngest. If the lists are not right, please correct them. Should like to have the name of husband and wife of each, and dates of births, marriages, and deaths as far as you know them.

Alex Foreman's children--

1-Pierce Butler Foreman, bachelor, born 1844 died 1877

2-Edward

"

*Cherokee Foreman?*

3-George Bullette

"

Married Nannie Garrett

4-Josephus

"

5-Elizabeth

"

6-Minnie Emina

"

Can you give me dates of births, marriages, or deaths of any or all of these? Can you give me the names of husband and wives of Edward, Elizabeth, and Minnie Emina? How many children did each have (leaving out all that died before they were 16 years of age), and can you give me their names?



Children of Joseph & Ruth Garrison

- 1-Butler Garrison. Never married.
- 2-Nannie               "               Married George Bullette Foreman.
- 3-Minnie             2               "               Wallace Thornton

Can you give me all the dates of births, marriages, and deaths of your parents?

Can you give me date of your brother Butler's birth and death?

Children of George Bullette & Nannie Foreman.

- 1-George Bullette Foreman
- 2-Piercie Josephin       "
- 3-Susan                       "
- 4-Alexander               "
- 5-Ada                         "

Should be pleased to have the dates of births of your children.

Hoping an early answer, I am respectfully,

Emmet Starr



November 26, 1897.

United States,  
Indian Territory,  
Northern District.

Personally appeared before me M. O. Ghomley a Notary Public for the State and District aforesaid A. F. Adair who first being duly sworn says:- That he is a citizen of the Cherokee Nation and resident of Tahlequah Ind. Ter.; that in the year 1896 I was appointed by S. H. Mayes, Principal Chief of the Cherokee Nation, as inspector of the Male, Female High School or Seminaries and the Cherokee Orphan Asylum to inspect said buildings that was undergoing repairs by J. H. Ransom the contractor at that time. I examined the contract made between J. H. Ransom and the Board of Education of the Cherokee Nation, consisting of Charles O. Frye, President and A. E. Ivey Secretary and then examined the work done of the said institution and reported in my report to the said S. H. Mayes, Principal Chief of the Cherokee Nation, I reported that the contractor J. H. Ransom had done the work on the said institution according to said contract.

A. F. Adair.

Subscribed and sworn to before me this the 26th day of Nov. 1897.

M. O. Ghomley

Notary Public.

My Com. expires Jan. 16, 1899.



"B"

Tahlequah, I.T.

Feby. 15th, 1898.

To the Hon. Board of Education:-

Cherokee Nation,

Gentlemen:-

At your request I have examined the claim of J. H. Ransom, Contractor, and in my opinion it would be proper for your Honorable Board to investigate said claim and if possible come to some agreement with the said contractor and end the matter; as far as I am able to ascertain the Board of Education is not in possession of any record pertaining to the contract entered into, by a former board of Education - commonly known as the "Frye and Ivey" board with the said Ransom for repairs to be done in said agreement. Consequently it seems that no offsets or rebuttals can be set up to disqualify the amount yet remaining to be paid said Ransom for work done under his contract. Furthermore an inspector of said work was appointed by the Principal Chief of the Cherokee Nation to examine the repairs done by said Ransom and did report to the chief, under oath, that the work and repairs done by the said Ransom was performed according to the agreement entered into with the board of Education, known as above stated "Frye and Ivey" Board.

Yours, respectfully,

R.F.Wyly

Atty, Gener'l Cherokee Nation.



OFFICE OF  
BOARD OF EDUCATION.

Tahlequah, I.T.

February 15, 1898.

Hon. S. H. Mayes,

Principal Chief, C.N.

Sir:-

We have the honor to present this requisition in favor of J. H. Ransom ("Contractor") payable out of orphan fund appropriated by an Act of the National Council, and approved Nov. 29, 1871 and amounting to one thousand (\$1000.00) dollars as per accompanying vouchers.

Very respectfully,

G. W. Mitchell (Protem)

President Board of Education.

M. L. Paden

Secretary.

(Endorsed) Union Agency No. 13 Recd. Jan. 4, 1899 Indian Territory Division, Tahlequah, Ind. Ty. Dec. 30, 1898-----Encloses copies of 4 papers "A" requisition Board of Education of Cherokee Nation \$1000-"B" Opinion of Attorney General of Cherokee nation. "C" - Report of Inspector apptd. to examine work. "D"-Assignment of claim Wishes relief for his client J. H. Ramson, Cherokee Orphans Asylum, warrant \$1000.-----



Tahlequah, I.T.

Feb. 16th, 1898

Hon. S. H. Mayes,

Pl. Chief C. N.

Please turn over to J. Thompson the warrant due me as contractor of the Cherokee Orphan Asylum for one thousand dollars and this shall be your voucher for the same and oblige.

J. H. Ransom.



St. Louis, Mo.

November 21, A.D. 1898.

To the Honorable

The Secretary of the Interior,

Sir:-

Washington, D. C.

The Kansas & Arkansas Valley Railway, a corporation organized under the general railroad law of the State of Arkansas, and authorized by Act of Congress approved June 1st, 1886 (24 U.S. Statutes at Large 739) to construct and maintain a railway through the Indian Territory, hereby respectfully makes application for a lease of the large gravel bar in Grand River, in the Cherokee Nation, South of the Kansas & Arkansas Valley Railway bridge at Fort Gibson, Indian Territory, or for permission and authority to take and remove from said gravel bar such gravel and like material as said Kansas & Arkansas Valley Railway may desire for the purpose of ballasting and improving its railroad and property in the Indian Territory, and its connections therewith. Said lease or permission and authority to be for the full term of fifteen years. A more particular description of the premises on which said gravel bar is located is as follows:

The S. E.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$  of Sec. 2, T. 15 N. R. 19E.

The N. E.  $\frac{1}{4}$  of the S. W.  $\frac{1}{4}$  of Sec. 2, T. 15 N. R. 19E.

The S. W.  $\frac{1}{4}$  of the S. W.  $\frac{1}{4}$  of Sec. 2, T. 15 N. R. 19E.

The W.  $\frac{1}{2}$  of the N. W.  $\frac{1}{4}$  of Sec. 11, T. 15N. R. 19E.

The N. E.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of Sec. 10, T. 15 N. R. 19 E. &

The S. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of Sec. 3, T. 15 N. R. 19E.



-2-

This Company has constructed, and is now operating in the Indian Territory, about 165 miles of railroad extending from a point near Fort Smith, Arkansas, in a North-westerly direction to the boundary line between the Indian Territory and the State of Kansas near Coffeyville, Kansas,

In compliance with the rules and regulations adopted by the Honorable Secretary of the Interior, November 4th, 1898, governing mineral leases in all cases not provided for by specific agreements theretofore ratified by Congress and the Nations(Sic ) interested, there is hereto attached and made a part of this application a copy of the Articles of Incorporation of this Company, duly certified by the Secretary of State of the State of Arkansas, showing same to have been filed in said office on the 27th day of November, 1885.

There is also attached and made a part of this application a copy of the general railroad law of Arkansas, under which this Company was organized, said copy being duly certified by the Secretary of State of the State of Arkansas as being the existing law of said State.

This application is also accompanied by a duly certified check upon the St. Louis National Bank, ( of St. Louis, Mo.) for One Hundred (\$100.00) Dollars, payable to the order of D. M. Wisdom, United States Indian Agent at the Union Agency, Indian Territory, by way of advanced royalty on said lease for one year.



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KANSAS & ARKANSAS VALLEY RAILWAY.

By W. B. Doddridge  
General Manager.

Sworn to and subscribed before me this 5th day of December, A.D.  
1898.

Henry G. Herbel,  
Notary Public.

(Endorsed) Union Agency # 629 Received April 10, 1899. Office of  
U.S. Indian Inspector for Indian Territory. Kan. & Ark. Valley  
R. R. Co. (W.B.Doddridge, G. M.) St. Louis, Mo. Application for  
gravel lease in Cherokee Nation.



"THE FAIRLAND BEE."

Lake Moore, Editor and Prop.

Fairland, I.T. Dec. 24, 1898.

Hon. Tams Bixby,

U.S. Commissioner.

As for the next 25 or 30 years, the renters or tenants of the Cherokees and other tribes will have to assume jury and other duties of American Citizenship. Why not insert a clause in the forthcoming treaty or agreement by which all leases shall carry with it "school privileges".

This would give the Indian Children American speaking companionship; increase the efficiency of the schools and this, without detriment to the present school system?

Yours, etc.

Leon Leroy.

(Endorsed) # 1820. Received Dec. 28, 1898. Commission to Five Tribes. Muskogee, I.T. Leon Leroy, Fairland, 12/24/98. Desires that a provision be inserted in the agreement to be made with Cherokees giving school privileges to children of non-citizens.



McKey, Indian Territory

December 29, 1898

Department of Interior (Sic)

Washington, D. C.

My Dear Sirs;

Will you be so kind as to give me som (Sic) information (Sic) in regard to my claims here in the Cherrokee nation in the first place I came in this nation by invertation. Secondly i invested all the money i had for improvements from sitisens of this nation. thirdly i presently prenzented my my claims to counsil and the counsil rejected me on the grounds that they could not admit any one regardless of proof claiming at the same time that my proof was very good an suficient to admit me an famly to sitisenship. i then presented my claims to the daws commission of course they could not do any thing for me an famly under the provision of the apropriation bill i then put my claims before the chancerry court this court made a fair envesgation of my case an decided in my faver to siti-senship in this nation. an the cherokee nation not being sadisfied with the decision of the chancerry court takend the case before judg Springer at Moskoga, I. T. an judg Springer mad a rulling against me. I then apealed my case to the Surpream court of the united State at Washington, D. C. an my infermation was that all sitisenship cases should be settled by the first day of January 1898 an now it seems like it will be yet too or three befor it is setteld an it seems like the



-2-

expece of our claims are getting so heavy that we count meet them. Since i have bought my claims som 8 year ago i have envested with good an lasty improvement to the amount of too thousand dollars an i cannot sell out as the cherrokees say that my farms are worth three thousand dollars but their no one able to buy them an hold the same. now in case the united state Surpream court makes a rulling against me will i get pay for my improvements also will get to stay on our frams an make crops this coming years 1899. do you have any idear how long it will be before our claims is finly settled.

pleas give me som infermation i regard to our claim.

Yours most respecfully,

James B. Watts.

(Endorsed) Union Agency No.1942 Commission to Five Tribes, recd. Jan. 10, 1899 McKey, Indian Ty. CHEROKEE, Dec. 29, 1898, Watts, James B.-----Makes certain statements relative to his claims as a citizen of the Cherokee Nation and requests information as to getting pay for his improvements and to his right to retain pos'session of his farm during the coming year-1899.-----



Law office of  
J. P. Buster,  
Tahlequah, I.T.  
Refer to Bank of Tahlequah.

COLLECTION DEPARTMENT

L.A. Buster, Clerk.

Represent: Mercantile  
Adjuster, Martindale,  
Clearing House Quarterly,  
Bartlette, Kemble A. Mills,  
American law list and  
numerous other agencies.

December 30th, 1898.

Hon. Secretary of Interior,  
Washington, D.C.

Dear Sir:-

I herewith inclose you copies of the following papers:-

- (a) Requisition of Board of Education of the Cherokee Nation on Principal Chief for \$1000.00
- (b) Opinion of Attorney General of the Cherokee Nation in regard to same.
- (c) Report of Inspector appointed to examine work.
- (d) Assignment of claim.

This work was done by J. H. Ransom some years ago under a contract dated Jan. 4, 1896 in writing with the Board of Education of the Cherokee Nation composed of at that time of A. E. Ivey, Chas. O. Frye and Jno. E. Butler. The work was not entirely completed until sometime in 1897 I think. Before Mr. Ransom the contractor received payment for the same, some irregularities were charged against one of the members of the Board of Education but not, that I am informed, in reference to this matter and the Principal Chief suspended the delinquent from office.

Considerable party animosity was aroused by this action and great opposition to the Board and all its past acts. When Mr.



-2-

Ransom presented his requisition for the sum of \$1000.00 for this work the Principal Chief refused to issue a warrant on it. After some delay Mr. Ransom, who was a citizen of the United States and not a Tribal Citizen secured from a new Board of Education an examination into the matter and the new Board issued him the requisition a copy of which is inclosed. It was pending this investigation that the attorney general of the Cherokee Nation was called on to render an opinion and after investigating the matter wrote the Board the inclosed letter.

From the fact that the Chief was not at his office or for some similar reason Mr. Ransom after securing the requisitio by giving Mr. Johnson Thompson an order for the warrant a copy of which is inclosed and delivering to him the requisition obtaining the \$1000.00 possibly with a slight discount from Mr. Thompson. On presenting the requisition to the Principal Chief he refused to honor the same.

It is proper to say that moneys for this Asylum and schools have always been paid out upon requisition of the Board of Education without any special appropriation for the purpose but in consequence of a general appropriation for the purpose in 1871.

At the November 1898 session of the National Council this act of general appropriation for school purposes was repealed and the Council arbitrarily refused to make an appropriation for the payment of this claim.

Prior to the Act of June 7th, 1898 taking jurisdiction from the tribal courts Mr. Thompson could have sued for his claim in those courts the laws of the Cherokee Nation allowing suit to be brought against the Nation. Those courts are now all abolished.



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The United States Courts hold that they have no jurisdiction in a suit brought against an Indian Tribe (see 27 U.S. Appeals 657, Reported also 66 Fed. Rep. 272 and in 13 C.C.A. 519)

We contend in as much as the Tribal Courts formerly had jurisdiction that the Curtis Bill has taken away plaintiffs right and his property by giving him no forum in which to assert the same and has thus infringed the provision of the National constitution providing:- "That no person shall be deprived of life, liberty or property without due process of law."

Perhaps the United States Court would agree with us in this proposition but when it did so this very holding would oust the U.S. Court of jurisdiction for if that section of the Curtis Bill is unconstitutional the Tribal Courts would alone have jurisdiction. But there are now no tribal courts. So it seems that Mr. Thompson is left between "the Devil and the dead sea."

I have not formulated any request to make of you. I do not exactly see how you can do any thing for the relief of my client, but I lay the facts before you thinking perhaps your fuller knowledge of your powers in these school matters which have been by the Curtis Bill transferred your department, may enable you to suggest the proper remedy. If you can suggest none other, you could at least recommend to Congress the giving of the United States Court jurisdiction of all causes against an Indian Nation in this Territory. There are many claims like this one which the Tribes refuse to pay. If they are just they should be paid and if not the courts could soon ascertain the facts. It is a great hardship on those who have valid and just claims against the Nation to be compelled to spend half of their amount in lobbying and otherwise in order to secure their payment and the United

13.



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States Court should be empowered to permit suit to be brought against the Nation upon the plaintiff making a fair showing that he has a valid claim and that payment thereof has been refused.

Trusting to hear from you in the near future, I am,

Yours truly,

J. P. Buster.



COMMISSIONERS.  
HENRY L. DAWES.  
TAMS BIXBY.  
ARCHIBALD S. McKENNON.  
THOMAS B. NEEDLES.

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

ALLISON L. AYLESWORTH, Secretary.

Pittsfield, Mass.  
Jan. 28, 1899

My Dear Mr. Bixby:

Since I wrote you on receipt of the agreement my attention has been particularly called to the 78th section directing the pardon of all persons convicted under Cherokee laws. It is causing some discussion and I am anxious to be able to explain it. If you could tell me what considerations led to its adoption and how large is its scope, that is, what criminals and of what character it affects, you would greatly oblige me.

The counsel for the Delawares on N.Y. has been to Washington complaining that the agreement will deprive them of rights secured by the Curtis Act. He says that they are compelled by it to give up one or the other of their claims now before the Court of Claims under that act, the specific claim to 157,000 acres and allotment, or relying on their suit expose their specific grant of 157,000 acres by metes and bounds to allotment to other Cherokees. I am asked to explain, and would like your views on that point.

What steps have the Cherokees taken towards ratification?  
And how do you get along with the Creeks?

Truly yours,

H.L. Dawes.

(Endorsed) Union Agency No. 2254 Recd. Feb. 2, 1899 H.L. Dawes, Pittsfield Mass. Jan. 28, 1899----Rel. to the Cherokee Treaty.----



## DEPARTMENT OF THE INTERIOR.

Washington.

January 12, 1900.

The President.

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress, approved June 7, 1897, (30 Stats., 62, 84) Senate Bill No. 19 of the National Council of the Cherokee Nation, approved by its Principal Chief on December 19, 1899, entitled "An Act to pardon convicts of the Cherokee Nation."

Said act recites in the preamble that the courts of said Nation have been abolished, under section 28 of the Act of Congress approved June 28, 1898 (30 Stats., 495); that there are a great many convicts undergoing punishment under sentence by the Cherokee Courts in the National Prison, or had escaped and were at large at the date of said approval of June 28, 1898.

The act authorizes and directs the principal chief, when approved by the President, to grant absolute and unconditional pardon to all persons who have heretofore been convicted in the courts of the Cherokee Nation of a violation of Cherokee laws laboring under such disabilities.

The United States Indian Inspector states:

"In view of the fact that the courts of the Cherokee Nation have been abolished it would appear advisable that all persons serving punishment upon convictions secured in said courts be now released from such penalties".

The Inspector recommends the approval of said act. The Commissioner of Indian Affairs states that he is not informed of the number of such convicts, and of the crimes for which they were convicted, and doubts the propriety of the legislation



proposed. He recommends that the act be not approved.

While it is true that said Section 28 declares that "on and after the 1st day of July, 1898, all tribal courts in the Indian Territory shall be abolished, and no officer of said courts shall thereafter have any authority whatever to do or perform any act theretofore authorized by any law in connection with said courts or to receive any pay for the same", and transfers all civil and criminal cases then pending to the United States Court in said Territory, yet it does not appear that the sentences which have been passed by said tribal courts and under which persons are serving their terms in the National Prison under Cherokee laws have been invalidated in any manner whatever. Besides, the Cherokee laws prescribe the manner in which the pardoning power in said nation shall be exercised. (See Sections 16 and 17 of the Laws of the Cherokee Nation, Edition of 1892).

There seems to be no occasion for the passage of the act under consideration, and I have, therefore, to recommend that said act be disapproved.

The letter of the United States Indian Inspector and a copy of the report of the Commissioner of Indian Affairs are inclosed herewith.

Respectfully,

E.A.Hitchcock.

Ind.Ter.Div.  
150-1900.  
3 enclosures.

Secretary.

(Endorsed) Union Agency No.566 Received Jan.23,1900 Office  
of U.S.Indian Inspector for Indian Territory. Washington,  
January 17,1900.Secretary.-----Cherokee Act to pardon convicts  
DISAPPROVED.-----



Union Agency,

Muscogee, I.T., Feb. 24th, 1899.

Mr. R. W. Foster,

Tahlequah, I.T.

Dear Sir:-

I have considered your communication of the 20th instant, and in reply I have to say that at the present time it is unlawful for any person to cut for sale or for shipment, any timber off of the public domain, or off or prospective allotments. I warn you not to persist in cutting and selling timber in the Cherokee Nation.

Very respectfully,

D. M. Wisdom.  
U.S. Indian Agent

Approved:

J. Geo. Wright.  
U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book # 1,  
Letter # 15.



Union Agency

Muskogee, I.T., Feb. 25th, 1899.

Mrs. T. P. Allen,  
Vinita, I.T.

Madam:-

I received your recent letter, and I regret to inform you that all the papers in your case against Nathan Loveall were destroyed by fire on the morning of the 23rd instant. Our office saved none of its records, and therefore I am unable to take action in the matter unless the papers originally sent by you could be supplied again and this I think would be putting you to unnecessary trouble. It seems to me that you had best consult a lawyer and take his advice, and if Mr. Loveall is cutting your timber and selling it without your consent, he certainly can be prosecuted in the courts. This office is in such a confused condition at this time that I must say it is almost impossible to attend to matters of this kind.

Very respectfully,

D. M. Wisdom.

U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book # 1,  
Letter # 23.



Union Agency  
Muscogee, I.T. Feb. 25th, 1899.

Judge A. Russell,  
Gann, I.T.

Dear Sir:-

Yours received in which you state that certain non-citizens are cutting and banking timber on the Arkansas River near Redland, I.T. You further state that this timber is out from John Croslin's premises and without his consent and that he, John Croslin, has warned said parties from cutting such timber and that they take no notice of his warning.

You are hereby authorized to inform Mr. Croslin that if he will send me the names of the non-citizens who are cutting and destroying his timber, and the names of the witnesses to such depredations, together with their postoffice addresses, I will immediately forward them to Hon. P. L. Soper, U.S. Attorney for the Northern District, and present the matter to him with a view to prosecuting said parties.

Very respectfully,

D.M.Wisdom.

U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book # 1,  
Letter # 24.



UNION AGENCY,  
Muscogee, I.T.

Mr. Jackson Christie,

Wauhilla, I.T.

Dear Sir:-

Yours received in which you state that "a people" by which I understand you to mean non-citizens, are cutting all kinds of timber off of the public domain in the Cherokee nation and shipping out the same, and you further state that some parties are running a saw-mill about five miles from Wauhilla.

You are directed and authorized to notify said parties that they must stop such depredations and if they do not do so, you will send their names, with the names of the witnesses, together with their postoffice addresses, to Hon. P. L. Soper, Vinita, I.T., with a view to their prosecution.

Very respectfully,

D. M. Wisdom.

U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book # 1,  
Letter # 41.



Union Agency,

Muscogee, I.T., March 8, 1899.

Mr. James Tehee,

Rose, I.T.

Dear Sir:-

Yours received in which you state that the citizens of your community want to use the Saline Court House for a subscription school, and you ask me to give you authority to do so. I would advise you to submit this matter to the Principal Chief of your Nation for appropriate action, as I think the nation, through its constitutional authorities, still has custody of its public buildings.

Very respectfully,

D.M.Wisdom.

U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book, # 1  
Letter # 150.



Union Agency,

Muscogee, I.T., March 10, 1899.

Daniel Fields,

Campbell, I.T.

Dear Sir:-

Yours in regard to your strip money, has been received. I do not know whether your name was on the roll or not, nor do I know whether you were entitled to any strip money. My roll of Freedmen entitled to strip money was destroyed by fire on the morning of the 23rd ultimo, and I am therefore unable to refer to it so as to give you any information. There is a roll however in Washington, and if you will write to the Commissioner of Indian Affairs, Washington, D. C., he will doubtless answer your letter and inform you whether your name is on the strip roll or not. If you were not enrolled, I know of no way by which you can recover your strip money, except by instituting suit against the Cherokee Nation.

Very respectfully,

D. M. Wisdom.  
U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency, Muskogee, Oklahoma, Press Book, # 1,  
Letter # 176.



Union Agency,  
Muscogee, I. T.,  
March 14, 1899.

Mr. J. B. Pettit,  
Edna, Kas.

Dear Sir:-

I received your application, papers etc. in regard to being appointed U. S. Indian Police, and I have not taken action upon it because all my blanks were destroyed by the fire on the 23rd ultimo.

Just as soon as I can get around to it, I will issue you your commission and appoint you as I promised I would do.

Very respectfully,  
D. M. Wisdom,  
U. S. Indian Agent.

Approved;

J. Geo. Wright,  
U. S. Indian Inspector.



Union Agency,  
Muscogee, I. T.  
March 18, 1899.

Messrs. Blue & Wilson,  
Vinita, I. T.

Gentlemen:-

Yours received. If Joe Davis left a contract and some other papers with me in regard to the place in controversy, such contract and papers were destroyed by fire on the 23rd of last month.

I do not remember that he left any papers with me, but if he did, they were certainly burned and I have no record of them whatever.

Very respectfully,  
D. M. Wisdom,  
U. S. Indian Agent.

Approved;

J. Geo. Wright.  
U. S. Indian Inspector.



March 25, 1899.

Honorable S.H. Mayes,  
Tahlequah, Cherokee Nation,  
Indian Territory.

Sir;

The Columbia National Bank of this city has presented to the Department a warrant No. A-4, signed by you, drawn on the "Hon. Secretary of the Interior United States," payable to the order of Shibley & Wood Grocery Co. for \$1024.39 as per act of appropriation dated December 8, 1898, and approved by the President of the United States, January 9, 1899. You have heretofore been advised of the decision of the Comptroller of the Treasury, dated the 17th instant, in which he decides;

"That Cherokee warrants issued subsequent to the act of June 28, 1898, supra, in pursuance of an act of the Cherokee Council making an appropriation and authorizing the issuance of warrants to draw the money so appropriated, which act is approved by the President, in the absence of evidence impugning their validity, are no less valid than those issued prior to said act of June 28, 1898.

The warrants referred to in said decision should be drawn by you on the Treasury of said Nation with reference to the particular fund of the appropriation act approved by the President, and the Secretary of the Interior, in disbursing the interest moneys due said Nation under the provisions of section 19 of said act of June 28, 1898, will be governed by the provisions of the "existing treaties and laws" of the Cherokee Nation in accordance with the decision of the Comptroller of the Treasury on October 8, 1898.



-: 2 :-

Said warrant has this day been returned to said Bank with the information that when the disbursing officer of the United States has funds applicable thereto, he will pay the same in accordance with the treaties and laws of the United States and of the Cherokee Nation.

Respectfully,

Acting Secretary.

Ind. Ter. Div.  
738-1899.



Union Agency  
Muscogee, I.T.  
March 27, 1899.

Mr. W. Foreman,  
Wagoner, I.T.

Dear Sir:-

Yours received in behalf of one Ellis Snow, who you say drew Old Settler money from me at Claremore and you wish a statement of that fact. In reply I will say that I do not distinctly remember him but presume his statement is true. The only copy of the Old Settler Roll which I had in my office was destroyed by fire on the 23rd of last month and I am not able to refer to it in order to substantiate his statement to you.

You further say that said Snow never drew his strip money because he was absent or out of the country at the time and you now want to know if he can get his strip money. You are advised that I know of no way by which he can obtain his strip money unless he institutes suit against the Cherokee Nation. If however, his name is upon the roll on which the strip money was paid, he should make application to the Commissioner of Indian Affairs and establish his identity by the oath of two disinterested witnesses. I would not pay it at all as I have no funds in my hands out of which to pay same.

Very respectfully,  
D.M. Wisdom,  
U.S. Indian Agent.

Approved;  
J. Geo. Wright,  
U.S. Indian Inspector.

(Endorsed) Union Agency Press book no. 1. letter 371. Muskogee, Okla.



DEPARTMENT OF THE INTERIOR,  
Washington.

March 31, 1899.

J. George Wright,

U.S. Indian Inspector  
for the Indian Territory,

Muscogee, Ind. Ter.

Sir;

I am directed by the Secretary to inclose herewith for your information a copy of departmental letter of the 25th instant, addressed to the Principal Chief of the Cherokee Nation, relative to payment of Warrant A-4, drawn on the "Hon. Secretary of the Interior United States."

Respectfully

Edward M. Dawson

Chief Clerk.

Ind. Ter. Div.  
738-1899.  
1 Inclosure.

(Endorsed) Union Agency No. 88 Received Apr 4, 1899 Office of U.S. Indian Inspector for Indian Territory. Wash. Mar. 31, 1899. Secretary.----Transmits copy of Dept. letter to Chief Cherokee Nation relative to payment of warrant A-4.



Union Agency,  
Muscogee, I.T.  
April 3rd, 1899.

Editor Cherokee Advocate,  
Tahlequah, I.T.

Sir:-

I enclose you herewith a notice of payment of Cherokee warrants, to be begun on the 20th instant. Under the laws of the Cherokee Nation it is required that this notice be published in the "Cherokee Advocate."

Will you please insert it in your issue of this week and of next week in both the English and Cherokee languages.

Very respectfully,  
D.M.Wisdom,  
U.S.Indian Agent.

Approved;  
J.Geo.Wright,  
U.S.Indian Inspector.



Union Agency,  
Muscogee, I.T.  
April 4th, 1899.

Mr. J. A. Skipwith,  
Ft. Smith, Ark.

Dear Sir:-

Yours received. You are informed that I will begin payment of Cherokee warrants at the office of this agency on the 20th instant. Publication through the press has been made of what warrants I will pay and by reference to the same you will see full particulars of the payment. Said payment will be made at Muscogee and not at Tahlequah.

Very respectfully,  
D.M. Wisdom,  
U.S. Indian Agent.

Approved:

J. Geo. Wright.  
U.S. Indian Inspector.



Union Agency,  
Muscogee, I. T.  
April 8th, 1899.

Mark Bean,  
U. S. I. P.,  
Evansville, Ark.

Dear Sir:-

Enclosed I send you a letter from Erwin & Shackleford in regard to a saw-mill which they say is running at Stilwell.

You are directed to investigate this matter and report the names of parties running said mill, and by what authority they are running it in the Cherokee Nation, so that if becomes necessary this office can take appropriate steps to rectify the matter and issue proper orders therein.

Very respectfully,

D. M. Wisdom,  
U. S. Indian Agent.

Approved:

J. Geo. Wright,  
U. S. Indian Inspector.

(Endorsed) Union Agency - Muskogee, Oklahoma. Press book No. 2-  
Letter 29.



Union Agency,  
Muscogee, I. T.,  
April 13th, 1899.

Mr. W. H. Kornegay,  
Vinita, I. T.

Dear Sir:-

Yours in reference to certain warrants held by Mr. Wm. E. Halsell, which you say have not been endorsed by the original payee or payees, has been received. You further state that Mr. Halsell is willing to give me a guarantee that these warrants are allright, but if he is forced to get the signatures of the payees it will be next to impossible to do so, as by this time some of the parties are dead or have left the country.

You are respectfully informed that if I make the payment, which I probably will do, I feel now, that in view of the instructions from the Department, I would be unwilling to accept any guarantee on the part of Mr. Halsell or any one else. It is my opinion at this time that I would not do so without further investigation.

Under the ruling of the Department, the disbursing officer must assume all risks and I am apprehensive - in fact I know, that I will be held to a rigid account for the manner of the payment in relation to every warrant. Personally I am disposed to oblige Mr. Halsell, whom I know to be a clever gentleman and entirely responsible, but as I am going out of office in a very short time, I do not care to have any suspensions or complications  
press book no.2-letter 89.



-2-

in my accounts hanging over me after my retirement. Suspensions are always unpleasant and difficult to remove. This is my experience in public office.

Very respectfully,

D. M. Wisdom,

U. S. Indian Agent.

P. S. I would be glad to have Mr. Halsell come down to the payment.



Notary Public in Office at all times.

Law office of  
F.M.SMITH

Vinita, Ind. Ter., May 13th, 1899.

J. Geo. Wright,

U.S. Indian Inspector, for the I.T.

Muscogee, I.T.

Dear Sir:

Your favor of the 10th inst. at hand. The facts of the case referred to in my letter of recent date concerning the sale of walnut timber, is as follows, to wit:

Cherokee Nation. It was cut by a man by the name of Beard, at Tulsa, I.T. and was seized by the sheriff, Dave Hare, of Saline District, and sold to J.B. Edwards and Sam Zeno.

This timber was seized by the sheriff and sold for the royalty due the Cherokee nation, in May, 1897, at the Saline Court House in said district.

Zeno has sold this timber to several parties, but they would not pay him for it, and consequently he did not let them ship the timber out.

Now, Zeno wants to know whether he, a Cherokee citizen, would be protected in shipping out this timber himself. Before the recent laws passed by Congress in regard to the Territory, Zeno would have had no hesitation in shipping it out, as he would have been protected by the Cherokee Government. But whether or not his act was legal, is the question with him. He would ship none but what he bought at the Sheriff's sale.



-2-

Please answer at your earliest convenience, and oblige,

Yours truly,

F.M.Smith,

per Mc.

(Endorsed) Union Agency No.1025 Received May 15,1899 Office of  
U.S.Indian Inspector for Indian Territory.Vinita,I.T.,May 13,1899.  
F.M.Smith.-----Relative to walnut timber held by man named Zeno.-----



Tahlequah, Ind.Terry.,

June 1st.,1899.

I.--Robb B. Ross, Secty to Treasurer of the Cherokee Nation, Indian Territory, do solemnly swear that I received and remitted to the United States Indian Agent, Union Agency, Indian Territory, the sum of \$1432.84 the same being the amount collected in cash by me (acting under instructions from the agent) on account of board of pupils and teachers of male female seminaries of the Cherokee Nation, Indian Territory, in part for term commencing Feb.13,1899----

Robb B. Ross.

Sworn to and subscribed before me this 5th day of July 1899.

Leon C. Ross.

Notary Public Northern District Indian Territory. My commission expires Sept.21,1900.

(Endorsed) Union Agency No.2 SCHOOL FUNDS Sworn statement accompanying remittance of Robt.B.Ross Secy to Treas of Cherokee Nation amount \$1437.84----



Union Agency,  
Muscogee, I.T. June 6th, 1899.

L.C. Ross,  
Cashier Bank of Tahlequah, Ind. Terry.

Sir:-

I acknowledge receipt, through Col. D. M. Wisdom, late U.S. Indian Agent, of your communication of the 3rd instant, inclosing check for \$1432.80, the same being on account of funds deposited to the credit of the late Agent by D. W. Lipe, Treasurer of the Cherokee Nation.

Very respectfully,  
J. Blair Shoenfelt  
U.S. Indian Agent.

Approved:

J. Geo. Wright,  
U.S. Indian Inspector.



Union Agency,

Muscogee, I.T., June 9, 1899

Mr. F. M. Smith,  
Notary Public,  
Vinita, I.T.

Dear Sir:-

I am in receipt of a letter from the Auditor for the Interior Department, in which he says;

"This office is in receipt of claim of John Sanders for \$188.75 being his share of the Cherokee Outlet Fund awarded to the Cherokee Freedmen, in which he states that his number on the Clifton Roll is 3245, original payroll 3276, supplemental 1230.

I find opposite these numbers on the original pay-roll, this note; 'Is it duplicate, 3845, 4241?'

The name of John Sanders appears on this roll three times, and there would seem to have been a doubt as to whether one or more persons were represented thereby, and you are, therefore, requested to inform this office if the present claim is know by you to be a just one, and that it should be paid."

In a subsequent letter the Auditor writes that the names of the witnesses to said application are Jesse Roeve and George Washington, who made the acknowledgement before you.

As you are doubtless aware, the rolls on file in this office, were destroyed by fire on February 23rd last, making the matter of inquiry as far as they are concerned, an impossibility, and hence my communication to you. Any information you can secure for --press book no. 3 letter 60.--



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me on this matter, will be appreciated.

Very respectfully,

J.Blair Shoenfelt,

U.S.Indian Agent.

Approved:

J.Geo.Wright,

U.S.Indian Inspector.

(Endorsed) Union Agency Press Book no. 3 Letter 60.Muskogee,Okla.



Union Agency,  
Muscogee, I.T., June 10th, 1899.

John L. Brown,  
U.S. Indian Police,  
Vian, I.T.

Dear Sir:-

I am informed by Amos J. West of Redland, I.T., that certain parties are cutting large quantities of oak and ash timber near that place and are rafting the same out of the country to Fort Smith. No timber can be lawfully cut and sold or shipped out of the country except what is cut in clearing prospective allotments of citizens for the purpose of placing their land in cultivation, in good faith.

You will accordingly proceed to the locality indicated immediately and investigate this matter, and if you find the timber cut in violation of the law as above indicated, you will seize the same and hold it impounded in the custody of this agency and make full report thereon. You will also secure the necessary evidence to warrant the U.S. Attorney in prosecuting the parties, including the dates of violation and witnesses thereto.

I enclose the letter of Mr. West for your information, which you will return with your report.

Very respectfully,

J. Blair Shoenfelt  
U.S. Indian Agent.

Approved:

J. Geo. Wright.  
U.S. Indian Inspector.

1 encl.

(Endorsed) Union Agency, Muskogee, Press Book # 3, Letter # 69,



Union Agency,

Muscogee, Ind. Terry., June 14th, 1899.

Arkansas & Oklahoma Railroad Co.,

J. M. Bayless, President.

Bentonville, Ark.

Sir:-

I am in receipt of your communication of the 10th instant, in which you inform me that you have a permit from the Honorable Secretary of the Interior to make a survey across the Cherokee Nation from Southwest City, Mo., to the Kansas line near Coffeyville, Kansas, under the Act of Congress approved March 2, 1899, and that the regulations outlined by the Department fails to fix the price of land but that the matter is to be referred to me, and you ask about what the price of land is likely to be in the Cherokee Nation.

In reply, I have to inform you that as of yet I have heard nothing from the Department in reference to having given a permit to the Arkansas and Oklahoma Railway to make a survey through the Cherokee Nation, Indian Territory. However, should I be so advised then you will be informed.

Section 3 of the Act of March 2, 1900, says in part:-

"Before any railroad shall be constructed through any land, claim or improvement, held by individual occupants or allottees in pursuance of any treaties or laws of the United States, compensation shall be made to such occupant or allottee for all property to be taken, or damage done, by reason of the construction of



such railroad."

It then provides in case an amicable adjustment can not be reached for the appointment by the Secretary of the Interior of a board of disinterested referees who shall appraise the land and ascertain the amount of damages done. In event either party is dissatisfied with the award of the board of referees then an appeal by original petition can be taken to the United States Court for the Indian Territory, where the case shall be tried de novo and the judgment for damages rendered by the Court shall be final and conclusive.

Section 5 of the same Act provides that a railroad constructed under the provisions of the Act shall pay to the Secretary of the Interior, for the benefit of the particular tribe of nation through whose land the road may be located, such annual charge as may be prescribed by the Secretary of not less than fifteen dollars for each mile of road, and etc.

You will see from the above that it will be necessary for the Railway Company to pay the individual occupant through whose land it passes for the land it may take and for such other damages as it may do his property thereby. You will also note that an annual charge of not less than fifteen dollars per mile will have to be paid to the Secretary of the Interior for the benefit of the tribe through whose land your road may pass.

Very respectfully,  
J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved:

J. Geo. Wright, U.S. Indian Inspector.  
(Endorsed) Union Agency Press Book No. 3 Letter 136. Muskogee, Okla.



## Union Agency

Muscogee, Indian Territory, June 19th, 1899.

C. H. Lee,

Goodland, Kansas.

Sir:-

I acknowledge receipt of your communication of the 16th instant, in which you give me a list of Cherokee warrants held by you.

I have examined the same and discover that all the warrants held by you were issued in the years 1897 and 1898.

The Cherokee law requires that the oldest warrants in point of issuance shall be paid first.

My predecessor, Agent Wisdom, has just completed a payment of certain Cherokee warrants. In making this payment he followed the law just above mentioned. Of the "General " fund warrants he only paid such as were issued in 1892 and up to May 3, 1893.

As to just when another payment of Cherokee warrants is to be made I am unable to tell you. The semi-annual interest is due on July 1st, and it may be that the Government will shortly thereafter use this money for the payment of their warrants.

When it has been decided that another payment of their warrants is to take place a public notice to that effect will be issued.

Very respectfully,

J. Blair Shoenfelt.

U.S. Indian Agent.

Approved:

J. Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency # 3, Press Book, Letter # 187. Muskogee.



Union Agency,  
Muscogee, Indian Territory,  
June 19th, 1899.

C. H. Lee,  
Goodland, Kansas.

Sir:-

I acknowledge receipt of your communication of the 16th instant, in which you give me a list of Cherokee warrants held by you.

I have examined the same and discover that all the warrants held by you were issued in the years 1897 and 1898.

The Cherokee law requires that the oldest warrants in point of issuance shall be paid first.

My predecessor, Agent Wisdom, has just completed a payment of certain Cherokee warrants. In making this payment he followed the law just above mentioned. Of the "General" fund warrants he only paid such as were issued in 1892 and up to May 3, 1893.

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When it has been decided that another payment of their warrants is to take place a public notice to that effect will be issued.

Very respectfully,  
J. Blair Shoenfelt,

U.S. Indian Agent.

Approved:  
J. Geo. Wright, U.S. Indian Inspector.

(Endorsed) Union Agency Press Book No. 3 Letter 187. Muskogee, Okla.



Union Agency,

Muscogee, I.T., June 20th, 1899.

Mr. C. R. Rider,

U.S. I.P.,

Pryor Creek, I.T.

Dear Sir:-

Yours of the 16th instant received. In the latter part of your letter you state that you have a lumber case to report, that you found at Adair two big piles of walnut lumber and saw two wagon loads coming into Adair. You also state you made inquiry and learned the mill was located west of Adair on Pryor Creek and operated by John Webb, a white non-citizen.

You will investigate this matter fully, and if you find that the lumber is being cut and removed in violation of the law, you will seize same and advise the parties that they must not cut any more of said timber. You will also gather what evidence you can, and make a full and complete report to this office in order that appropriate action can be taken against the parties violating the law, and you will also hold said lumber in the custody of this agency until further advised.

Very respectfully,

J. Blair Sheonfelt

Approved:

U.S. Indian Agent.

J. Geo. Wright,

U.S. Indian Inspector.

(Endorsed) Union Agency Press Book # 3, Letter # 194, Muskogee.



Union Agency,  
Muscogee, I.T.,  
June 20th, 1899.

Mr. C. R. Rider,  
U.S.I.P.,  
Pryor Creek, I.T.

Dear Sir:-

Yours of the 16th instant received. In the latter part of your letter you state that you have a lumber case to report, that you found at Adair two big piles of walnut lumber and saw two wagon loads coming into Adair. You also state you made inquiry and learned the mill was located west of Adair on Pryor Creek and operated by John Webb, a white non-citizen.

You will investigate this matter fully, and if you find that the lumber is being cut and removed in violation of the law, you will seize same and advise the parties that they must not cut any more of said timber. You will also gather what evidence you can, and make a full and complete report to this office in order that appropriate action can be taken against the parties violating the law, and you will also hold said lumber in the custody of this agency until further advised.

Very respectfully,  
J. Blair Shoenfelt.  
U.S. Indian Agent.

Approved:  
J. Geo. Wright, U.S. Indian Inspector.

(Endorsed) Union Agency Press Book No. 3 Letter 194. Muskogee, Okla.



Union Agency,  
Muscogee, I.T., June 20th, 1899.

Mr. T. B. Johnson,  
Baron, I.T.

Sir:-

Your letter of the 28th instant received, in which you state you are not an Indian by blood, but an intermarried citizen. In that case I cannot appoint you as Indian Police, as the law requires the policemen to be of Indian blood.

Very respectfully,

J.Blair Shoenfelt.

U.S. Indian Agent.

Approved:

J.Geo.Wright.

U.S. Indian Inspector

(Endorsed) Union Agency Press Book # 3, Letter # 322, Muskogee



Union Agency,  
Muscogee, I.T., June 21st, 1899.

Frank Smith,  
U.S. Indian Police,  
Braggs, I.T.

Sir:☺

If Mr. Ed Smith, a member of the Committee for a Sunday School Picnic to be held on the place of Mr. Burrows on the 24th of this month, should request you to attend said picnic in order to keep peace on said day, you are authorized to do so, and you will not allow stands, fakirs etc., to sell their wares if same are objectionable to said Committee. Mr. Smith informs me he will pay you for said duty on that day.

Should anything occur which you deem necessary to report to this office, you will do so immediately.

Very respectfully,

J.Blair Shoenfelt,

U.S. Indian Agent.

Approved:

J.Geo. Wright.

U.S. Indian Inspector.

(Endorsed) Union Agency Press Book, # 3, Letter # 214, Muskogee.



Union Agency,  
Muscogee, Ind. Terry.,  
June 23, 1899.

T. J. Lillard,  
No-wa-ta, Ind. Terry,

Sir:-

I am in receipt of your communication of the 17th instant, in which you inform me that you have a client who was born in the Cherokee Nation and placed on the roll of 1896, and that her right to citizenship had been passed upon by the Dawes Commission and her name placed on the roll as Mary C. Alberty, and you ask how is she to proceed in order to get her share or the "Strip" payment.

In reply, I have to say that if your client is a citizen of the Cherokee Nation by blood, then she should make application direct to the Treasurer of the Cherokee Nation, as he disbursed the "Strip" fund to citizens by blood.

If, however, your client is a Cherokee Freedwoman and she was enrolled by the Clifton-Kerens Commission and has never drawn her share of the payment, application for same should be made to the Commissioner of Indian Affairs, Washington, D. C. The Treasurer of the Cherokee Nation also disbursed to the Cherokee Freedmen a portion of this fund, and if she is entitled to a share of the same, she should also make application to him for same.

The rolls on which the Indian Agent made payment to Cherokee Freedman of the Cherokee Outlet Fund, sometimes called the "Strip" fund, were destroyed by fire February 23, 1899, and I am, therefore, --press book no. 3 letter 238.--



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unable to say whether or not your client's name appears thereon.

Very respectfully,

J. Blair Shoenfelt,

U.S. Indian Agent.

Approved:

J. Geo. Wright,

U.S. Indian Inspector.



Union Agency,

Muscogee, Ind. Terry. June 24th., 1899.

C. H. Lee,

Goodland, Kas.

Sir:-

Replying to your communication of the 22nd instant, in reference to the payment of interest on Cherokee warrants, I have to say that the payment of Cherokee warrants has closed. The late Indian Agent finished this payment on May 31, 1899, and his accounts have been submitted for examination and settlement.

I have no funds to my credit either to pay Cherokee warrants or the interest due thereon.

If, during the payment, you had presented to the Agent any warrants on which interest was due, the same would have been paid you. As required by Cherokee law, a notice of the proposed payment was inserted in the Cherokee Advocate as well as in other papers, and it was not the fault of the disbursing officer that warrants on which interest was due were not presented for payment of said interest.

It is not known now just when another payment will be made. However, when it is made due publicity of the same will be given.

Further correspondence with me at this time on this subject seems to be unnecessary.

Very respectfully,

Approved:

J. Blair Shoenfelt, U.S. Ind. Agt.

J. Geo. Wright, Ind. Insp.

(Endorsed) Union Agency Press Book # 3, Letter # 249. Muskogee.



Union Agency,  
Muscogee, Ind. Terry.,

June 24th., 1899.

C. H. Lee,  
Goodland, Kas.

Sir:-

Replying to your communication of the 22nd instant, in reference to the payment of interest on Cherokee warrants, I have to say that the payment of Cherokee warrants has closed. The late Indian Agent finished this payment on May 31, 1899, and his accounts have been submitted for examination and settlement.

I have no funds to my credit either to pay Cherokee warrants or the interest due thereon.

If, during the payment, you had presented to the Agent any warrants on which interest was due, the same would have been paid you. As required by Cherokee law, a notice of the proposed payment was inserted in the Cherokee Advocate as well as in other papers, and it was not the fault of the disbursing officer that warrants on which interest was due were not presented for payment of said interest.

It is not known now just when another payment will be made. However, when it is made due publicity of the same will be given.

Further correspondence with me at this time on this subject seems to be unnecessary.

Very respectfully,

J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved:

J. Geo. Wright, U.S. Indian Inspector.

(Endorsed) Union Agency Press Book No. 3 Letter 249. Muskogee, Okla.



Union Agency,  
Muscogee, Ind. Territory,  
June 24th., 1899.

C. H. Lee,  
Goodland, Kas.

Sir:-

Replying to your communication of the 22nd instant, in reference to the payment of interest on Cherokee warrants, I have to say that the payment of Cherokee warrants has closed. The late Indian Agent finished this payment on May 31, 1899, and his accounts have been submitted for examination and settlement.

I have no funds to my credit either to pay Cherokee warrants or the interest due thereon.

If, during the payment, you had presented to the Agent any warrants on which interest was due, the same would have been paid you. As required by Cherokee law, a notice of the proposed payment was inserted in the Cherokee Advocate as well as in other papers, and it was not the fault of the disbursing officer that warrants on which interest was due were not presented for payment of said interest.

It is not known now just when another payment will be made. However, when it is made due publicity of the same will be given.

Further correspondence with me at this time on this subject seems to be unnecessary.

Very respectfully,

J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved:

J. Geo. Wright, U.S. Indian Inspector.

(Endorsed) Union Agency Press Book No. 3 Letter 249. Muskogee, Okla.



Union Agency,  
Muscogee, I.T., June 30th, 1899.

Hon. S. H. Mayes,  
Prin. Chief Cherokee Nation,  
Tahlequah, I.T.

Sir:-

As all Indian Policemen must be reappointed on July 1st, that date being the beginning of the fiscal year, I have decided to reapportion them among the several tribes of the agency; and in this reapportionment, there will be about eleven assigned to duty in your nation.

In order that this may be accomplished as to best subserve the interests of both the Cherokee people and this Department, I would be pleased to receive suggestions from you as to the best places to station these officers. Of the above number, seven policemen will be on duty in your nation after July 1st, (the others to be yet appointed) until otherwise arranged, as follows:

Sergt.	A.T. Akin,	Westville
Private	John L. Brown,	Vian
"	John Childers,	Claremore
"	George W. Edlers	Braggs
#	Shelly Keys,	Coffeyville, Kas.
"	C.R. Rider	Pryor, Creek
"	J.B. Pettit,	Edna, Kas.

Very respectfully  
J. Blair Shoenfelt.  
U.S. Indian Agent.

Approved:

J. Geo. Wright,  
U.S. Ind. Insp. U.S. Ind. Agency, Press Book # 3, Letter 337  
Muskogee, Okla.



Union Agency,  
Muscogee, I.T.,

June 30th, 1899.

Mr. J. B. Pettit,  
Edna, Kas.

Sir:-

You have so far failed to send your oath of office, which will have to be filed in this office before you can receive your commission as Indian Police. You will also send your measurements in order that the proper size police clothing can be ordered.

Very respectfully,

J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved;

J. Geo. Wright,  
U.S. Indian Inspector.



Union Agency,

Muscogee, I.T., June 30th, 1899.

Hon. S. H. Mayes,

Prin. Chief Cherokee Nation,

Tahlequah, I.T.

Sir:-

As all Indian Policemen must be reappointed on July 1st, that date being the beginning of the fiscal year, I have decided to reappoint them among the several tribes of the agency; and in this reappointment, there will be about eleven assigned to duty in your nation.

In order that this may be accomplished so as to best subserve the interests of both the Cherokee people and this Department, I would be pleased to receive suggestions from you as to the best places to station these officers. Of the above number, seven policemen will be on duty in your nation after July 1st, (the others to be yet appointed) until otherwise arranged, as follows:

Sergt. A. T. Akin, Westville

Private John L. Brown, Vian

" John Childers, Claremore

" George W. Elders, Braggs

" Shelly Keys, Coffeyville, Kas.

" C. R. Rider, Pryor Creek

" J. B. Pettit, Edna, Kas.

Very respectfully,  
J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved:

J. Geo. Wright, U.S. Indian Inspector.

(Endorsed) Union Agency Press Book No. 3 Letter 336. Muskogee, Okla.



Union Agency,  
Muscogee, I.T., July 3rd, 1899.

Shelly Keys,  
U.S. Indian Police,  
Coffeyville, Kas.

Sir:-

Enclosed herewith is a letter from W. H. Parkinson, Welch, Ind. Ter., in which he complains of parties digging and hauling coal from his place. You will investigate this matter fully and make report to this office, with return of letter, as soon as possible.

While in Welch, you will call on Polly Johnson, a daughter of Serena Kennedy, who has written this office, complaining about one Thos. Tiger, who seems to have sent her a notice to vacate her place. I wrote Tiger on June 14th to notify this office by what authority he served said notice and what claim, if any, he had upon her place, but have received no answer to said letter. You will find out from her the full particulars of her complaint, as her letters are not very intelligent to this office. Also make full report in this matter.

Very respectfully,  
J. Blair Shoenfelt,  
U.S. Indian Agent.

Approved:  
J. Geo. Wright,  
U.S. Indian Inspector.



90

DEPARTMENT OF THE INTERIOR.  
Washington.

October 5, 1899.

United States Indian Inspector  
for the Indian Territory,  
Muscogee, Indian Territory.

Sir:

Enclosed herewith you will find a copy of permit given to the Kansas and Arkansas Valley Railway Company, allowing said company to take and remove gravel from the bars and bed of Grand River between the meandered banks of said river as described in said permit, and also copy of the bond given by said railway company for the faithful performance of its obligations.

You have been heretofore advised in a letter dated September 23rd, that other parties will be allowed to take gravel from the bed of said river, and permits may be issued to them upon the same terms as that issued to said railway company. You will forward each application to the Department through the Commissioner of Indian Affairs for approval.

Respectfully,

Tho. R. Ryan  
Acting Secretary.

Ind.Ter.Div.

2841-1899.

2 enclosures.

(Endorsed) Union Agency # 362, received Oct. 14, 1899, Office of U. S. Indian Inspector for I. T. Washington, Oct. 5, 1899. Secretary, Sends copy of permit for K & A -V R'y to take gravel Cherokee Nation.



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DEPARTMENT OF THE INTERIOR.  
Office of Indian Affairs

Washington.

January 4, 1900.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith an act passed by the Cherokee National Council at its regular 1899 session, approved by the Principal Chief December 9, 1899, entitled,

An Act making an appropriation for the support of the Cherokee Orphan Asylum for the scholastic year ending December 31, 1900, and **for** other purposes.

The act appropriates the sum of \$15,175 for the purpose of paying salaries of the employes of the orphan asylum and for the current and contingent expenses thereof. It also provides that the teachers at the orphan asylum, male and female seminaries, and colored high school, shall pay the same board per month as is required by law for pupils attending the seminaries and colored high school and that every teacher having a child or children over five years of age boarding at said institution shall pay for board of each child over five years of age at the rate of \$5.50 per month.

The act appropriates the further sum of \$1,025 for the purpose of insuring the orphan asylum building against fire for the period of three years.

The act authorizes the Principal Chief to draw his warrants for the payment of the sums appropriated upon requests from the Board of Education. Inspector Wright in reporting on this bill states that while he does not approve of the manner in which the payments are to be made, yet as the act is passed to carry out the Cherokee laws still in force, he recommends its approval. The ap-



appropriations made by the bill are for the purpose of sustaining one of the educational institutions of the Cherokee Nation and appear to be proper and correct. It is therefore respectfully recommended that the act be submitted for Executive action with the recommendation that it be approved.

Very respectfully,  
Your obedient servant

W. A. Jones.

Commissioner.

W.C.V.(L'5)



DEPARTMENT OF THE INTERIOR.  
Washington.

January 5, 1900.

The President,

Sir:

I have the honor to submit herewith, for executive action under the provisions of the Act of Congress approved June 7, 1897 (30 Stat., 62, 84), an act of the Cherokee Nation, entitled "An Act Making an appropriation for the support of the Cherokee Orphan Asylum, for the Scholastic year ending, December 31st 1900, and for other purposes."

Said act appropriates the sum of \$15,175.00 out of the Orphan Fund for the current and contingent expenses and the salaries of the superintendent and medical superintendent and teachers of the Cherokee Orphan Asylum, and directs the Principal Chief to draw his warrants for the sums appropriated upon requisitions issued by the Board of Education. The act also requires the teachers at the Orphan asylum, male and female seminaries and colored high school to pay the same board per month that the pupils are required to pay for attending said seminaries and high school; also that each and every teacher having a child or children over five years of age boarding in said institutions shall pay for the board of each and every child over five years of age at the rate of \$5.50 per month.

The act also appropriates out of the Orphan Fund the sum of \$1,025.00 to insure the orphan asylum building against fire for the period of three years, and directs the Principal Chief to place said insurance in the lowest responsible company, and draw his warrant for the payment of the premium on the same.

Said act was approved by the Principal Chief on December 9, 1899. It is recommended for approval by the United States Indian



-2-

Inspector for the Indian Territory, and his recommendation is concurred in by the Commissioner of Indian Affairs.

I have, therefore, to recommend that said act be approved.

The letter of the United States Indian Inspector and a copy of the report of the Commissioner of Indian Affairs are also herewith inclosed.

Respectfully,

E. A. Hitchcock  
Secretary.

Ind.Ter.Div.  
41-1899.  
3 Inclosures.

(Endorsed) Union Agency # 530



DEPARTMENT OF THE INTERIOR.  
Washington.

January 5, 1900.

The President,

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress approved June 7, 1897 (30 Stat., 62-84), Senate Bill Number Thirty-nine of the Cherokee Nation entitled "An Act providing an appropriation to aid the blind and indigent Cherokee Children at the School for the blind at Fort Gibson."

Said act was approved by the Principal Chief of said nation on December 9, 1899. Said act appropriates the sum of \$300 out of the School Fund of the Cherokee Nation for the benefit of the blind and indigent Cherokee children attending the Blind School at Fort Gibson, Cherokee Nation, and directs the Principal Chief to expend the same for such purposes as he may deem proper.

The United States Indian Inspector for the Indian Territory states that the nation desires to care for the blind and indigent children which are at said school, which is otherwise entirely supported by charity, and he recommends the approval of said act. His recommendation is concurred in by the Commissioner of Indian Affairs. I have, therefore, to recommend that said act be approved.

The letter of the United States Indian Inspector and copy of the report of the Commissioner of Indian Affairs are enclosed herewith.

Respectfully,

E. A. Hitchcock,  
Secretary.

Ind.Ter.Div.  
34-1900.  
3 enclosures.

(Endorsed) Union Agency # 531 received Jan.16,1900 Office of U. S. Indian Inspector for I. T. Wash. Jan.10,1900 Sec. Cherokee Act to aid blind children at Ft. Gibson APPROVED.



Land  
308-1900.

Department of the Interior,  
OFFICE OF INDIAN AFFAIRS,

Washington, January 5, 1900.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith an act of the Cherokee National Council passed at its special 1899 session approved by the Principal Chief December 16, 1899, and entitled,

An act directing the Treasurer to pay John Lovett his strip money and making appropriation for certain other persons herein named.

The act directs the Treasurer to pay John Lovett, a Cherokee orphan boy, resident in Sequoyah District, the per capita money retained for him under the act of May 3, 1894, notwithstanding that he has not attained his majority.

Section 2 appropriates the sum of \$265.70 for each of the following named persons, to wit, Rudolph Hummingbird, Thomas Shaw, Lena Shaw, and William Meeks, who are Cherokees by blood and whose names were omitted from the 1894 pay-roll.

Inspector Wright reports and the preamble of the bill recites that John Lovett is an orphan in great need of the money, in poor health, and that he has no guardian. For that reason, it is desired to make the payment to him at this time, and Inspector Wright reports that the names of the other persons were erroneously omitted from the 1894 pay-roll and that they should



-2-

receive per capita money. He recommends the approval of the act. This office respectfully concurs in his recommendation.

Very respectfully,  
Your obedient servant,

W.A.Jones,  
Commissioner.

W.C.V.(L'e)

(Endorsed) Union Agency No.574 Received Jan 23, 1900 Office of U.S.Indian Inspector for Indian Territory. Washington, Jan. 17, 1900. Secretary.-----Cherokee Act to pay John Lovett per capita money APPROVED.-----



DEPARTMENT OF THE INTERIOR.  
Washington.

January 5, 1900.

The President,  
Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress approved June 7, 1897 (30 Stat., 62-84), Senate Bill Number 13 of the Cherokee Nation, entitled "An Act making an appropriation for the current and contingent expenses of the Cherokee Advocate for the fiscal year ending September 30th 1900," as follows towit:

"Salary of Editor,-	- - - - -	-\$600.00
Salary of Translator-	- - - - -	300.00
For pay of Foreman \$12.50 per week		
For pay of Cherokee Printer \$10.00 per		
	week.	
For ink, paper, new type and roller and		
	ink-	-500.00
For Pressman-	- - - - -	-200.00
Repairs on roof and other parts of		
	building.-	- - - 125.00
Wood-	- - - - -	- 30.00"

The Principal Chief is directed to draw his warrants on the General Fund for the same.

Said Act was approved by the Principal Chief on December 4, 1899.

The United States Indian Inspector for the Indian Territory states that the "Cherokee Advocate" is the official newspaper of said nation, containing the proceedings of their National Council printed in both English and Cherokee languages, and circulates free among the Cherokee citizens who cannot read English; that it is the only means of information concerning Congressional Legislation, or the acts of the United States officers stationed in the Indian Territory, and he recommends that the act be approved. His recommendation is concurred in by the Commissioner of Indian Affairs.



There appears to be no objection to the provisions of this act, and I have, therefore, to recommend that the same be approved.

The letter of the United States Indian Inspector and copy of the report of the Commissioner of Indian Affairs are enclosed herewith.

Respectfully,

E. A. Hitchcock.

Secretary.

Ind.Ter.Div.  
31-1900.  
3 enclosures.

(Endorsed) Union Agency # 529 received Jan. 16, 1900, Office of U. S. Indian Inspector for I. T. Washington, Jan. 10, 1900. Secretary. Cherokee Act for support Cherokee Advocate APPROVED.



(Copy)  
Refer in reply to the following:  
Land  
310-1900

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,  
Washington,

January 5, 1900.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith an act of the Cherokee Council passed at its special 1899 session, approved by the Principal Chief December 20, 1899, entitled,

An Act to domicile the engineer in the female seminary.

The preamble to the bill recites that the good health of the inmates of the female seminary demands careful attention; that a great deal depends upon the engineer of that institution and upon his careful attention at all times in order to avoid dangers that may arise from the bursting of pipes and the breaking of other machinery. The bill provides that the said engineer shall be required to live within the building "so that he may be there at any and all times to prevent disaster and avoid other damages that may arise at any time from the bursting of pipes, breaking machinery and other dangers that may arise." It also repeals all laws in conflict with the act "except as to the salary of said engineer."

Inspector Wright reports that this legislation appears desirable and for the benefit of the female seminary and recommends the approval of the act. This office respectfully concurs in Inspector Wright's recommendation.

Very respectfully,  
Your obedient servant,

W. A. Jones.  
Commissioner.

W. C. V. (L'e)  
(



-2-

(Endorsed) Union Agency No. 582. Received Jan. 23, 1900. Office of U. S. Indian Inspector for Indian Territory. Washington, Jan. 16, 1900. Secretary----Cherokee Act to domicile engineer Female Academy APPROVED.

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102

DEPARTMENT OF THE INTERIOR.  
WASHINGTON.

Janaury 5, 1900.

The President,

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress approved June 7, 1897 (30 Stat., 62-84), Senate Bill Number 29 of the Cherokee Nation, entitled "An Act making an appropriation for the deficiency of the Cherokee Advocate."

Said Act appropriates the sum of \$93.36 out of the General Fund of said nation in favor of Jo. R. Sequichie for the deficiencies of the Cherokee Advocate during the last part of his administration. Said act was approved by the Principal Chief on December 8, 1899.

The United States Indian Inspector for the Indian Territory calls attention to the report of the "Senate Committee on the Cherokee Advocate" which represents that this claim was properly investigated and found due to the person named therein. He recommends that the act be approved, and his recommendation is concurred in by the Commissioner of Indian Affairs. I have, therefore, to recommend that said act be approved.

The letter of the United States Indian Inspector and copy of the report of the Commissioner of Indian Affairs are enclosed herewith.

Respectfully,

E. A. Hitchcock  
Secretary.

Ind. Ter. Div.  
30-1900.

3 enclosures.

(Endorsed ( Union Agency # 534 received Jan. 16, 1900 Office of U. S. Indian Inspector for I. T. Washington, Jan. 10, 1900. Secretary. Cherokee Act making appropriation for deficiency of Cherokee Advocate APPROVED.



DEPARTMENT OF THE INTERIOR.  
Washington.

January 10, 1900.

United States Indian Inspector

for the Indian Territory,

Muscogee, Indian Territory.

Sir:

The act of the Cherokee Nation entitled "An Act making an appropriation for the support of the Cherokee Orphan Asylum, for the Scholastic year ending, December 31st 1900, and for other purposes," was approved by the President January 5, 1900, and the same has been transmitted to the Commissioner of Indian Affairs for the files of his office.

You will duly notify the Executive Secretary of said nation of the approval of said act.

The letter of transmittal to the President and copy of the report of the Commissioner are enclosed herewith.

Respectfully,

Tho. R. Ryan

Acting Secretary.

Ind.Ter.Div.  
41-1900.  
2 enclosures.

(Endorsed) Union Agency # 530 received Jan. 16, 1900. Secretary.  
Washington, Jan. 10, 1900. Cherokee Act for support of Orphan  
Asylum, APPROVED.



104

DEPARTMENT OF THE INTERIOR.  
Washington.

January 10, 1900.

United States Indian Inspector  
for the Indian Territory,  
Muscogee, Indian Territory.

Sir:

Senate Bill No. 13 of the Cherokee Nation entitled "An Act making an appropriation for the current and contingent expenses of the Cherokee Advocate for the fiscal year ending September 30th 1900," was approved by the President January 5, 1900, and the same has been transmitted to the Commissioner of Indian Affairs for the files of his office.

You will duly notify the Executive Secretary of said nation of the action taken.

The letter of transmittal to the President and copy of the report of the Commissioner are enclosed herewith.

Respectfully,

Tho. R. Ryan.

Acting Secretary.

Ind.Ter.Div.  
31-1900.  
2 enclosures.



Muscogee, I.T., July 9, 1900.

J. George Wright, Esqr.,  
United States Indian Inspector,  
Muscogee, I.T.

Sir:

As you are aware, for a long time past, acting upon your suggestion and request, the agents of the Missouri, Kansas & Texas Railroad Company at stations within the limits of the Cherokee Nation, have uniformly refused to receive hay cut from Cherokee lands for shipment until notified by the Inspector for the Cherokee Nation, acting under you, that the royalty thereon had been duly paid.

During the present hay season, which is now at its height, the information has come to the representatives of our road that a competitive railroad, the St. Louis & San Francisco Railway Company, was shipping hay out without regard to the action of your Department, and that the M. K. & T. Railroad was not only losing a large amount of hay traffic which legitimately belonged to it, but was being discriminated against in other traffic in which hay men and their friends were interested, because of the action of our company in following your suggestion and request as to refusing to ship hay when they royalties have not been paid.

You are further aware that on the 19th ultimo a prominent hay shipper, Mr. Fred L. Kelly, instituted mandamus proceedings against the M. K. & T. Railroad Company in the United States Court at Vinita, the purpose of which proceeding was to compel the M. K. & T. Railway Company to receive hay cut from the Cherokee lands and transport the same without regard to whether the royalty had been paid or not.

You are further aware that my opinion was that the col-



lection of this hay royalty could not properly be enforced, and especially so when the hay was cut from the lands held by the Cherokee citizens, not exceeding the amount of their proportionate allotment and which they held for the purpose of taking out allotments. And in order that the position of your Department might be fairly presented to the court in this mandamus proceeding, I advised you that I would be willing for the counsel representing you in this matter to argue this particular case from the standpoint of your Department, and if I were called upon myself, I would frankly state to the court my own legal conclusions, supplemented with the fact that the company in following your request and suggestion in this matter was yeilding (Sic) to the views of the law officers of the Department as well as of the Secretary in these royalty matters. I was especially anxious to have the court pass upon the merits of this controversy in this particular mandamus proceeding, and as it was understood that the District Attorney would represent the Department in this particular matter I consulted fully in the case with his assistant Mr. Sawyer, and also to limited extent with the District Attorney, and preparedd my answer to meet the views of both these gentlemen, and it was filed in court. As you are aware the facts in the case had practically been agreed upon, so the hearing of the matter on its merits could be expeditied, when the District Attorney raised the question that the court had no jurisdiction in mandamus proceedings in this class of cases, though I suggested that he should not insist upon the point, but let the court decide the question upon its merits. The question of jurisdiction, however, was insisted upon, and a demurrer was prepared by the District Attorney and presented to the court--I having signed the demurrer as prepared



by the District Attorney. This question of jurisdiction of the court in this case was not suggested to me by either the District Attorney or his assistant during our conference about this case.

I am now satisfied that the court will sustain the District Attorney in the position that it has no jurisdiction over this particular case, and it is probable that we can not have an early settlement of the question of the duty of the railroad company in this particular respect. And, inasmuch as the District Attorney stated in open court that the Indian Territory Court of Appeals had held that the Inter--state Commerce Act was in force in this Territory, and that this proceeding, if at all, could only be maintained under the terms of that Act, and in such event the M. K. & T. Railway Company would be liable for a penalty of \$5,000.00 in each instance where it refused to receive a hay shipment, as well as in view of the further fact that if the M. K. & T. Railway Company continues to refuse to receive such shipments without the royalties being paid that it will throw all the hay shipments of other classes of traffic, I would respectfully request that you withdraw the request that you have heretofore made upon the Missouri, Kansas & Texas Railway Company to refrain from shipping this hay unless notified by your Department that the toyalty had been paid, and leave our company perfectly free to ship this hay when offered to it. Neither our company nor its officers have any desire to fly in the face of the Interior Department, and they have at all times endeavored to conform to the various rules, regulations and practices of the Department as I believe both you and the Indian Agent and his predecessors in office will readily concede. But in view of the fact that the only opportunity we ever had to settle



this question in the courts has failed because of this question of jurisdiction, and in view of the fact of the peculiar hardships that will fall upon us by further complying with your request, **Irrespectfully** ask that you withdraw the same.

Trusting to have a prompt answer, as the hay season is fast passing away, and each day means the loss of a large sum of money in traffic, I am,

Very respectfully,

Clifford L. Jackson.  
General Attorney.

JW

(Copy-WFW)

Union Agency Press Book # 4, Letter # 40-43. Muskogee, Oklahoma



109

Muscogee, Ind. T.,  
July 10, 1900.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to report that in a recent mandamus case, brought by one F. L. Kelly against the Missouri, Kansas and Texas Railroad Company, the purpose of which was to compel the said railroad company to receive hay cut in the Cherokee Nation and transport the same without regard to whether or not the royalty on same had been paid, the action has been dismissed in the United States Court, for want of proper jurisdiction, therefore, in all probability, no further action will be taken in this matter.

The Missouri, Kansas and Texas Railroad Company has heretofore complied with a request of mine, made in compliance with Department telegram of October 11, 1899, wherein I was advised:

"You will request railroad companies in the Indian Territory not to accept hay for shipment until royalty is paid." Further advice will be given by letter."

The St. Louis and San Francisco Railroad Company declined to comply with such request, and have shipped hay as offered to them, even in cases where they had been notified by the Indian Agent that the royalty on such hay had not been paid, and that such hay was in the custody of the Agency.

Under these circumstances, the Missouri, Kansas and Texas Railroad Company, under date of the 9th instant (copy herewith) ask that I withdraw the request heretofore made upon them to



refrain from shipping hay unless notified that the royalty on same had been paid, and to leave their company free to ship hay when offered.

In reply to this letter, they were advised by me, as per copy herewith, that in view of the fact that the St. Louis and San Francisco Railroad Company had declined to comply with a similar request, the request made upon their railroad was withdrawn until such time as the other roads in the Indian Territory should take action with reference to the request heretofore made upon them, -not to ship hay until the royalty thereon had been paid.

In view of the fact that the mandamus case above referred to has been dismissed by the court, and therefore no further action will probably be taken, and as the action of the St. Louis and San Francisco Railroad Company has greatly embarrassed this office in the collection of this royalty, it being necessary to station men at the different points of shipment, causing constant annoyance and considerable expense, to constantly watch these hay shippers and prevent the shipment of hay upon which the royalty had not been paid, I would respectfully request that a communication be addressed direct from the Department to the St. Louis and San Francisco Railroad Company, and sent through this office, renewing the request heretofore made.

I am convinced that the Missouri, Kansas and Texas Railroad Company will comply with a similar request whenever made, but do not desire to be placed at a disadvantage in this matter.

I would respectfully refer to Department letter of October 13, 1899, on this subject, wherein I am advised:

"It is sufficient for the present to have the whole matter



presented to the railroad companies by you, with the request that they issue instructions to their agents not to receive hay for shipment until proper evidence is produced that said tax has been paid. The Department concurs in the belief expressed by the Acting Commissioner, that the railroad companies will comply with such request, and in case any of them refuse to do so, you will report the matter at once for further action by the Department."

As there are large quantities of hay now being shipped from the Cherokee Nation, and as the shipping season will expire in from 30 to 60 days, I respectfully ask to be advised in this matter at the earliest practicable date.

If the railroad companies would comply with the request heretofore made (and which they did for a short time) there would be little or no trouble for all concerned, but unless they do so, it will cause constant trouble, annoyance and expense for me to collect the royalty on hay shipped.

Very respectfully,

Your obedient servant,

U.S. Indian Inspector, for the  
Indian Territory.

J.G.W. )Mc)

Union Agency Press Book # 4, Letter 37-39, Muskogee, Oklahoma.



DEPARTMENT OF THE INTERIOR.  
WASHINGTON.

October 12, 1900.

The United States Inspector  
for the Indian Territory.

Sir:

The Department is in receipt of your report, dated the 14th ultimo, upon the application of the Claremore Telephone Company for permit to erect a line connecting Claremore with certain places in the Indian Territory and making an adverse recommendation thereto.

The Commissioner of Indian Affairs forwarded your said report on the 6th instant, with a recommendation that said Company be "required to secure the desired franchises through Congressional enactment.

The Department concurs in the views expressed by you and the Commissioner, and has so advised said Company this day.

Respectfully,

Tho. R. Ryan.

Acting Secretary.

Ind.Ty.Div.,  
3368-1900.

(Endorsed) Union Agency # 1201 Received Oct. 15, 1900. Office of U. S. Indian Inspector for I. T. Washington, Oct. 12, 1900. Secretary, Claremore Telephone Co. must secure franchise by Congressional enactment.



Land  
60803-1900

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, Dec.17,1900.

The Honorable

The Secretary of the Interior.

Sir:

There is enclosed herewith a report dated Dec.6, 1900, from Inspector Wright, submitting for Executive action an act of the National Council of the Cherokee Nation, approved by the Principal Chief Nov.24,1900, entitled,"An Act granting to Fred McDaniel a telephone franchise and for other purposes."

The act first provides that Fred McDaniel is granted the privilege to "erect, maintain, and operate a telephone line from the north line of the Cherokee Nation near the town of Caney, Kansas, parallel with the Kansas, Oklahoma Central and Southern Railroad to its terminus at Owasso, I.T., and thence in a southerly direction from Owasso, I.T., to a point on the south line of said Cherokee Nation near the town of Tulsa, I.T.; also beginning at the town of Nowata, I.T., on the Kansas and Arkansas Valley Railroad in a westerly direction to the town of Bartlesville and thence west to the east line of the Osage Nation," and further that the privilege granted shall be in force for the period of 20 years.

The act then provides that all rights thereunder shall be forfeited unless McDaniel, "his associates or assigns" commence the construction of said line within one year from the passage



and approval thereof.

The act further provides that after the telephone line shall have been constructed, said McDaniel, "his associates and assigns," shall pay to the Treasurer of the Nation, to be placed to the credit of the school fund, 2 1/2 per cent of the net earnings of said line.

It is then provided that Ed.D.Hicks is granted a franchise to erect a telephone line from Stilwell, I.T., to Tahlequah, I.T., and from Tahlequah to the line of the Creek Nation near the town of Wagoner, said telephone line to be subject to the conditions above mentioned.

Inspector Wright invites attention to office letter of Jan. 29, 1900, in reference to the application of J.W.Breedlove for a permit to construct and operate a telephone line through the Creek, Cherokee and Choctaw Nations, I.T. Breedlove desired to construct and operate a long distance telephone line under the provisions of the act of March 2, 1899 (30 Stats., 990) through the Cherokee Nation, extending from Fort Smith, Arkansas, to Wagoner, in the Creek Nation. Also a line from Muldrow to connect with several towns in the Choctaw Nation and from Salisaw to Southwest City, Missouri. In said office letter relative to the application of Mr.Breedlove, it was held that,

Prior to the passage of said Act of March 2, 1899, it had been held by this office in a considerable number of cases that neither the office nor the Secretary of the Interior had power or authority to grant a right of way across Indian reservations or Indian lands for the construction of telephone and telegraph lines, and that authority to grant such a franchise resided only with Congress. This position of the office has been strengthened



by the passage of the Act of Congress of February 9, 1899, (30 Stats., 834) authorizing the Missouri and Kansas Telephone Company to construct and maintain a line and offices for general business purposes in and upon the Ponca, Otoe and Missouri (Sic) reservations in the Territory of Oklahoma.

In connection with this matter, the attention of the Department is invited to office report of October 6, 1900, transmitting Inspector Wright's report of Sept. 14, 1900, relative to the application of the Claremore Telephone Company, of Indian Territory, for a permit or charter to construct a telephone line from Claremore, Cherokee Nation, to Tulsa, in the Creek Nation. In that report, the holding of this office in the Breedlove case above quoted was also quoted and it was stated that the office was unaware of any reason why the ruling should not be adhered to and it was recommended that the "Claremore Company be required to secure the desired franchise through Congressional enactment." Department letter of Oct. 12, 1900, concurred in the views of this office.

The Inspector recommends the disapproval of the act. The office concurs in the Inspector's recommendation, for the reasons above given, and therefore recommends that the act be submitted to the President with the request that he disapprove it.

Very respectfully,  
Your obedient servant,

W.A. Jones.

Commissioner.

G.A.W. (L'e)

(Endorsed) Union Agency No. 1566 Received Jan. 8, 1901 Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 3, 1901, Secretary.-----Cherokee Act to grant Fred McDaniel telephone franchise, DISAPPROVED.-----



116  
Cherokee N.

SENATE BILL NO.34.

AN ACT MAKING AN APPROPRIATION TO PAY CERTAIN CLAIMS AGAINST THE  
CHEROKEE NATION.

\_\*\_\*\_\*\_\*\_\*\_\*\_\*\_\*

WHEREAS, certain persons having claims against the Cherokee  
Nation have presented the same to the National Council for payment;  
and

WHEREAS, said claims have been reported favorable by the Com-  
mittee on Claims to which they were referred, THEREFORE,

BE IT ENACTED BY THE NATIONAL COUNCIL: That there be and is  
hereby appropriated Five Hundred and Six Dollars and Fifty-five cents  
(\$506.55) out of any money belonging to the General Fund, not other-  
wise appropriated, to pay the following named persons the amount set  
opposite their names, and the Principal Chief is hereby authorized  
and directed to draw his warrants accordingly:

Robert Czarnikow-----	\$120.80,
Mrs. N. S. McNair,-----	43.00,
Teecey Chambers,-----	53.50,
John Brantley,-----	200.00,
Sam Sharble,-----	17.50,
J. Caleb Starr,-----	71.75.

Approved by T. M. Buffington, Prin. Chief, Dec. 8, 1900,

Approved by William McKinley,  
President of the United States.  
December 27, 1900.

See D-1599.



Senate Bill Number Eight.

An Act Making an Appropriation for the Current and Contingent Expenses of the Cherokee Advocate, for the fiscal year ending November 19, 1901.

BE It Enacted by the National Council:

That there be and there is hereby appropriated the sum of two thousand nine hundred, six dollars (\$2906 00) to meet the current and contingent expenses of the Cherokee Advocate for the year ending November 19, 1901, as follows to wit:

Salary of Editor.....	\$600.00
Salary of Translator.....	350.00
Pay of English Printer.....	600.00
Pay of Cherokee Printer.....	480.00
Ink, paper, type, rollers etc....	500.00
Salary of Pressman.....	250.00
Wood.....	30.00

And the Principal Chief is hereby directed to draw his warrants on the General Fund, accordingly, upon the requisition of the Editor.

Be It Further Enacted:

That the Editor of the Advocate, be and he is authorized and empowered to exchange any old type in the Advocate Office for any new type which he may deem necessary.

Approved November 24, 1900.

T. M. BUFFINGTON

Principal Chief Cherokee Nation.

Approved by

Wm. McKinley

Dec. 20, 1900.

See D-1577-1901



Refer in reply to the following:

118

Land.  
61922-1900

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,  
Washington,

December 20, 1900.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made on Dec. 12, 1900, by J. George Wright, U. S. Indian Inspector for the Indian Territory, transmitting an act of the Cherokee National Council approved by the Principal Chief Dec. 8, 1900, entitled, "An Act providing for the deficiency at the Colored High School and for other purposes."

The act appropriates the sum of \$366.42 "to pay for the current expenses of the Colored High School from the 30th of September to December 31, 1900;" the further sum of \$42.50 to pay "Mrs. M. L. Logan for services as Fifth Assistant Teacher at the Male Seminary during the fall term of 1900," and the still further sum of \$363.33 "to pay the deficiency of the Female Seminary from October 1, 1900, to January 1, 1901."

The Inspector referred this bill to Superintendent of Schools John D. Benedict, who reported that the appropriations were necessary. The Inspector therefore recommends the approval of the act and this office respectfully concurs in his recommendation.

Very respectfully,  
Your obedient servant,

W. A. Jones.  
Commissioner.

W. C. V. (L'e)

(Endorsed) Union Agency No. 1598. Received Jan. 8, 1901. Office of U. S. Indian Affairs. (Int. Dept. Jan. 5, 1901. Returns approved Cherokee act providing for the deficiency of at the colored High school.)



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DEPARTMENT OF THE INTERIOR. F.  
WASHINGTON.

December 20, 1900.

The President.

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress approved June 7, 1897 (30 Stat., 62-84), an act of the National Council of the Cherokee Nation entitled "An Act making an appropriation for the current and contingent expenses of the Cherokee Advocate for the fiscal year ending November 19, 1901."

Said act makes an appropriation of \$2906 to meet the current and contingent expenses of the Cherokee Advocate for the fiscal year ending November 19, 1901, in the several amounts set out in the body of said act. It also authorizes the editor of the Advocate to exchange any old type in the office of said paper for any new type which he may consider necessary.

The United States Indian Inspector for the Indian Territory recommends that said act be approved, and the Commissioner of Indian Affairs concurs in said recommendation.

The United States Indian Inspector for the Indian Territory recommends that said act be approved, and the Commissioner of Indian Affairs concurs in said recommendation.

There appearing to be no valid objection to said act I have to recommend that the same be approved.

The letter of the Inspector and copy of the report of the Commissioner of Indian Affairs are enclosed herewith.

3 enclosures.  
Ind.Ter.Div.  
4152-1900.

Respectfully,

E. A. Hitchcock.  
Secretary.



-2-

(Endorsed) Union Agency No. 1577. Received Jan. 11, 1901. Office of U.S. Indian Inspector for Indian Territory. Washington, D.C., Jan. 4, 1901. Secretary----Cherokee Act providing for expenses CHEROKEE ADVOCATE, APPROVED.



Land  
61932-1900

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, Dec.20,1900.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made by J.George Wright, U.S.Indian Inspector for the Indian Territory, on Dec.12, 1900, transmitting an act of the Cherokee National Council approved by the Principal Chief Dec.3, 1900, entitled, "An Act locating a school in Cooweescoowee district."

The act provides that a primary school shall be located in the district mentioned, one mile west of Bear Timpson Place, known as Pawpaw School, and provides that the Board of Education shall only locate the school provided for in case a school now in operation in said district fails to make the required average.

The Inspector referred the act to Superintendent of Schools, Benedict, who recommended its approval and the Inspector concurs in Supt. Benedict's recommendation.

This office respectfully concurs with Inspector Wright in his recommendation for the approval of the act.

Very respectfully,  
Your obedient servant,

W. A. Jones.

Commissioner.

W.C.V.(L'e)



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D E P A R T M E N T   O F   T H E   I N T E R I O R .

Washington.

December 22, 1900.

The President.

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of June 7, 1897 (30 Stat., 62-84), an act of the National Council of the Cherokee Nation entitled "An Act to establish another primary school, in Tahlequah and Delaware Districts, Cherokee Nation."

Said act declares that the Cherokee Board of Education be and the same is thereby authorized and directed to locate primary schools, one at "cold springs on clear creek, in Tahlequah District," and one at the mouth of Dry Creek in Delaware District, Cherokee Nation; that said schools shall be governed by the same rules and regulations as other primary schools in the Cherokee Nation. It also directs the Board of Education to locate schools, one at Elm Grove in Flint District, one at Bethel Chapel in Sequoyah District, and one at Lum Lee's in Goingsnake District; with a proviso that said Board may locate said schools only in case a school in the district shall have failed to make the average required by law and is discontinued on account thereof.

The Superintendent of Schools in Indian Territory, to whom said act was referred by the Indian Inspector for the



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Indian Territory, recommends that the same be approved, for the reason that the population of said nation "is to some extent of a nomadic character," which makes it necessary to occasionally discontinue certain schools and establish others. He also expresses the opinion that it would be better to leave the matter of locating new schools to the Cherokee Board and the United States Supervisor, and calls attention to the fact that the laws of the Cherokee Nation vests this power in the Council.

The Inspector concurs in the recommendation of the Superintendent that said act be approved, and his recommendation is concurred in by the Commissioner of Indian Affairs.

There appearing to be no valid objection to said act I have to recommend that the same be approved.

The letters of the Inspector and Superintendent and copy of the report of the Indian Office are enclosed herewith.

Respectfully,

Thos. Ryan

Acting Secretary.

Ind. Ter. Div.  
4224-1900.  
4 enclosures.

(Endorsed) Union Agency No. 1564 Received Jan. 8, 1901 Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 3, 1901, Secretary.-----Cherokee Act to establish primary school in Tahlequah and Delaware Districts, APPROVED Dec. 22, 1900.-----



DEPARTMENT OF THE INTERIOR.  
Washington.

December 26, 1900.

The President.

Sir:

I have the honor to submit herewith for executive action, under the provisions of the act of Congress approved June 7, 1897 (30 Stat., 62-84), an act of the National Council of the Cherokee Nation entitled "An Act making an appropriation to pay certain claims against the Cherokee Nation."

Said act recites that certain persons who have claims against the Cherokee Nation presented the same to the National Council for payment and they were reported favorably by the Committee on Claims to which they were referred. The act appropriates \$506.55 from the general fund to pay the persons named therein the amounts set opposite their respective names, and authorizes the Principal Chief to draw his warrants accordingly.

The United States Indian Inspector recommends that said act be approved, and his recommendation is concurred in by the Commissioner of Indian Affairs.

There appearing to be no valid objection to said act I have to recommend that the same be approved. The letter of the Inspector and copy of report of the Commissioner of Indian Affairs are enclosed herewith.

Respectfully,

Tho. R. Ryan.  
Acting Secretary.

Ind.Ter.Div.  
4225-1900.  
3 enclosures.

(Endorsed) Union Agency # 1599 received Jan. 14, 1901 Office of U. S. Indian Inspector for I. T. Washington, Jan. 5, 1901. Secretary. Cherokee Act to "Pay certain claims against Cherokee Nation." APPROVED.



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DEPARTMENT OF THE INTERIOR.

Washington.

January 3, 1901.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, I.T.

Sir:

The act of the Cherokee Nation entitled "An Act locating a school in Cooweescoowee District," approved by the Principal Chief December 3, 1900, was transmitted by you December 12th and by the Indian Office December 20th.

I am directed by the Secretary to inform you that said act was approved by the President December 22, 1900, and returned this day to the Indian Office for its files, and to enclose herewith departmental letter to the President and copy of report of the Indian Office, for proper disposition.

Respectfully,

Edward M. Dawson

Chief Clerk.

Ind. Ter. Div.  
4223-1900.  
2 enclosures.

(Endorsed) Union Agency No. 1563 Received Jan. 8, 1901 Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 3, 1901, Secretary.-----Cherokee Act locating school in Cooweescoowee District, APPROVED Dec 22, 1900.



Washington,  
April 17, 1901.

Commissioner of Indian Affairs.

Sir:

The Department is in receipt of the report of the Acting Commissioner dated April 15, 1901 (Finance 17861-1901), upon a communication from Special Inspector Zevely, dated March 30, 1901, with which he submitted a copy of Cherokee warrant No. B-81 for \$1,200. dated December 5, 1896, payable to the order of W. M. Gulager.

The Acting Commissioner states that said warrant was previously reported by the Inspector in connection with warrants B-79, 80 and 82, as having been fraudulently issued, with the recommendation that it ought not to be paid until the present holder produced unequivocal evidence that he was an innocent holder thereof for a valuable consideration.

The Inspector states that the evidence transmitted with his letter, including the original checks for \$690. and \$60 respectively, paid for said warrant, seems to be entirely sufficient to establish the fact that Mr. W. W. Hastings, the present owner, is an innocent holder for valuable consideration, without notice of any fraud or taint upon the warrant at the time of purchase, and therefore recommends that the Indian Agent, Union Agency, Indian Territory, be instructed to pay said warrant.

The Acting Commissioner states that the three other warrants, B-79, 80 and 82, were reported to the Department by the Inspector on February 4, 1901, with evidence that the holder was innocent of their fraudulent character when he purchased them, and that the De-



partment on February 25, 1901, granted authority for their payment.

He also states that the evidence submitted with warrant 81 appears equally satisfactory with that submitted with warrants 79, 80, and 82, and justifies payment thereof to Mr. W. W. Hastings, the present holder, and he approves the Inspectors' recommendation "that the U. S. Indian Agent, Union Agency, I. T., be authorized to pay said warrant just as he pays other regularly and properly issued Cherokee warrants to which no exceptions have been taken."

The Department concurs in the Inspector's recommendation, and you will advise the Indian Agent accordingly. The papers transmitted by the Inspector are enclosed.

Very respectfully,

Thos. Ryan.  
Acting Secretary.

(Endorsed) Union Agency # 2095 received Apr. 29, 1901 Office of U. S. Indian Inspector for I. T. Washington, April 25, 1901 Commissioner. Transmits copy of Dept. letter rel. Cherokee warrant B081, together with other papers, to be forwarded to Agent.



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D E P A R T M E N T O F T H E I N T E R I O R.  
WASHINGTON.

June 20, 1901.

I.T.D. 2384-1901.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, I. T.

Sir:

On June 11, 1901, the Department referred to the Indian Office for report and recommendation a communication and its inclosures from the Department of Justice, relative to the request of J. G. Rucker that the United States Attorney for the Northern District of Indian Territory file a bill in equity on the part of the United States to restrain certain persons from erecting telephone lines through the Cherokee Nation.

On the 15th instant the Commissioner reported that the Hon. D. T. Flynn on February 20, 1901, referred to his office the application of the Claremore Telephone Company for a franchise for telephone lines in the Indian Territory; that this application not being in regular form was returned "under date of March 2, 1901, with the information that regulations were then being prepared under section 3 of the act of Congress of March 3, 1901." (Public No. 137); that on March 25, 1901, Mr. Rucker requested blanks for application for telephone franchises under said act; that on April 19, 1901, there were forwarded to him and to Mr.



Flynn copies of the regulations prescribed under said act; that on June 7, 1901, Mr. Flynn transmitted a communication from Mr. Rucker, addressed to him, reciting that the writer had made a survey of a line over which he proposes to erect a telephone line, and for which he had made application to the Department, and referred to his communications of February 20th and March 25th; that after filing his applications he had a surveying corps of men survey the proposed line, and that they are now at work making a map to conform with the requirements of section 3 of said act; that the facts are that "Rogers-Johnston-Campbell Company" as soon as they found that he was making this survey began the erection of a line over the same route for which he had made application.

The Commissioner states that inclosed in the last mentioned communication is a letter from W. H. Kornegay to Mr. Rucker, dated May 31, 1901, as follows:

"Yours to hand. Mr. Soper upon looking over his instructions claims that the Attorney General has directed him not to bring any civil suits on behalf of the United States except upon an order from him or the Solicitor General, and he says he has written for permission and as soon as he gets it he will file it. Johnston was here yesterday as I think, at least Johnstone of Bartlesville was here. It may be that they are figuring also."

He also states that his office has received from Mr. Rucker a communication of April 23, 1901, acknowledging receipt of his letter of April 19th, in which it is stated that the writer is preparing to comply with the rules "for making application for telephone line from Wagoner to Kansas line near Coffeyville";



that on May 31, 1901, Mr. Rucker stated that he had been at work surveying the route as required in the regulations issued by the Department, and complained because the Rogers-Johnston-Campbell Company has commenced to erect a line over the same route for which he alleges he had made application; that the following telegram was received from J. E. Campbell and Will Johnston on May 31, 1901:

"In matter of granting privilege to construct telephone line Coffeyville to Ft. Gibson respectfully ask hearing. We are working in good faith under grant made by Cherokee Council. If necessary will gladly comply in act March third and regulations of Dept."

To which his office the same day replied as follows:

"Replying to your telegram twenty-ninth, there is nothing of record in this office regarding your telephone operations in the Cherokee Nation. Hence your telegram is not understood."

The Commissioner also states that Mr. Rucker has not filed formal application in his office for permission to survey or construct a telephone line in the Cherokee Nation; that neither Mr. Rucker nor the parties against whom he enters complaint have any right to be conducting surveys for telephone lines in the Indian Territory.

The Acting Attorney General requests an expression of the views of the Department as to the advisability of authorizing the United States attorney to sign and file the bill in equity copy inclosed with his communication.



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The Acting Attorney General requests an expression of the views of the Department as to the advisability of authorizing the United States attorney to sign and file the bill in equity copy inclosed with his communication.



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Under the circumstances you are directed to advise all parties concerned that they must discontinue attempts to survey or construct telephone lines in the Five Civilized Nations; that until their claims are adjudicated and authority procured from the Department, and any further disregard of the law or regulations will be deemed sufficient to warrant the Department in taking adverse action upon any application that may be hereafter submitted by them, and you will make every proper effort to see that they do not disregard these instructions.

The Department of Justice has been informed that the Department will withhold expressing any opinion as to the question of the Department of Justice authorizing the United States attorney to sign and file the bill in equity, until the Department is further advised by you in the matter and after you have consulted the United States attorney.

Respectfully,

Thos. Ryan.  
Acting Secretary.

(Endorsed) Union Agency # 2333 received Jun 27, 1901 office of U. S. Indian Inspector for I. T. Washington, June 20, 1901. Secretary. Directs that all parties discontinue survey and construction of telephone lines in the Indian Territory without authority.



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DEPARTMENT OF THE INTERIOR.  
Office of the Assistant Attorney General.

Ind.Ter.Div.  
3697-1901.

WASHINGTON.

September 23, 1901.

The Secretary of the Interior,

Sir:

You have requested an opinion as to the proper construction of section three of an act of the Cherokee National Council of December 9, 1899, approved by the President of the United States January 11, 1900, which reads as follows:

That inasmuch as it is greatly inconvenient both to the disbursing officer appointed by the Secretary of the Interior and the holders of warrants to pay and collect the interest promptly on all warrants issued against the several funds of the Cherokee Nation because of the great number of days upon which interest falls due, the Secretary of the Interior, or the disbursing officer appointed by him, is authorized and empowered as soon after the annuities due the Cherokee Nation on January 1, 1900, from the United States are placed to the credit of the Cherokee Nation, as practical to advertise and pay all interest accumulated on all warrants, whether for a year or less, issued upon the several funds of the Cherokee Nation, and the interest on all warrants shall annually thereafter be paid on the same day of the month of each successive year advertised as aforesaid.

It seems that April 28, 1900, was fixed upon as the day for the first payment under the provisions of said act, advertisement was made accordingly and interest was paid upon all warrants presented whether they had run for one year or less. When advertisement was made for the payment on April 28, 1901, there was inserted the following.

The interest on all warrants issued prior to April 27, 1900, will be paid. Interest will not be paid on warrants issued subsequently to that date for the reason that it is not deemed to be due, and these warrants should not be presented.

The correctness of this course having been questioned the matter was referred to the disbursing officer for report and recommendation. He expressed the opinion that the act in question



does not contemplate the payment of interest until the expiration of one year from the date of the warrant. The Commissioner of Indian Affairs does not concur in this view but says-

For convenience it appears that the Agent, Union Agency, was authorized to advertise payment of interest accruing up to April 28, 1900, on Cherokee warrants issued prior to that date, whether such warrants had run for one year or less.

This appears to have been in accordance with the provisions of the act referred to; and I fail to understand how the act can be construed otherwise than that future payments should be made in the same manner; that is that interest due on all warrants shall be paid annually to the 28th of April of each year, whether such interest shall have run for one year or less.

The act expressly provides for the payment of all interest that had accumulated on the day fixed for that purpose whether it had then become due under the terms of the warrant or not. There is nothing to indicate that any different plan was to obtain in subsequent years. The provision is that "the interest on all warrants shall annually thereafter be paid on the same day of the month of each successive year advertised as aforesaid," and not that it shall be paid on such warrants as may have been outstanding for at least one year. It seems clear that it was intended that the course to be pursued in succeeding years was that provided for the first year, that is, "to advertise and pay all interest accumulated on all warrants whether for a year or less," and said act should be so construed.

The papers submitted are herewith returned.

Very respectfully,

First Assistant Attorney.

Interior Department,  
September 23, 1901,

Approved:

Thos. Ryan,

Acting Secretary.

(Endorsed) Union Agency # 2813 received Oct. 5, 1901 office of Indian Inspector for Indian Territory. Washington, Oct. 2, 1901. Com-Missioner. Transmits opinion of First Assistant Attorney General relative to payment of Cherokee Warrants.



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D E P A R T M E N T O F T H E I N T E R I O R.  
WASHINGTON.

I.T.D.  
4303-1901.  
4699-1901.

October 25, 1901.

The United States Indian Inspector  
for the Indian Territory,  
Muskogee, I. T.

Sir:

On October 10, 1901, you acknowledged receipt of a communication from R. H. Greaves, of Vian, Cherokee Nation, I. T., referred to you by the Department on September 30, 1901, for report. Greaves' letter, addressed to the Secretary of War, was referred to him to the Department. Greaves requests "authority to drill a military band as amusement for the country".

You state that you have no information concerning Greaves; that the town from which he writes has a population of about 300; that you are not familiar with the rules and regulations of the War Department concerning the organization of military bands, but suggest that Greaves be advised that, so far as this Department is concerned, there could be no objection to his drilling a band as proposed.

Reporting on the matter on October 21, 1901, the Acting Commissioner of Indian Affairs concurs in your recommendation.

The Department also concurs, and you are requested to advise Greaves accordingly.

A copy of the Acting Commissioner's letter is inclosed.  
Respectfully,

1 inclosure.  
(Endorsed ) Union Agency # 2926 received Nov. 1, 1901. office of  
U.S. Indian Inspector for I. T. Washington Oct. 25, 1901. Secretary  
Approves report concerning R. H. Greaves request to drill a military band; directed to advise him accordingly.

E. A. Hitchcock, Secretary.



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D E P A R T M E N T O F T H E I N T E R I O R,

I. T. D.. Washington.  
1372-1900.  
File 252-1898.

December 16, 1901.

The United States Indian Inspector  
for the Indian Territory,  
Muskogee, I.T.

Sir:

The Department is in receipt of your communication dated January 15, 1900, inclosing a communication from the Principal Chief of the Cherokee Nation protesting against the payment of any of the tribal moneys for the salary of the Supervisor of Schools in the Cherokee Nation and the payment of any portion of the salary and expenses of the General Superintendent of Schools in the Indian Territory.

You state that the Principal Chief objects to the construction placed by the Department on Section 19 of the Curtis Act, under which you were informed, by departmental letter of October 26, 1899, that payment was authorized to be made to the Supervisor of Schools in the creek nation and that the same ruling would apply in the Cherokee Nation.

The Commissioner of Indian Affairs forwarded your communication on January 22, 1900, without any recommendation.

The Department sees no reason for changing its ruling heretofore made relative to the payments of the salary and expenses of the Supervisor of Schools in the Cherokee Nation and for the payment of the proportionate share of the expenses and part of the salary of the Superintendent of Schools in the



Indian Territory, and the same will be continued as heretofore unless modified by subsequent agreement or action by the proper legislative authority.

You are authorized to so inform the Principal Chief of the Cherokee nation.

Respectfully,

E.A.Hitchcock.

Secretary.

(Endorsed) Union Agency No.3198 Received Dec.21,1901 Office of U.S.Indian Inspector, for Indian Territory.Washington, Dec.16, 1901. Secretary.-----Authorized to inform Prin.Chief, of Cherokee Nation that the Department adheres to former ruling that his nation should pay expenses of Supervisor and proportionate share of Supt.of Schools.-----



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DEPARTMENT OF THE INTERIOR.

Washington  
I.T.D.1368-1902.

February 27, 1902.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, I. T.

Sir:

The Department is in receipt of a report from the Commissioner of Indian Affairs forwarding a communication from the U. S. Indian Agent, Union Agency, inclosing a letter from the Principal Chief of the Cherokee Nation asking aid in behalf of the needy Cherokee Indians.

Reference is made to the action of the Cherokee National Council at its last session in passing an act providing for a per capita payment to the Cherokees for the purpose of relieving those who were in the drouth-stricken district of the nation; that on account of a discrepancy between the amount appropriated and the amount available the act was vetoed by the President, and the nation left without means of aid for those in distress. It is further stated that those Cherokee Indians requiring relief are full-bloods and reside in the eastern part of the Cherokee Nation; that they are farmers, their chief crop being corn, and that in the locality where said Indians live the corn crop was an entire failure, leaving the Indians without any thing to feed their stock and families, and placing them in a position where it is absolutely impossible for them to make a crop for the coming season without assistance; that said Indians are in destitute circumstances and have already



undergone great suffering, and that they number more than one thousand.

The Principal Chief makes an earnest appeal to the agent requesting that a sufficient sum of money in the Sub-Treasury be withdrawn to supply the immediate wants of said Indians.

The Agent reports that the books of his office show that there are now about \$30,000 to the credit of the Cherokee Nation arising from the collection of royalties since the passage of the act of June 28, 1898 (30 Stat., 495). He refers to section 19 of said act forbidding the payment of any moneys on any account whatever by the United States to any of the tribal governments, or to any officer thereof for disbursement, and directing that "payments of all sums to members of said tribes shall be made under direction of the Secretary of the Interior, by an officer appointed by him" Reference is also made to the action of the Department making payment from the Cherokee funds for expenses incurred in the suppression of the spread of smallpox among the Cherokees, and the Agent expresses the opinion that a like disposition could be made of said funds for the benefit of the destitute citizens of the nation. Attention is also called to the fact that the Principal Chief expresses the opinion that the National Council of the Cherokee Nation would gladly make an appropriation for the destitute citizens, but to do so would require an extra session and it would take considerable time in order to have an act passed and duly approved so that the money could be made available. The Agent also expresses the opinion that it would be an easy matter for him to ascertain who are needy and in destitute



circumstances; that a list could be made of all such persons and the money paid to them on proper vouchers under such rules and regulations as might be prescribed by the Department. The Agent urges that the relief requested be given if it can be legally done.

The Commissioner in his report expresses the opinion that the money now on hand derived from royalties is available for the purpose of relieving the distress and starvation of the destitute and needy Cherokees; that there are about \$33,000 of this fund to the credit of the nation on the books of the Indian office. He suggests that this money could be placed to the credit of the U. S. Indian Agent, Union Agency, Indian Territory, to be paid by him to those who required it on the presentation of proper credentials showing their need of help and their inability to furnish their own support; that if said authority is granted, it should be done without delay so as to prevent further distress, as all reports tend to show that the situation is serious. He recommends that the U. S. Indian Agent, Union Agency, Indian Territory, be authorized to expend \$30,000, or so much thereof as may be absolutely necessary, being a part of the moneys now to the credit of the Cherokee Nation on the books of the Indian office, derived from the collection of royalties, designated "Indian Moneys, Proceeds of Labor, Cherokees," in the per capita payment to needy and destitute Cherokees," about one thousand in number, for their relief, upon proper showing as to their destitute condition; said payments to be made along the lines suggested by the Principal Chief and the U. S. Indian Agent.



The Principal Chief states that "A restriction could be placed on the amount each family should receive each month, and only the amount fixed would be paid them each month. In this way a fair and just distribution could and would be made, and no one not in absolute need would be paid."

The Department concurs in the recommendation of the Commissioner, and \$30,000 of said fund will be placed to the credit of the U. S. Indian Agent, and you will advise him that he is authorized to pay not exceeding five dollars per month to each member of the family who shows to his satisfaction that such member is in need of relief from said fund. In case it shall be ascertained that the number of Indians requiring relief exceeds the number of one thousand, estimated by the Principal Chief, then the amount to each Indian should be proportionately reduced, it being the intention to expend not more than \$5,000 per month of said fund in the relief of said Indians.

You will cooperate with the Agent in causing said relief to be made as soon as practicable.

Respectfully,

Thos. Ryan,

Acting Secretary.

(Endorsed) Union Agency No. 3614. Received Mar. 5, 1902. Office of U.S. Indian Inspector for Indian Territory. Washington, Mar. 1, 1902. Commissioner. --- Transmits departmental letter relative to payment of money for relief of destitute Cherokees.



Refer in reply to the following:

Land.  
18178-1902.

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,  
Washington, April 5, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report made March 25, 1902, by Inspector Wright, relative to the matter of the payment to the full-blood indigent Cherokees of certain moneys for the relief of such full-bloods.

The Inspector states that plans are being perfected to pay only such Indians as are upon the rolls now being prepared by the Commission to the Five Civilized Tribes, and that it is believed in making the payments considerable assistance can be rendered the Commission in procuring the names of certain full-bloods, and he says "preparations are now under way to carry out the plan as outlined, cooperating with the Commission to the Five Civilized Tribes as far as possible, to induce full-blood Cherokees to enroll, and as instructions concerning the payment have been issued, it is suggested that no further instructions at this time are necessary."

The Department on April 1, 1902 (ITD-2214) advised the Commission to the Five Civilized Tribes that it was not thought best to use force or coercion in making this payment and inducing full-bloods to enroll, but rather to



use persuasive measures. If, as appears from the Inspector's letter, public notice has been given that payments will be made to only those full-blood who enroll, the office believes that it might be well to direct the Inspector and the Commission to issue and publish new notices recalling the notices theretofore issued.

Very respectfully,

Your obedient servant,

W. A. Jones.

Commissioner.

WCV  
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Inclosures.

(Endorsed) Union Agency No. 3885. Received. Apr. 15, 1902. Office of U.S. Indian Inspector for Indian Territory. Washington, April, 9, 1902. Secretary----Relative to disbursement of Cherokee Relief fund and cooperating with Dawes Commission. If notice has been issued that payments will only be made to Cherokees who enroll, it should be recalled and new notice issued.



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D E P A R T M E N T O F T H E I N T E R I O R.  
W A S H I N G T O N.

I.T.D. 2626-1902.

April 28, 1902.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

The Department is in receipt of your report dated April 19, 1902, relative to the payment to destitute Cherokee Indians, and requesting that the expenses attending the disbursement of said money be paid from the Cherokee funds.

The Acting Commissioner of Indian Affairs forwarded your said report on April 24th, and recommends that the United States Indian Agent for the Union Agency, Indian Territory, be instructed to pay the parties whose services were authorized by the Department and the actual necessary traveling expenses of parties engaged in making payment to destitute Indians, from the fund: "Indian Moneys, Proceeds of Labor, Cherokee," as recommended by you and to submit vouchers therefor to the Indian Office for approval.

The Department concurs in said recommendation, and the Commissioner of Indian Affairs has been so advised.

Respectfully,

Thos. Ryan.  
Acting Secretary.

(Endorsed) Union Agency # 4006, received May 5, 1902. Office of U.S. Indian Inspector for I.T. Washington, April 28, 1902. Secretary Approves report that expenses connected with payment of destitute Cherokees be paid from fund "Indian Moneys, Proceeds of Labor, Cherokee."



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DEPARTMENT OF THE INTERIOR,  
United States Indian Service,

Negro Seminary,  
5-16-02

Hon. J. Geo. Wright,  
U.S. Indian Inspector,  
Muskogee, I.T.

Sir:

Referring to attached report of investigation concerning negro seminary.

There are no other improvements than those belonging to the school upon said lands, and I was informed by the bookkeeper for the seminary that the school was holding possession of 120 acres of land and that no Cherokee Citizen was claiming so far as he knew, any part of said lands as a prospective allotment.

Seminary is located about five miles northwest of the town of Tahlequah.

Respectfully,

Henry M. Tinker,

Transitman.

(Endorsed) Union Agency No. 21986 Received May 21, 1902 Office of U.S. Indian Inspector, for Indian Territory. Negro Seminary, I.T., May 16, 1902. Henry M. Tinker, Townsite Transitman. ---- Report relative to conditions at the town of NEGRO SEMINARY, Cherokee Nation, Indian Territory. ----



DEPARTMENT OF THE INTERIOR.  
ITD 5264-1902. Washington.

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August 26, 1902.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

The Department is in receipt of your report dated August 15, 1902, recommending that the outstanding indebtedness of the Cherokee Nation be paid as soon after October 1st next as possible, also suggesting that all Cherokee warrants hereafter drawn be submitted to your office for examination as now required, and if found correct, that the Agent take up and pay said warrants by issuing in lieu thereof government checks.

Your report was forwarded by the Acting Commissioner of Indian Affairs on August 22, 1902, giving a statement of the classification of the Cherokee funds for your information. He concurs in your suggestions, and recommends that payment be made as soon after October 1st next as practicable, under such rules as may be prescribed by the Department. He says, however, that you should furnish a statement of the amount of outstanding warrants at the date of the ratification of the act of Congress approved July 1, 1902, which are chargeable to the several funds of the tribes, in order that it may be understood what the exact amount is to be remitted him from each fund to pay such different classes of warrants.

The Department concurs in the recommendations of the Acting Commissioner, and your attention is invited to the



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letter of the Department, dated August 19, 1902, calling upon you to make suggestions or a draft of the regulations that may be necessary to carry into effect the provisions of said act. You will make report thereon as soon as practicable and submit a draft of such regulations as in your judgment are necessary for the Secretary to make in order to properly pay the outstanding warrants of the Cherokee Nation and others that may be hereafter lawfully issued.

A copy of the report of the Acting Commissioner is inclosed.

Respectfully,

Thos. Ryan

Acting Secretary.

1 inclosure.

(Endorsed) Union Agency No. 4698 Received Sep. 2, 1902 Office of U.S. Indian Inspector, for Indian Territory. Washington, August 26, 1902. Secretary. ---- (Relative to payment of outstanding Cherokee indebtedness. ----).



DEPARTMENT OF THE INTERIOR.

Washington.

ITD. 5376-1902.

August 28, 1902.

United States Indian Inspector

for Indian Territory, Muskogee, I.T.

Sir:

August 20, 1902, you transmitted plat of the station grounds of the St. Louis and San Francisco Railroad Company, as successor to the Arkansas and Oklahoma Railroad Company, at the town of Grove, Cherokee Nation.

You report that at the time the work of surveying and platting said town was under way, you procured from the railroad company a copy of the plat of said station grounds, but there was no evidence that the same had been approved by the Department; that the grounds were accurately marked on the ground, "and had been used and occupied and recognized as the property of the Railroad Company, according to the plat as furnished me by said Company;" that after the townsite was surveyed and the station grounds again located, the plat transmitted was prepared, and that there are no conflicting interests or objections of any kind to the approval of the plat of said station grounds, and as the plat of the town is held awaiting action upon the former plat you recommend that the plat submitted be approved, and that the two blue prints thereof be returned to you.

It is stated on said plat by Supervising Engineer Hinckley, that "This map is in conformity with plat of Grove townsite."

The Acting Commissioner of Indian Affairs forwarded the



papers August 27, 1902. He states that the general attorney of the St. Louis and San Francisco Railroad Company has informed him that said company owns the line of railroad of the Arkansas and Oklahoma Railroad Company; that the Indian Office has no evidence of the filing or approval of plat of station grounds along said line; that the company is entitled to the station grounds shown on the plat submitted, and he recommends that the plat be approved, subject to the act of March 2, 1899 (30 Stat., 990).

The Department has this day approved said plat. Said blue prints and a copy of the Acting Commissioner's letter are inclosed.

Respectfully,

Thos. Ryan

Acting Secretary.

4 inclosures.

(Endorsed) Union Agency No. 4737 Received Sep. 9, 1902 Office of U.S. Indian Inspector for Indian Territory. Washington, Aug. 28, 1902. Secretary. --- (Approves plat of station grounds of St. L. & S. F. R.R. Co., at Grove, Cherokee Nation. ---)



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DEPARTMENT OF THE INTERIOR,  
Washington.  
ITD 5477-1902.

September 3, 1902.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

The Department is in receipt of a communication from Mr. William T. Hutchings, attorney for the American Baptist Home Mission Society of New York, dated September 3, 1902, transmitting its petition for certain lands claimed by it under section 24 of the act of Congress approved July 1, 1902 (32 Stat., 716);

Said petition and accompanying papers are inclosed herewith, and you are directed to request the Superintendent of Schools in the Indian Territory to report upon the same with his recommendation.

You will advise the Principal Chief of the Cherokee Nation of the claims of said society as set forth in its petition, and that the nation will have an opportunity to present to the Superintendent of Schools any objection that the nation may have to the granting of said petition, and upon receipt of the report of the Superintendent of Schools, you will forward the same to the Department in the usual manner, with any suggestions you may have to make thereon.

Respectfully,

Thos. Ryan

Acting Secretary.

6 inclosures.



150  
(Endorsed) Union Agency No. 4743 Received Sep. 11, 1902 Office of  
U.S. Indian Inspector, for Indian Territory. Washington, Sept. 3,  
1902. Secretary.-----Encloses petition of American Baptist Home  
Mission Society of New York, claiming certain lands at Tahlequah;  
Supt. of Schools should report on same, and Principal Chief  
Cherokee Nation, be given opportunity to make any objection thereto.  
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DEPARTMENT OF THE INTERIOR.  
OFFICE OF INDIAN AFFAIRS.

WASHINGTON,

Education  
56122-1902.

Sept. 25, 1902.

J. George Wright,  
U.S. Indian Inspector,  
Muskogee, I.T.

Sir:

C. H. and Minnie R. Taylor, of Coffeyville, Kansas, claiming to be members of the Eastern Band of Cherokees, desire the admission of their children into the Chilocco School. There are also in that school some students whose parents claim to be members of the Eastern Band. Of course, as you understand, if these pupils are enrolled in the Cherokee Nation, they are ineligible for admission to the regular government schools. I would be pleased if you would give me your views on the status of such members of the Eastern Band of Cherokees residing among the Cherokees, as you may be able to do so.

Very respectfully,

W. A. Jones.  
Commissioner.

(Endorsed) Union Agency # 4846 received Sep. 29, 1902. office of U.S. Indian Inspector for I. T. Washington, Sept. 25, 1902. Commissioner. Relative to admitting certain children claiming to be members of the Eastern Band of Cherokees into the Chilocco school; desires a report as to status of those claiming to belong to the Eastern Band.



J O I N T     R E S O L U T I O N

Providing for a delegation to a joint conference of representatives of the Five Civilized Tribes and their instructions.

- - - - -

WHEREAS, a joint conference of the representatives of the Five Civilized Tribes has been proposed for the purpose of securing united effort in the protection of their mutual interests and to jointly protest against being annexed to or included within the territorial limits of any other state or territory, and

WHEREAS, the Principal Chief of the Choctaw Nation has suggested that a meeting of the representatives of the Five Civilized Tribes be held at Eufaula, Indian Territory, on November 28, 1902, now therefore,

BE IT RESOLVED BY THE NATIONAL COUNCIL, That the Principal Chief, together with four other delegates to be appointed by him, be hereby authorized to represent the Cherokee Nation at the joint conference of the Five Civilized Tribes to be held at Eufaula, Indian Territory, on November 28, 1902; said delegation is instructed to unite with the representatives of the other Four Civilized Tribes in a memorial address to the representatives of the Government of the United States, or to take such other action as they may deem best or advisable to express or emphasize:

First: Our opposition to the Five Civilized Tribes being annexed to or included within the territorial limits of any other state or territory.

Second: Our protest against the extension of the laws or any other state or territory over the territorial limits of the



Five Civilized Tribes

Third: Our opposition to the establishment of any other or additional government over us prior to the individualization of our lands and the dissolution of our tribal governments on March 4, 1906, as provided for by the existing agreements, at which time it is the sense of the National Council of the Cherokee Nation that the Cherokee people are desirous of being joined with the other Nations belonging to the Five Civilized Tribes and admitted as a separate state, and the delegation herein authorized to be appointed is especially directed to take such steps as will give expression to these views.

Passed the Senate November 10, 1902.

D.B. Keys  
Clerk of the Senate, pro tempore.

Wolf Coon  
President of the Senate.

Concurred in by the Council  
November 10, 1902.

C.S. Shelton  
Clerk of the Council.

Mr. Bengé  
Speaker of the Council.

Approved November 10, 1902.  
T.M. Buffington  
Principal Chief of the  
Cherokee Nation.

EXECUTIVE DEPARTMENT,  
CHEROKEE NATION.

Tahlequah, November 10th, 1902.

I, J. T. Parks, Executive Secretary of the Cherokee Nation, do hereby certify that the foregoing is a true and correct copy of the original joint resolution passed by the National Council of the Cherokee Nation, and approved by the Principal Chief on the 10th day of November, 1902, as the same appears of record in this Department.

WITNESS my hand and the seal of the Cherokee Nation, at Tahlequah, on this November 10th, 1902.

J. T. Parker,  
Executive Secretary.



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November 10, 1902

Joint Resolution providing for a delegation to a Joint Conference of representatives of the Five Civilized Tribes and their instructions.

WHEREAS, A joint conference of the representatives of the Five Civilized Tribes has been proposed for the purpose of securing United effort in the protection of their mutual interests and to jointly protest against being annexed to or included within the Territorial limits of any other state or territory and

WHEREAS, The Principal Chief of the Choctaws Nation has suggested that a meeting of the representatives of the Five Civilized Tribes be held at Eufaula, Indian Territory on November 28, 1902,

THEREFORE--Be it Resolved by the National Council; That the Principal Chief, together with four delegates to be appointed by him, be hereby authorized to represent the Cherokee Nation, at the joint conference of the representatives of the Five Civilized Tribes to be held at Eufaula Indian Territory on November 28, 1902,. Said delegation is authorized to appoint an interpreter, if necessary and the delegation is instructed to unite with the representative if the other four tribes in a joint memorial addressed to the Representative of the government of the United States or to take such other action as they may deem best or advisable to express or emphasize,

FIRST

Our opposition to the Five Civilized Tribes being annexed to or included within the territorial limits of any other state or territory.



SECOND

Our protest against the extension of the law of any other state or territory over the territorial limits of the Five Civilized Tribes,

THIRD

Our opposition to the establishment of any other or additional government over us prior to the individualization of our lands and the dissolution of our tribal government on March 4, 1906, as provided for by existing agreements at which time it is the sense of the National Council for the Cherokee Nation, that the Cherokee people are desirous of being joined with the other nations belonging to the Five Civilized Tribes and admitted as a separate state and the Delegation herein authorized to be appointed is especially directed to take such steps as will give expression to these views.

Passed the Senate Nov. 1902

D.W.Keys, Clerk of the Senate

Wolf Coon, President of Senate

Concurred in by the Council,  
Nov. 10, 1902

C.S.Shelton, Clerk Council, M.V.Benge, Speaker of Council.

Approved November 10, 1902,  
T.M. Buffington, Prin. Chief.



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DEPARTMENT OF THE INTERIOR.  
WASHINGTON.

EAF.

ITD. 6915-1902

November 11, 1902.

Commission to the Five Civilized Tribes,  
Muskogee, I.T.

Gentlemen:

By letter of October 20, 1902, the Acting Chairman requested that the Commission be furnished with copies of approved maps of location of the following lines of railroad, if such maps have been approved by the Department, namely: Blackwell, Enid & Southwestern Railway through the Cherokee Nation; the Gulf, Oklahoma & Kansas Short Line Railway through the Cherokee Nation, and the Missouri, Kansas & Oklahoma Railroad through the Cherokee Nation. He states that the Commission has maps showing the alignment of said roads but none of them bears departmental approval.

The Commissioner of Indian Affairs forwarded said letter November 7. He states that the damages have been assessed for right of way of the Blackwell, Enid & Southwestern Railway, but that they have not been paid by the railway company, and that under the act of March 2, 1899, it would appear that the right of way proposed to be acquired by the company is not effective and should not be recognized in the making of allotments in the Cherokee Nation. He further states that no maps have been approved, showing the definite location of the Gulf, Oklahoma & Kansas Short Line Railway; and that the Indian Office has directed the preparation of blue-print copies of the maps of definite location of the Missouri, Kansas & Oklahoma Railroad, which copies will be forwarded to you when completed.



A copy of the report of the Commissioner is inclosed for your information.

Respectfully,

Thos. Ryan.  
Acting Secretary.

1 inclosure.

(Endorsed) # 21771, Commission to Five Tribes, Muskogee, Oklahoma. Received Nov. 18, 1902. Department, Ryan, Washington, D. C., November 11, 1902. States that the proposed right of way of the Blackwell, Enid & Southwestern Railway through the Cherokee Nation is not effective and should not be recognized in making allotments; that no map of definite location of the Gulf, Oklahoma & Short Line Railway has been approved; and that map of the definite location of the Missouri, Kansas & Oklahoma Railway will be forwarded when completed.



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D E P A R T M E N T O F T H E I N T E R I O R.

Washington.

November 17, 1902.

The Attorney General,

Sir:

I have considered your letter of the 21st ult., enclosing a letter of the 17th ult. from the United States Attorney for the northern district of Indian Territory relating to the further prosecution of the case of Fred L. Kelly v. Frank Churchill et al., in which the Court of Appeals in Indian Territory reversed the ruling of the court at Vinita upon a demurrer to the complaint. I have deferred responding to your communication until the return of First Assistant Secretary Ryan, who has recently made a trip to the Indian Territory.

In the light of the United States Attorney's letter, I beg to make these suggestions:

An examination of the opinion of the Court of Appeals seems to indicate that the only question considered or determined by that court was that they could not take judicial notice of a law of the Cherokee Nation. The effect of this seems to be that the complaint should be properly answered, and that in the answer the Cherokee law and the regulations and directions of the Interior Department of July 21, 1898, July 26, 1898, July 22, 1899, September 28, 1901, and January 6, 1902 (copies enclosed herewith), should be properly pleaded, and that appropriate reference should be had to section 16 of the act of June 28, 1898 (30 Stat., 495, 501), and also to sections 64



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and 65 of the act of July 1, 1902 (32 Stat., 716, 725).

It is true that section 26 of said act of June 28, 1898, declares that thereafter the laws of the Indian tribes shall not be enforced by the courts of the United States in the Indian Territory, but it does not follow from this that these tribal laws are abrogated or are not to be enforced at all. On the contrary, the authority to make such laws was granted to the Five Civilized tribes in the several treaties made with them while the Government was pursuing the policy of making treaties with the Indians, and since then the right of these five tribes, including the Cherokees, to make laws has been uniformly and frequently recognized by Congress. This recognition was given before the passage of the act of June 28, 1898, in the very act of June 28, 1898, itself, and in several subsequent acts of Congress (see act of June 7, 1897, 30 Stat., 83; June 28, 1898, 30 Stat., 512 and 518; July 1, 1898, 30 Stat., 569; March 1, 1901, 31 Stat., 860; March 1, 1901, 31 Stat., 872; and March 3, 1901, 31 Stat., 1077). The fact that Congress withheld from the United States courts in the Indian Territory the authority to enforce tribal laws means not that these laws shall not be enforced anywhere or by anybody, but rather that their enforcement shall be left to the executive authorities of the tribe and to those of the United States. If this were not so, the several subsequent statutes recognizing in express terms the authority of the tribes to make laws would be meaningless, and the several provisions requiring these laws to be submitted to the President for his approval or rejection would work an intolerable



injustice by occupying the President's time and attention without purpose. Where there is authority for making laws there is of necessity authority for their enforcement. In the absence of any statute to the contrary, the administration and management of Indian affairs fall to the Secretary of the Interior and the Indian Bureau (see sections 441, 463, 2058, 2114, 2147, 2149 and 2150 of the Revised Statutes). The action of the Secretary of the Interior in promulgating the regulations and directions heretofore described for the enforcement of the tribal law here in question, is in contemplation of law the action of the President. (Wilcox v. Jackson, 13 Pet., 498, 513; Marbury v. Madison, 1 Cranch, 137, 166; Woolsey v. Chapman, 101 U.S., 755, 769, 770; In re Neagle, 30 Fed. Rep., 833, 860). By withholding from the United States courts in Indian Territory authority to enforce tribal laws congress did not thereby invest those courts with authority to prevent the executive officers of the tribal government or those of the United States from enforcing such tribal laws, nor did congress thereby intend to prevent such United States courts from giving appropriate recognition to those tribal laws, in instances where the tribal officers or the executive officers of the United States are in suits by individuals sought to be interrupted or disturbed in their administration and enforcement.

Especial attention is invited to the opinion of the Attorney General, dated September 20, 1901 (23 Op., 529), wherein the



authority of the officers of this Department to enforce this identical law of the Cherokee Nation was expressly sustained.

If it meets with your approval, I suggest that the proper United States Attorney in Indian Territory be requested to give careful attention to the defense of the case herein referred to, and that his attention be invited to the suggestions here made.

Very respectfully, E.A. Hitchcock

Secretary.

(Endorsed) Union Agency No. 5201 Received Nov. 24, 1902 Office of U.S. Indian Inspector, for Indian Territory. Washington, Nov. 17, 1902. Secretary. ---- Efforts to collect Cherokee Hay should not be abated; Dept. of Justice has been asked to properly defend case of Kelly vs Churchill. ----



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DEPARTMENT OF THE INTERIOR,  
ITD 6092,8075-1902.  
Washington.

December 31,1902.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

The Department is in receipt of your report of December 3,1902, in the matter of a communication from J. K. Clingan and others relative to certain rights claimed by the Trustees of Chelsea College, of Chelsea, in the Cherokee Nation, to a tract of land under the provisions of the act of July 1, 1902 (32 Stat., 716).

The Commissioner of Indian Affairs forwarded your report on December 24, 1902, and concurs in your recommendations. The Department also approves your report, and you are advised that the trustees have been advised in accordance therewith.

Respectfully,

Thos, Ryan

Acting Secretary.

(Endorsed)Union Agency No.5452.Received Jan.6,1903.Office of U.S. Indian Inspector for Indian Territory.Washington,Dec.31,1902.Secretary---Approves report relative to claim of Chelsea College to certain land.



Refer in reply to the following:

Land.  
76,313-1902.

DEPARTMENT OF THE INTERIOR,  
Office of Indian Affairs,  
Washington,

Jan. 6, 1903.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to forward, herewith, a report of J. W. Zevely, Acting Inspector for Indian Territory, of the 23rd ultimo, reporting on a petition by the trustees of the Baptist Industrial College for colored people, at Nowata, Cherokee Nation, asking that a tract of land containing five acres be reserved for the use and benefit of the College.

The acting Inspector encloses a letter from John D. Benedict, Superintendent of Schools in the Indian Territory, stating that no reservation is made for this school in the Cherokee agreement ratified by Congress and approved July 1, 1902, (32 Stats., 716), and the only title the Trustees have to the land which they claim is a bill of sale from Solomon Armstrong, a Cherokee citizen.

It is also reported by the Superintendent that the Trustees have not erected any school building on the land, but that they laid the foundation therefor about 18 months ago.

The Superintendent also states that in his opinion the Trustees of this school have no valid claim to the land in



question as against the Cherokee Nation, their only right being merely a possessory right obtained from a Cherokee citizen. He therefore recommends that the petition be not granted.

Calling attention to section 26 of the Act of Congress approved July 1, 1902, the Acting Inspector says it makes no reservation of land for this school and he therefore concurs in the recommendation of the Superintendent that the petition transmitted be denied.

The petitioners in this case do not represent a going concern but rather one in prospect. The only right they have is under the transfer of a possessory right to them by a Cherokee citizen. Under the law in existence at the present time there is no way of granting their request, and they are not, aside from that, in any position to ask it as a school because they have no school in existence on the piece of land they ask for.

Very respectfully,

W. A. Jones,

Commissioner.

(Endorsed) Union Agency No. 5510. Received Jan. 16, 1903. Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 10, 1902. Secretary----Petition of Baptist Industrial College for Colored People that certain land be set aside to them, near Nowata, Cherokee Nation, denied.



Land  
3966-1903.

Department of the Interior,  
OFFICE OF INDIAN AFFAIRS,

Washington, January 22, 1903.

The Honorable,

The Secretary of the Interior.

Sir:-

There is enclosed herewith a report from Acting Inspector Shoenfelt dated January 15, 1903, forwarding for Executive action an Act of the National Council of the Cherokee Nation, approved by the Principal Chief November 26, 1902 entitled: "An Act providing for the removal of the remains and monument of George Lowrey to the new Tahlequah cemetery." The Act is as follows:

Whereas, all people who love their country, their traditions and their great men, erect monument to their memory, Therefore

Be it enacted by the National Council, that there be, and is hereby, appropriated out of the General Fund not otherwise appropriated, the sum of forty dollars (\$40.00) to be used for the purpose of paying the expenses of removing the remains and monument of George Lowrey, once Assistant Chief of the Cherokee Nation, from the place they now are in the old cemetery in the town of Tahlequah to some suitable lot in the new Tahlequah Cemetery - and said sum of forty dollars shall include the cost of such lot in the said new cemetery.

Be it further enacted, that the Principal Chief shall appoint



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three persons in the town of Tahlequah, who shall serve without pay, to carry out the provisions of this act, and he shall draw his warrant for said amount in favor of the persons so appointed upon their requisition.

The Acting Inspector recommends the approval of the Act. The Act recites that George Lowrey was once Assistant Chief of the Cherokee Nation, and it seems to be the desire of the Cherokee people to remove his remains from the old cemetery in the town of Tahlequah to a suitable lot in the new cemetery in the town of Tahlequah.

The office sees no objection to the approval of the Act, and concurs in the Acting Inspector's recommendation.

Very respectfully,

A.C.Tonner,

Acting Commissioner.

G.A.W.(E.)

(Endorsed) Union Agency No.5711 Received Feb.5,1903.Office of U.S.Indian Inspector, for Indian Territory.Washington, Jan.30,1903. Secretary.-----Cherokee Act for removing remains and monument of George Lowrey to New Tahlequah Cemetery approved by President, Jan.26,1903.-----



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D E P A R T M E N T O F T H E I N T E R I O R.  
WASHINGTON.

I.T.D. 5492-1902.  
5823- "  
6394- "  
6410- "  
580-1903.

January 26, 1903.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

December 29, 1902, the Acting Inspector returned certain letters from Mr. E. M. Wistar, in regard to the claim of the Associated Executive Committee of Friends to the 80 acres of land in the Cherokee Nation occupied by what is known as the Skiatook Mission, near Hillside.

The Superintendent of Schools in the Indian Territory made a report in the matter to the Acting Inspector December 4, 1902, which is submitted with the Acting Inspector's report.

The Principal Chief of the Cherokee Nation having been advised of the claim, informed the Acting Inspector that as this society had not complied with the 14th article of the treaty of 1866, it is entitled to only four acres as granted under subdivision "k" of Section 24 of the act of July 1, 1902 (32 Stat., 716), and which amount of land the Principal Chief states is sufficient to provide for all the buildings of this society and ample for it to carry on its missionary or educational work.



A copy of an instrument made in 1888, and signed by J. G. Brady, a citizen of the Cherokee Nation, purporting to convey to the Skiatook church of the Society of Friends the 80 acre tract now controlled by this society, is transmitted.

The Superintendent of Schools states that said society has maintained a mission in the vicinity of Skiatook for the benefit of Cherokee children during the past 14 years, as shown by the letter of Miss Eva Watson, principal teacher in charge, which is also transmitted, and during that time the school has accomplished good work for the Indians; that however, he is unable to find that it has any lawful title in fee to the 80 acres claimed.

Article 14 of the treaty of 1866 provides:

"The right to the use and occupancy of a quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions in one body, and to include their improvements, and not including the improvements of any member of the Cherokee Nation, is hereby granted to every society or demonination which has erected, or which with the consent of the national council may hereafter erect, buildings within the Cherokee country for missionary or educational purposes. But no land thus granted, nor buildings which have been or may be erected thereon, shall ever be sold or otherwise disposed of except with the consent and approval of the Cherokee national council and the Secretary of the Interior. And whenever any such lands or buildings shall be sold or disposed of, the proceeds thereof shall be ap-



plied by said society or societies for like purposes within said nation, subject to the approval of the Secretary of the Interior."

The Acting Inspector states that it does not appear that this society has complied with this article; that on the contrary the Superintendent states that the only title which they have to the land is based upon the conveyance made to it by Brady; that this only gave a possessory right pending a division of the Cherokee lands and a settlement of their tribal affairs.

Miss Watson states that the Skiatook Mission School in 1891 attempted to comply with the provisions of said 14th article of the treaty of 1866; that a petition was circulated and signed by fifty or more prominent Cherokees asking that the land in question be set aside for the school; that it was sent to the Council and passed the lower house, but was attached to a bill for a Baptist Mission in another part of the nation, and the combined propositions failed when they came to the Senate, and the officials of the Skiatook School were assured by some of the prominent men of the Cherokee Nation that their rights would be protected.

The Acting Inspector concurs in the recommendation of the Superintendent that the application be denied.

Reporting in the matter January 19, 1903, the Commissioner of Indian Affairs states that as the school did not comply with the provisions of said treaty of 1866, the Department has no jurisdiction to set aside the land asked for, and the only relief that can be granted is under subdivision "k" of Section 24 of the



Act of July 1, 1902, which will make it possible for the school to have set aside for it four acres of land, and he recommends that the Acting Inspector's report be concurred in. A copy of his letter is inclosed.

The Department concurs in the recommendations made, and you will advise the parties in interest accordingly. Mr. Wistar has been this day advised hereof.

Respectfully,

Thos. Ryan.  
Acting Secretary.

1 inclosure.

(endorsed) Union Agency # 5648 received Feb. 2, 1903. Office of U. S. Indian Inspector for Indian Territory. Washington, Jan. 26, 1903. Secretary. Approves report on claim of Committee of Friends to 80 acres of land for Skiatook Mission School; should advise parties.



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DEPARTMENT OF THE INTERIOR,

Washington.

I. T. D. 610-1903.

January 27, 1903.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

Section 24 of the act of July 1, 1902 (32 Stat., 716),  
provides:

"That the Methodist Episcopal Church South may, within twelve months after the ratification of this Act, pay ten dollars per acre for the one hundred and sixty acres of land adjacent to the town of Vinita, and heretofore set apart by act of the Cherokee national council for the use of said church for missionary and educational purposes, and now occupied by Willie Halsell College (formerly Galloway College), and shall thereupon receive title thereto; but if said church fail so to do it may continue to occupy said one hundred and sixty acres of land as long as it uses same for the purposes aforesaid."

January 12, 1903, the Acting Inspector reported that said church had offered to pay for the land originally set aside for said college.

The townsite survey of Vinita was made prior to the passage of said act and before it was known that the college would be permitted to purchase the entire tract claimed by it. The Acting Inspector states that as it was



known that a portion of the tract claimed extended within the townsite of Vinita and would affect the appraisement thereof, your office caused the land claimed by the college to be surveyed, and such lots and blocks as are within the 160 acre tract in the possession of this school, are reserved from appraisement in the schedule of Vinita, plat of which survey is submitted.

A certified copy of the act of the Cherokee Nation approved November 23, 1886, setting apart this land, is also transmitted. This act does not describe the land to be segregated, but provides the manner in which 160 acres would be located.

The Acting Inspector reports that "It was difficult to secure the record of the original survey of this tract"; he, however, furnished a copy of a report describing the land selected in accordance with said act of the Cherokee Nation, and stated that the plat transmitted is a correct survey of the land originally selected and now in the possession of, fenced and claimed by the church. He recommended the approval of the plat, and that you be instructed to furnish the church one copy thereof and to advise it that it will receive title to the land upon the payment of \$10



per acre, such payment to be made to the United States Indian Agent, Union Agency, in the usual manner and placed to the credit of the Cherokee Nation.

Reporting in the matter January 22, 1903, the Acting Commissioner of Indian Affairs concurs in the recommendation of the Acting Inspector that the plat be approved. A copy of his letter is inclosed.

Concurring in these recommendations, the plat and three blue print copies thereof have been approved this day, and the blue print copies are returned herewith for disposition in accordance with the recommendation of the Acting Inspector.

You are authorized to advise the church that payment should be made for the land to the United States Indian Agent as recommended by the Acting Inspector.

Respectfully,

Thos. Ryan,

Acting Secretary.

4 inclosures.

(Endorsed) Union Agency No. 5646. Received Feb. 2, 1903. Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 27, 1903. Secretary-----Approves plat of 160 acres claimed by Willia Halsell College at Vinita; should advise Church it will receive title upon payment of \$10 per acre.



DEPARTMENT OF THE INTERIOR

Washington.

January 30, 1903.

ITD 880-1903.  
788-1903.

United States Indian Inspector

for the Indian Territory, Muskogee, I.T.

Sir:

Referring to the telegram of the Acting Inspector, dated January 28, 1903, referring to the disapproval of the Cherokee act making appropriation for schools and recommending that immediate steps be taken, under section 34 of the act of July 1, 1902, to continue the Cherokee schools, you are advised that said telegram was referred to the Commissioner of Indian Affairs for immediate report, and on January 29th the Acting Commissioner recommended that you be instructed by wire to continue the Cherokee schools. Telegram to that effect was sent you this day.

The Acting Commissioner further recommends "that a full and complete report be made, indicating manner and method of government supervision and conduct of these schools under the agreement above referred to in view of the failure of the Cherokee appropriation, by the Superintendent of Schools through the Indian Inspector."

The Department concurs in said recommendation and you are instructed to direct the Superintendent of Schools to make immediate report as recommended.

Respectfully,

Thos. Ryan  
Acting Secretary.



(Endorsed) Union Agency No. 5720 Received Feb. 6, 1903. Office of U.S. Indian Inspector, for Indian Territory. Washington, Jan. 30, 1903. Secretary. --- Should direct Superintendent of Schools to make full report relative to manner and method of conducting Cherokee schools. ---



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D E P A R T M E N T O F T H E I N T E R I O R.

I.T.D. 2124-1903.

WASHINGTON.

March 6, 1903.

United States Indian Inspector  
for the Indian Territory,  
Muskogee, Indian Territory.

Sir:

The Cherokee agreement contained in the act of July 1, 1902 (32 Stat., 716, provides in section 24, subdivision (f) for a reservation of "Four acres for baptist Mission School at Tahlequah." It is further provided in said section that

"Any other school or college in the Cherokee Nation which claims to be entitled under the law to a greater number of acres than is set apart for said school or college by section twenty-four of this Act may have the number of acres to which it is entitled by law. The trustees of such school or college shall, within sixty days after the ratification of this Act, make application to the Secretary of the Interior for the number of acres to which such school or college claims to be entitled, and if the Secretary of the Interior shall find that such school or college is, under the laws and treaties of the Cherokee Nation in force prior to the ratification of this Act, entitled to a greater number of acres of land than is provided for in this Act, he shall so determine and his decision shall be final. The amount so found by the Secretary of the Interior shall be set apart for the use of



such college or school as long as the same may be used for missionary and educational purposes: Provided, That the trustees of such school or college shall pay ten dollars per acre for the number of acres so found by the Secretary of the Interior and which have been heretofore set apart by act of the Cherokee national council for use of such school or college for missionary or educational purposes, and upon the payment of such sum within sixty days after the decision of the Secretary of the Interior said college or school may receive a title to such land."

September 3, 1902, the Department referred to you a petition of the American Baptist Home Mission Society of New York, claiming certain lands at Thalequah, under the portion of said section quoted, and on February 5, 1903, the Acting Inspector reported, submitting a report in regard to the matter by the Superintendent of Schools in the Indian Territory.

The claim of said society arises out of the fourteenth article of the treaty of 1866 with the Cherokee Nation, which provides that

"The right to the use and occupancy of a quantity of land not exceeding one hundred and sixty acres, to be selected according to legal subdivisions in one body, and to include their improvements, and not including the improvements of any member of the Cherokee Nation, is hereby granted to every society or denomination which has erected, or which with the consent of the national council may hereafter erect, buildings within the Cherokee country for missionary buildings which have been or may



be erected thereon, shall ever be sold or otherwise disposed of except with the consent and approval of the Cherokee national council and the Secretary of the Interior, and whenever any such lands or buildings shall be sold or disposed of, the proceeds thereof shall be applied by said society or societies for like purposes within said nation, subject to the approval of the Secretary of the Interior."

It appears that for many years prior to the civil war the American Baptist Home Mission Society of New York maintained a mission school for the benefit of Cherokee children at Baptist, in the Cherokee Nation; that in 1866 the Cherokee national council passed an act authorizing said society to remove their mission station from Baptist to some other locality. By the act, Lewis Downing and Benjamin Snell were appointed to act for the Nation in effecting such removal and in the selection of such locality; that the society sold its possessions at Baptist, and bought the possessory right to about 150 acres of land from a Cherokee citizen at or near the town of Tahlequah; that at the time the possessions of the society at Baptist were sold and selection made at Tahlequah, the approval of the Secretary of the Interior to said sale and transfer was not obtained, as required by the treaty of 1866, that however, on October 10, 1893, the Department, basing its action upon an opinion of the Assistant Attorney General of June 30, 1893, approved "the sale of the original improvements and the application of the proceeds to missionary and school purposes upon the location now occupied by the Mission, as proved by the 14th article of the treaty of July 19, with the Cherokee Indians."



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In said opinion of the Assistant Attorney General it was stated that the National Council of the Cherokee Nation authorized the removal of the Mission from Baptist to some other locality; that it was actually removed; that no objection was made to this course for a long time, and that the chief afterwards gave his approval to the change; that these facts all indicated that the action taken was satisfactory to all parties at the time; that under these circumstances there appeared no objection to the approval of this Department to the sale of the original improvements and the application of the proceeds to missionary and school purposes, upon the location at Tahlequah; that however, it was not intended to say that the claim of the society to this particular tract of land was perfect; that the validity of the claim depended upon compliance with the terms of the treaty upon which it was made," and both parties to the controversy should be fully heard before any opinion should be expressed by the Department, or any tribunal to whom the matter may be submitted."

Various encroachments upon said land have taken place, and various concessions have been made, so that the amount of land now left, free from adverse claim, amounts to 94.3 acres, as shown by a plat submitted by the Acting Inspector. The boundaries of the tract, about one-half of which is within the limits of the town of Tahlequah, do not follow legal subdivisions of township survey, and the Superintendent of Schools states that it does not appear practicable to follow the legal subdivisions for the reason that at the time this tract of land was selected and improved by the society, the land of the Cherokee Nation had not been legally subdivided, for the reason that

5975



the various encroachments made upon said land had materially altered or changed its boundaries.

The Principal Chief of the Cherokee Nation contends that the ground claimed at Tahlequah was not properly located or selected in accordance with tribal laws, and, that while a proclamation was issued by a principal chief in 1886, declaring the land to have been selected in accordance with the treaty, this proclamation was issued without any authority of law, and he concludes that this society has no right to the land it asks to have reserved, and that four acres, the amount specifically provided to be set aside, is sufficient for the operation of the school.

The Acting Inspector states that he considers that the American Baptist Home Mission Society has complied with the terms of article 14 of the treaty of 1866, and is entitled to the land at present used and occupied by it, and that it should be permitted to purchase the tract shown upon the plat above referred to, and upon payment of the sum of \$10 per acre, excepting the four acres specifically set aside for it, and should be entitled to a patent therefor, and he recommends that if the plat is approved that the trustees of the Mission school be instructed to make payment for such amount to the United States Indian Agent, Union Agency.

The Acting Commissioner of Indian Affairs, reporting in the matter February 27, 1903, concurs in the recommendations of the Acting Inspector.

The Department considers that the main question involved in this matter was settled by the action of the Department



October 10, 1893; that at that time it was assumed that the selection at Tahlequah had been properly made. It does not appear that any of the land is claimed to be in the possession of Indian Cherokee citizens.

The Department accordingly approves the recommendations of the Acting Inspector, and has approved the plat this day, and also the four blue prints thereof. The blue prints and a copy of the Acting Commissioner's letter are inclosed.

You will advise the parties in interest in accordance herewith.

Respectfully,

E. A. Hitchcock,

Secretary.

5 inclosures.

(Endorsed) Union Agency No. 5975. Received. Mar. 14, 1903. Office of U. S. Indian Inspector for Indian Territory. Washington, Mar. 6, 1903. Secretary---Approves plat showing land to be reserved for American Baptist Home Mission Society (Sic) at Tahlequah.



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C O P Y.

D E P A R T M E N T O F T H E I N T E R I O R.  
WASHINGTON.

ITD. 4394-1903.

May 16, 1903.

Superintendent of Schools in Indian Territory,  
Muskogee, I. T.

Sir:

The Department is in receipt of your communication of April 30, 1903, calling attention to the conditions at the Cherokee Male Seminary, located at Tahlequah, I. T.

You state that under Cherokee laws the Cherokee Council annually elects a steward for the seminary, whose duty it is to buy all provisions for the seminary, supervise the matrons, cooks and out-door employes; that the present steward is a half-breed Cherokee, of limited education, and his wife, who is matron, has but little knowledge of the duties of that position, and that they have five children who are maintained in the seminary at the expense of the Cherokee Nation; that you now have a pretty good corps of teachers in this institution, but their efforts to properly train the boys are constantly hampered by the inferior ability of the steward and matron; that the steward is supposed to have control over the boys at all times, except during school hours, and the boys have failed to receive any systematic training or instruction in out-of-door occupations; and that 150 boys are in attendance, nearly all of whom pay their board at the rate of \$7.00 per month.



It is further stated that after a conference with the Supervisor for the Cherokee Nation, you are of the opinion that it would be advisable to make certain changes in the management of the seminary, and you recommend that after the close of the present fiscal year the services of the steward be dispensed with, and that in his stead a competent superintendent should be employed at a salary of \$1200 per year. You also report that this seminary is one of the largest and most advanced Indian schools in the Territory, and it ought to have at its head a man of some educational ability.

Reporting May 1, 1903, the Acting Inspector refers to the regulations issued under the act of July 1, 1902 (32 Stat., 716), and recommends that the Department direct the employment of a superintendent for the Cherokee Male Seminary, at a compensation of \$1200 per annum, to commence with the next fiscal year.

The Acting Commissioner of Indian Affairs recommends that the change indicated be approved.

I concur in said recommendation, and you are hereby authorized to make the change suggested.

Respectfully,  
THOS. RYAN.  
Acting Secretary.

(Endorsed) Union Agency # 6430 Received May 25, 1903. Office of U.S. Indian Inspector for Indian Agency. I.T. Washington, May 16, 1903. Secretary. Encloses letter to Supt. of Schools, approving his report relative to employment of Supt. at Cherokee Male Seminary.



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DEPARTMENT OF THE INTERIOR.  
WASHINGTON.

ITD. 5036-1903.

June 15, 1903.

United States Indian Inspector  
for the Indian Territory, Muskogee, I. T.

Sir:

The Department is in receipt of the Acting Inspector's report of May 26, 1903, inviting attention to section 71 of the act of July 1, 1902 (32 Stat., 716), which reads:

"Any allottee taking as his allotment lands located around the Cherokee National Male Seminary, the Cherokee National Female Seminary, or Cherokee Orphan Asylum which have not been reserved from allotment as herein provided, and upon which buildings, fences, or other property of the Cherokee Nation are located, such buildings, fences or other property shall be appraised at the true value thereof and be paid for by the allottee taking such lands as his allotment, and the money to be paid into the Treasury of the United States to the credit of the Cherokee Nation."

The Acting Inspector states that the Cherokee Orphan Asylum has for several years past held and controlled under



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the Cherokee law about 1260 acres of land, the greater part of which has been fenced, and several tenement houses have been erected thereon; that a large portion of the land has been cleared and put in cultivation by the authorities of the Cherokee Asylum; that subdivision (t) of section 24 of said act, reserves only 120 acres for this asylum, and therefore under the provisions of section 71 the fences, buildings and other improvements located upon the excess originally controlled by the Orphan Asylum should be appraised; that section 71 does not provide the manner or method of making this appraisal, but as section 65 provides that all things necessary to carry into effect the provisions of said act, not otherwise specifically provided, shall be done under the direction of the Secretary of the Interior, the Acting Inspector recommends, in order that the matter may be determined, and as it is one in which the school officials are interested, that the Department direct that said improvements be appraised by the Superintendent of Schools in Indian Territory, acting jointly with some person to be selected by the Indian citizen allotting the land, and that report of such appraisal be made to the Department, and when approved that the allottee be required to pay the proper amount to the U. S. Indian Agent at Union Agency, to be deposited in the Treasury of the United States to the credit of the Cherokee Nation.

The Commissioner of Indian Affairs forwarded said report  
6714



on June 10, and concurred in the recommendation of the Acting Inspector. A copy of his letter is inclosed.

The report of the Acting Inspector is approved, and you are requested to have said improvements appraised in accordance with his recommendation.

Respectfully,

E.A.Hitchcock.

1 Inclosure.

Secretary.

(Endorsed) Union Agency # 6714 Received Jun 22, 1903.  
Office of U.S. Indian Inspector for Indian Territory.  
Washington, June 15, 1903. Secretary.

Directs that improvements on lands heretofore controlled by Cherokee Orphan Asylum be appraised by Superintendent of Schools in Indian Territory and the Indian citizen making the allotment and the amount of such appraisement be paid to the U.S. Indian Agent when approved.



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

Muskogee, Ind. Ter.  
August 19, 1903.

The U.S. Indian Inspector  
for the Indian Territory.

Sir:-

I am in receipt of your communication of the 17th instant, transmitting a letter from Richard C. Adams, dated Washington, D. C., August 4, 1903, addressed to the Honorable Secretary of the Interior, in reference to the opening of roads through farms of Delaware Indians in the Cherokee Nation, Indian Territory, and I note(Sic) that you request that I am to make immediate report and furnish a statement at once as to the conditions and what actions have been taken in cases of this character, with the return of enclosure.

Replying thereto, your attention is respectfully invited to the public notice issued by this office and which bears the approval of the Honorable Acting Secretary of the Interior, of February 12, 1902, calling attention to the road laws in the Cherokee and Creek Nations, as provided by recent acts of Congress.

You will note that it is stated in said public notice, to the end that there may be uniformity in the establishment of roads throughout the Creek and Cherokee Nations, that "all persons are hereby notified that where section lines are obstruc-



ted in any manner, such obstructions must be removed and the section line roads opened immediately, and if such obstructions are not removed, the Department will, through its proper officers in the Territory, take steps to enforce the law."

This circular has been widely distributed, especially where complaint has been made that the section lines have been obstructed. I have taken no drastic action in any case where complaint was made to me in reference to roads in the Cherokee Nation; simply sending the circular and warning the person that the section line must be opened in accordance with the law therein referred to.

Recently you advised me that the Department had informed you that I should not insist upon the opening of section lines and the rearrangement of fences in connection with said opening of section lines, where such action would materially injure growing crops. Since the receipt of these instructions all communications in reference to changing roads and opening up section lines have been written having in mind such instructions.

It will be impossible for me to answer Mr. Adams' letter any more definitely than this at this time, for the reason that he does not state whom he received his letters and telegrams from, complaining that roads were being surveyed and opened through the farms of Delaware Indians in the



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Cherokee Nation.

Enclosure returned.

Very respectfully,

J. Blair Shoenfelt

JFW(J).

U.S. Indian Agent

(Endorsed) Union Agency # 37340 Received Aug. 22, 1903. Office of U.S. Indian Inspector for Indian Territory. Muskogee, I.T., August 19, 1903. J. Blair Shoenfelt, U.S. Indian Agent. Report upon letter of Richard C. Adams, of Washington, D. C., relative to opening of section line roads through farms of Delaware Indians in the Cherokee Nation, Indian Territory. Washington, Sept. 12, 1903. Secretary. Approves.



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

Jan. 18, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit for Departmental consideration, letter of the Indian Inspector for Indian Territory, of December 16, 1903, transmitting an act of the National Council of the Cherokee Nation, approved by the Principal Chief December 3, 1903, entitled

"AN ACT making appropriation for the support of the Cherokee National Insane Asylum and for other purposes."

This appropriates a sum of \$3,279.83, or so much thereof as may be necessary from the insane asylum fund for the support of the asylum for the year ending December 31, 1904, and for the payment of the outstanding accounts of said asylum during the year 1902, such total appropriation being made in the amounts and for the purposes stated in the body of the act.

Attached to the act is a report from the Superintendent of Schools in Indian Territory, dated December 9, 1903, in which he recommends that it be approved, stating there are seven or eight insane Cherokees now in this institution, and it is necessary that they be cared for.

The amount stated in this act is approximately the same as appropriated for previous years, says the Inspector,



and as such act appears to him to be necessary and proper, he recommends that it be approved.

The Act submitted covers one of the necessary current expenses of the Cherokee Nation; it meets the approval of the Inspector and the office has knowledge of the conditions relative to the insane in the Cherokee Nation. I therefore concur in the recommendation of the Inspector that the act be submitted to the President with the request that he approve it.

Very Respectfully,

A.C.Tonner.  
Acting Commissioner.

EBH-H

(endorsed) Union Agency # 8596 Received Feb. 1, 1904.  
Office of U. S. Indian Inspector for Indian Territory. Washington  
Jan. 25, 1904. Secretary. Cherokee act making appropriation  
in favor of Insane Asylum, approved by President. Jan. 22, 1904.



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D E P A R T M E N T O F T H E I N T E R I O R.  
O F F I C E O F I N D I A N A F F A I R S .  
W A S H I N G T O N .

Jan. 20, 1904.

The Honorable,

The Secretary of the Interior.

Sir:-

I have the honor to submit for your consideration, letter of the Indian Inspector for Indian Territory of the 4th instant., transmitting for executive consideration, an act of the National Council of the Cherokee Nation, approved by the Principal Chief November 25, 1903, and entitled:

"An act making appropriation for the benefit of Robert B. Ross, for national certificates."

This act appropriates the sum of four dollars in favor of Robert B. Ross for the purpose stated and there is submitted by the Inspector a communication from the Principal Chief under date of December 17, 1903, in response to Mr. Wright's inquiry for additional information as to this act, in which the Principal Chief states that it is the result of a claim of Mr. Ross for national certificates issued him for services rendered the Cherokee Nation prior to the abolition of the Cherokee Courts, which certificates were mislaid until recently; that his claim has been presented to the National Council in the usual manner and the act passed after investigation, and he has no reason to believe otherwise than that the claim is just and regular.



The Act appearing to him to be necessary and proper and in view of the statements of the Principal Chief, Mr. Wright recommends that it be approved.

The papers show that Mr. Ross has a valid claim against the Cherokee Nation, which has not as yet been liquidated, and I therefore coincide with the Inspector and recommend that it be submitted to the President with request that he approve it.

Very respectfully,

A. C. Tonner.  
Acting Commissioner.

EBH-H

(Endorsed) Union Agency # 8612 Received Feb. 2, 1904. Office of U.S. Indian Inspector for Indian Territory. Washington, Jan. 26, 1904. Secretary. Cherokee act making appropriation in favor of Robert Ross for National Certificate approved by President Jan. 23, 1904.



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Okmulgee, Ind. Ter.

Feb. 10, 1904.

Mrs. Ella A. Boole,  
156 Fifth Ave., New York City,

Dear Mrs. Boole:

Your letter of the 27th. ult., requesting a dietary of our school for a week, came some ten days ago. As requested we have made a list of provisions at each meal for a week, and it is enclosed herewith.

The teachers board in the school, eating with the pupils at their tables. They have the same food from the same dishes, that the pupils have, but they almost always have butter, and sometimes other extras which the pupils do not have. The lists show the extras of each meal that the teachers had. During a part of the time the pupils have butter also.

The average per capita cost per week is one dollar and twenty cents, (\$1.20). We include in the cost of providing, the salary of our teamster, dining room matron and three cooks.

Trusting this is satisfactory, I am

Sincerely yours,

Superintendent.

(Endorsed) Union Agency No. 36-----Dietary,-Indian School,Okmulgee  
Indian Territory.-----



Monday, Feb. 1st, 1904.  
Breakfast

Rolled Oats & Cream  
Ground Beef Patties  
Fried Mush  
Bread  
New Orleans Molasses  
Coffee  
Extras for teachers  
Cakes and Butter

Dinner

Baked Meat  
Turnips  
Tomatoes  
Pork & Beans with Tom. Sauce  
Stewed Apples  
Gravy  
Bread  
Extra  
Butter

Supper

Cold Beef  
Beans  
Turnips  
Bread  
Molasses  
Evaporated Apples  
Tea  
Extras  
Butter  
Pickles  
Cranberries

Tuesday, Feb. 2, 1904.  
Breakfast

Rolled Oats & Cream  
Beef Hash  
Gravy  
Fried Hominy Gritts  
Molasses  
Bread  
Coffee  
Extras  
Butter

DINNER

Vegetable Soup  
Roast Beef  
Beans  
Rice  
(36)

(Tuesday Dinner-cont'd)

Turnips  
Bread  
Extras  
Butter and Pickle

SUPPER

Chili Concarne  
Cold beans  
Molasses  
Fruit  
Bread  
Tea  
Extras  
Potatoes

Wednesday, 2/3/04

BREAKFAST

Rolled Oats & Cream  
Fried Meat with gravy  
Fried Mush  
Molasses  
Bread  
Coffee  
Extras  
Butter

DINNER

Roast Beef with gravy  
Dressing  
Mashed Potatoes  
Beans  
Bread  
Cream Pie  
Extras  
Butter

SUPPER

Cold Meat  
French Toast  
Rice  
Molasses  
Beans  
Bread  
Fruit  
Tea  
Extras  
Butter



Thursday, 2/4/04.

BREAKFAST

Rolled Oats & Cream  
Baked Beef Hash  
Fried Potatoes  
Molasses  
Bread  
Coffee  
Extras  
Butter

DINNER

Soup  
Steak  
Gravy  
Baked Beans  
Rice  
Bread  
Extras  
Chess Pie  
Butter

SUPPER

Cold sliced meat  
Fried rice cakes  
Cold beans  
Molasses  
Bread  
Tea  
Extras  
Butter  
Cranberries

Friday, 2/5/04.  
BREAKFAST

Rolled oats & cream  
Steak  
Gravy  
Fried Mush  
Molasses  
Bread  
Coffee  
Extras  
Butter

DINNER

Roast Beef  
Gravy  
Baked beans  
Spinach  
Bread  
(36)

(Friday Dinner cont'd)

Cottage pudding with brown sauce  
Extras  
Butter

SUPPER

Cold sliced meat  
Fried rice cakes  
Cold beans  
Molasses  
Bread  
Tea  
Fruit  
Extras  
Potatoes  
Butter

Saturday 2/6/04.  
BREAKFAST

Rolled oats & cream  
Baked hash with potatoes  
Fried Hominy  
Molasses  
Bread  
Coffee  
Extras  
Butter

DINNER

Hamburger Steak  
Baked beans  
Turnips  
Rice with gravy  
Bread  
Extras  
Butter  
Mince Pie

SUPPER

Chili Concarne  
Fried rice cakes  
Cold beans  
Turnips  
Bread  
Molasses  
Tea  
Extras  
Butter  
Cranberries  
Pickle.



Sunday, 2/7/04.  
BREAKFAST

Rolled oats & cream  
Meat and gravy  
Fried mush  
Molasses  
Bread  
Coffee .  
Extras  
Butter

DINNER

Roast beef  
Lima beans  
Mashed potatoes  
Gravy  
Bread  
Evaporated peaches & cream  
Extras  
Butter

LUNCH

Cold meat sandwiches  
Ginger cookies  
Mince pie.

On Sunday evenings the teachers eat together while the pupils have lunch in their sitting rooms.

Teachers Sunday Supper

Salmon  
Potato Salad  
Cranberry sauce  
Spiced fruit  
Pickles  
Bread  
Butter  
Cake  
Canned fruit  
Tea.



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Department of the Interior,  
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,

August 24, 1904.

Mr. Fred T. Marr,

Clerk in Charge, Chickasaw Land Office,  
Tishomingo, Indian Territory,

Dear Sir:

Replying to your communication of the 23 instant you are advised that when you want a typewriter repaired you will send requisition to this office asking for repairs on one machine, stating number of same, and at the same time shipping direct to the Remington Typewriter Company, Oklahoma City, O.T., the machine and this office will then notify the company to repair and return to you said machine. All the necessary vouchers being sent from this office.

Very respectfully,

Rees Evans.

Special Disbursing Agent.

(Endorsed) Union Agency No. 3396 Received Aug. 26, 1904. Commission to the Five Civilized Tribes, Muskogee, Indian Territory. regarding -- typewriters being repaired, -routine of same----



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation,

Tahlequah, Ind. T.  
October 6, 1904.

Superintendent John D. Benedict

Muskogee, I. T.

Dear Sir:

I am in receipt of your letter of the 4th instant enclosing one from Mr. William Kile of Sallisaw pertaining to the attendance of white children at some Cherokee school. We have taken the matter up and have written to Mr. Kyle to inform us what school he refers to. When we learn we will give full consideration to the case.

Twelve of our teachers in that the Sequoyah District are in Union Schools. This week we made a union school of Burshy and are expecting a petition any day from the people of Adair neighborhood asking us to make that a union school.

We are of the judgment that more good will be accomplished to open new union schools where there are no schools now, and open only on petition and full consideration, established Cherokee schools to the whites.

At present as many whites as the teachers can handle may be admitted to the old established schools on payment of one dollar per month tuition. This works well in many neighborhoods and prevents a too large rush of whites who in many instances would take possession of the small houses built by Cherokees and crowd them out and develop a feeling of injustice to them in their



vested rights, or over crowd the present school facilities.

Whereas with our present plan we only open free union schools upon petitions of neighborhoods and consideration of school facilities and probable attendance. If we should open all of our old schools we would quickly exhaust the \$25,000. and could open but few additional school where numerous petitions show the needs are much greater than that of the whites in old school neighborhoods that will not be reached by present methods.

At present 35 of our teachers are in free public schools in incorporated towns and 85 are in union country schools. That gives 120 teachers in schools open alike to cherokees and whites. This number is being increased each month as we get necessary information about neighborhood school accomodations and ability of teachers to warrant us in making union schools, and at the same time keep up a regard to our financial limitations.

We received a petition this morning from Dawson giving the names of nine cherokees and 157 whites asking us for a school. We also have a petition from Maple with 155 names asking for a school.

Our judgment is that better than an order opening all schools of an old system where the small buildings owned by cherokees will be often times overcrowded we had better open all such as have sufficient facilities for all pupils of both races and then establish new schools where they will build commodious houses by the efforts of both races. By this means we will get more children in school, more people will assist us and a better preparation will be made for a system of free public schools in every part of the nation. Twenty-one of our old cherokee country schools are now

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union schools and we encourage making as many more of them free public schools as existing limitations (amount of funds, ability of teacher, size of house), will permit.

Very respectfully,

Benj.S.Coppock.

School Supervisor

Cherokee Nation.

(Endorsed) Union Agency No.20 Benj.S.Coppock, Tahlequah----general report on schools.-----



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation,

Tahlequah, Ind. T.

November 9, 1904.

Superintendent John D. Benedict

Muskogee, I.T.

Sir:

In reply to your letter of the 29th ult. asking for a description and estimate of values of the Boarding Institutions of the Cherokee Nation I have the honor to report as follows.

There are five boarding institutions in the Cherokee Nation.

Three belong to the school fund,

One belongs to the Orphan fund, and

One belongs to the insane fund.

I will report upon each one separately. The newest, largest and best building is the Female Seminary at Tahlequah. It is on forty acres of land which is within the corporate limits of Tahlequah. The part nearest town is quite valuable as it can be used for town lots, the part farther back is not so good. I think an average value of \$125.00 per acre or \$5,000. for the land a fair valuation. The Seminary building is 320 feet in length and of varying width as there are two L's one of which gives a depth of 150 feet. Most of the building is three stories in height. It is a well constructed brick building, heated by steam, lighted by electricity, supplied with water from tanks into which water is pumped from an excellent spring on the premises by steam power. On the first floor are the chapel, used also for a study and recitation hall, recitation rooms, dining room, no number-Coppock.



kitchen, parlor, music rooms and superintendents office. On the second floor are the library, music rooms, and rooms for the teachers and students. On the third floor are rooms for the sick, for teachers, for students and some large rooms or dormitories for the primaries. There are 102 available rooms in the building. Its original cost was \$80,000 and it was first occupied by the school in September 1889. The building was originally provided with sewerage, wash basins bath tubs and water closets. Year by year the wash basins, water connections, and plumbing have been broken and disconnected - and for some time bath rooms and wash rooms have been nailed and locked up. What were expensive modern house conveniences when put in are now practically useless. After fifteen years use and with some repairs and the erection of a few minor buildings, I think 75% of cost or \$60,000 a fair valuation.

The Male Seminary has forty acres of land one mile from Tablequah, some of which is good farming land. I would value this land at \$50.00 an acre or the tract at \$2,000.00

The building which is an imposing structure stands on an elevated piece of ground with perfect natural drainage. The act of council providing for this school was passed Nov. 26th, 1846, and the school was opened May 7th, 1850. It was interrupted by the civil war, but after the war a large addition was made to the building with some necessary repairs. The aggregate appropriations for the building made and used in those early times was \$120,000. The old building is well and substantially built of brick two stories high. The new part is three stories high of brick, and a basement of stone. Arranged on the first floor of no number-Coppock.



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the building are the chapel, recitation rooms, library, laboratory, dining room, kitchen, family rooms for the Superintendent and a parlor. Upon the second floor are rooms for the teachers, students, nurse and sick rooms. Upon the third floor are students rooms and dormitories. The building affords eighty-five available rooms. In length it is 185 feet and 109 feet in width. The chapel is 54 by 40 feet, the dining room is 45 by 38 feet. The building accomodates 160 pupils with the necessary officers and teachers. The building is heated by fire places and stoves, the fuel used is wood, and it is lighted by electricity.

This is an old building and might be valued at \$45,000.00

The colored High School is six miles northwest of Tahlequah on 40 acres of land which I would value at \$25.00 an acre of \$1,000.00 The building is of brick 50 by 70 feet and three stories high. On the first floor is the kitchen, pantry, dining-room, school room, an office-parlor and two bed rooms. On the second floor are seven rooms and on the third floor are eight rooms used for students and employes. It is heated by wood stoves and lighted by coal oil lamps. I would value the building at \$7,000.00

The orphan asylum property at Salina has 120 acres of land with orchard some small buildings and the remains from the large brick building since the fire. I value the land with improvements at \$75.00 an acre or \$9,000. Value of debris from the fire, mostly valuable brick, \$6,000 or for the place \$15,000.

The Insane Asylum reservation five miles south of Tahlequah now used as an Orphanage is composed of 40 acres worth \$25.00 an acre or \$1,000. The building is of brick three stories high 40 by 148 feet. On the first floor is the kitchen, dining room, an no number-Coppock.



assembly room, a sitting room for boys, one for girls and a store room. On the second floor there are eight large and four small rooms, on the third floor eight large and five small rooms. In all the building contains 31 rooms and accomodates officers, employes and eighty orphan children. On this place we have erected two small school buildings, a small laundry and a stable at a total cost of \$1,500. And we have expended \$2,500 on repairs and painting on the main building. I estimate the value of this building at \$20,000.

The insane asylum is now in the National Jail located in the town of Tahlequah. This is a two story and basement stone building of four rooms to the story or a twelve room building suitable for jail purposes.

Back of this is a three room frame building. These are old buildings and have about served their purpose. There is a stable and lot across the street from the main property and all of the lots are valuable on account of their location. I would value the stable and lot at \$500.00 The main lot at \$3,000. and the buildings at \$5,000.00

In my estimates of values on buildings I am guided somewhat by the insurance adjustment value of the recently burned orphanage at Salina, and values of lands by sales of lands by cherokee freedmen to cherokees since allotment and partly by values of town lots.

#### Summary,

Male Seminary Buildings	\$45,000.00
" " Lands	2,000.00
Female Seminary Buildings	60,000.00
" " Lands	5,000.00
no number--Coppock.	



Colored High School Buildings	\$7,000.00	
" " " Lands	1,000.00	
On School Fund Account- - - - -		\$120,000.00

Orphan Asylum (Salina) debris- - - - -	\$6,000.00	
" " " land- - - - -	9,000.00	
" " (near Tahlequah) Bldg- - - - -	20,000.00	
" " " small buildings- -	1,500.00	
" " " land - - - - -	<u>1,000.00</u>	
On Orphan Fund Account		\$37,500.00

Insane Asylum, Tahlequah building	\$5,000.00	
" " two lots	<u>3,500.00</u>	
Insane Fund Account		<u>8,500</u>
		\$166,000.00

Very respectfully,

Benj.S.Coppock.

School Supervisor  
for the Cherokee Nation.

(Endorsed) Union Agency (No. number) November 9, 1904 Benj.S.Coppock,  
Tahlequah, I.T. ----Submits report on value of Cherokee school  
property.-----



DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.

November 26, 1904.

Superintendent J. D. Benedict

Muskogee, I. T.

Dear Sir:

Mr. Wyly and I were at the Female Seminary all day yesterday. We went over the work and methods and management of the entire institution with Supt. and Mrs. Allen and then with Principal Miss Allen. I think feel settled and encouraged by our visit. We smoothed out the few wrinkles gave some instructions and left with a word of good cheer and encouragement. The school in its parts and as a whole is in good working condition. The management of the domestic affairs and the laundry was never better. The Principal has shown good judgment and has the girls under control and the faculty is quite harmonious. Instruction in sewing, in which all the girls are concerned, is proving generally satisfactory as well as the mending. Although it took us from morning to five P. M. we feel a confidence and rest about the school and its work. Good reports are going out from it all over the nation and word from parents is reassuring.

This morning we went out to the Male Seminary. We went and came with a feeling of sadness. As we drove up we saw the boys loading in the dray five trunks. The boys were going home to stay. We learned 8 boys were leaving today. Perhaps 40 had gone home over Thanksgiving, and only 55 boys reported at chapel



this morning. We were at dinner. I looked about and but few boys were there. Mr. Elwood says the boys will be back after Thanksgiving but others say most of them will not come back. We have questioned boys, teachers and parents to know what the difficulty is and can as yet learn but two things-doing no good, disgust at the Principal. We hear no complaint about his wife or daughter or any of the teachers. Everything centers on the Supt. and they say it is because he lets them do as they please, excuses too much from chapel, from school or classes; lets them come to town, go home, go hunting, play sick. They say he is "dead easy" and they can work him. Result they have no respect for him, hissed him in chapel yesterday. I gave him a kindly but very plain talk, told him all of these things and gave him best advice at hand. Mr. Wyly approved and confirmed my talk. We told him all complaint centered in him, not to give excuses, to see personally that every boy was at chapel, study hour, class room, dining room every time; to take nothing for granted, nothing on honor but to be personally on hand and hold them all down by day and night right there on the premises until they "squealed" and the members of council and attenders of Dawes Commission when they go home will say that we have taken hold and he is "not easy" and can not be worked. We will have to personally watch this case next week and until there is some respect for the school management. For unfortunately the faculty are fully discouraged and have for the moment lost faith in his doing (Sic) anything to support them or do his own work. The faculty is competent, experienced, and willing. But the best of them are way down in discouragement.



This condition calls for our close constant personal supervision. I have faith and courage and ought to be able to impart it. Hope we will be able to hold the rest of the boys, though no one knows just how many there are. Several boys have been suspended and sent home for playing cards lately and the word has gone out that card playing and gambling is quite the industry out there. Mr. Elwood took our instructions in a very nice way and said he take hold of the matter with vigor at once. It is up to him to prove equal to the occasion and at once with our strong support. There is one week more of council and four of school. If school is to do anything like its proper work we must turn the tide and get word out that will bring back pupils for next term. We ought to be able to do it as we have a good teaching faculty and something strong to rally about. This matter will receive my immediate careful attention.

All of our teachers will appreciate any hastening of the payment of September claims. However a large number of warrants are held here awaiting the Chiefs signature.

Very respectfully,

Benj.S.Coppock.

School Supervisor Cher.Na.

(Endorsed) Union Agency No. 6 November 26, 1904 Benj.S.Coppock  
Tahlequah, I.T.-----Concerning condition of affairs at Male  
Seminary.-----



land.  
90107-1904.

Department of the Interior,  
OFFICE OF INDIAN AFFAIRS,  
Washington,

Jan. 9, 1905.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to enclose a report from Inspector Wright, dated December 23, 1904, submitting for Executive action an act of the National Council of the Cherokee Nation approved by the Assistant and Acting Principal Chief December 6, 1904.

The act is as follows:-----

AN ACT MAKING AN APPROPRIATION FOR THE BENEFIT OF  
CHEROKEE PUPILS AT THE SCHOOL FOR THE BLIND,  
DEAF AND DUMB NEAR FORT GIBSON.

BE IT ENACTED BY THE NATIONAL COUNCIL OF THE CHEROKEE NATION:

That the sum of Six hundred and No/100 (\$600.00) Dollars be, and the same is hereby appropriated out of any money belonging to the School Fund of the Cherokee Nation, not otherwise appropriated, for the benefit of the Cherokee pupils at the School for the Blind, Deaf and Dumb near Fort Gibson, Indian Territory, and the Principal Chief is hereby authorized and directed to draw his warrants therefore quarterly upon the requisition of the Cherokee Board of Education.

Mr. Wright submitted the act to Superintendent Benefict, (Sic) who in report of December 20, 1904, recommends its approval. The Inspector says that appropriations of the nature of the one



covered by the act have heretofore been made for the benefit of this school; that two or more blind or deaf and dumb Cherokee citizens attending the school at all times, and concurs in the recommendation of the Superintendent.

As the appropriation seems to be necessary and in accordance with the long established custom of the tribe, I respectfully recommend that the act be laid before the President for executive action, with request that he approve it.

Very respectfully,

C.F.Larrabee

Acting Commissioner.

GAW-H

4 incls.

(Endorsed) Union Agency No.10923 Received Jan.24,1905 Office of U.S.Indian Inspector for Indian Territory.Washington,Jan.17, 1905.Secretary.-----Act of Cherokee Council, with provision for benefit of Cherokee pupils at deaf, blind and dumb school near Ft.Gibson, returned, approved.-----



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind. T.

Jan. 12, 1905.

Superintendent John D. Benedict,  
Muskogee, I. T.

Dear Sir:

I have your letter of Jan. 10th, 1905 in which you return original requisition #267 with item No. 15 erased, being an allowance of \$26.67 for R. R. Eubanks as acting Supt. from Dec. 24 to 31 inclusive at the Male Seminary, together with your reasons for not allowing same, and requesting me to forward the duplicate requisition.

I will explain this matter. The three members of the school Board and myself worked ten days early and late on accounts of primary teachers and appointments. I missed the Territorial Teachers Association Meetings in order to get schools organized during short vacation. We succeeded so well that we notified the superintendents of our boarding institutions to prepare and bring in their accounts and vouchers so as to settle up on Saturday in order that Messrs. Brewer and Parks might go home. Mr. Brewer and I made the settlements and Mr. Parks made up the requisitions from reports after we had passed on them. Mr. Wyly generally assisted and heard affairs of numerous teachers and other office callers. When any of us reached a matter that was new or difficult it was called to the attention of others and passed upon. During the afternoon some matters needed decision as callers were



waiting. Mr. Wyly and I took several parties in the adjoining room and disposed of their matters for them and soon cleared the office of waiting callers. While we were out Mr. Parks at the typewriter was up with work and he and Mr. Brewer passed on Mr. Eubanks certificate of time of employes at the Male Seminary and at once went to making up the requisition No.267. When Mr. Brewer and I finished the accounts I asked for the employes time and he said Mr. Parks had it, that they had passed on it and it was all right and turned to Mr. Parks and asked for "the Eubanks employe list,." Parks replied I am using it but it is all right and addressed me saying "We have gone all over it and it is all right."

The various work was finished and all papers signed by the Board. I hastened with them to my office to get them ready and in the Post Office so as to have them in your office by Monday morning. As I had examined every thing. I commenced my letter of transmittal at dusk but I noticed this item and then laid aside the requisition and crossed out reference to it, as you will see in my said letter to you of Dec.31.

On Monday I discovered that I had by mistake left the original in the package and had only taken out the duplicate of No.267.

I have written this statement to explain the following one. On Monday I took the duplicate up to the office to call Mr. Wyly's attention to two errors and to ask him to agree to their correction. I did not think he knew any more about them than I did for he did not pass on them as Mr. Brewer and I had. It was evident that the item for pay of laborer was wrong, as 15 days had already been paid for and we at once corrected that, but when I called



attention to item No.15 he was not inclined to do anything. I said I had signed the requisition without any suspicion that such an item was in it and I did not want my name to stand for it. When he still would do nothing I told him I would not send it in with my name to it with my approval. He was at once furiously mad, said his name would stay, said that I knew as much about it as he did, but he would not change it. He then said I was always looking for something to go wrong and acted as if matters would not be done right if I did not look after them. As he talked he got madder and paced the floor. He threatened me several times, and promised if I ever again said or suggested that anything was wrong, or cast any suspicions on the Boards conduct "I will hit you and hit you hard," your grey hairs have heretofore protected you but "I serve notice on you now that the next time it happens you will get hurt" "You can just fix yourself for I will hit you." I quietly waited for him to get through his talk and threats and then came away.

For more than a week after school closed we failed to agree on a Supt. The Board insisting on Mr. Eubanks and I on Mr. Wilson. I did not like some things about the situation and only on the 30th did I consent and we agree to elect Mr. Eubanks. There was no possible basis for a claim that he was Supt. from the 24 to 30 Dec. The chances were that another man would hold that place the next term. This is the second time Mr. Wily has become furiously mad and threatening. The other time was when I told them of dissatisfaction with the failure to account for tuition fees from teachers attending our summer normals.



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.

Jan.20,1905.

My Dear Mr. Benedict:

I enclose you a two page letter for file and in certain future contingencies for use. I expect to keep sober and go on just the same. I was not able to finish up work here and get out to visit schools any this week. We have the Male Seminary now in good working condition, but it did not just happen so, it took work.

Eubanks has the former Stewarts work, Mitchell the former Principals work with Miss Cox and Walter Thompson to help with the High School work, W.T.Scott has 7th 8th grades, Nuckols the 5th 6th grades, Miss Rowe the primary room. Every thing is settled and running smoothly.

When I was last in your office I laid the duplicate requisition No.267 on your desk. Everything is coming apace.

Yours truly,

Benj.S.Coppock.

(Endorsed) Union Agency No.14 January 20,1905 B.S.Coppock,Tahlequah.  
----Encloses letter concerning organization of schools, etc.----



DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.

Jan.28, 1905.

Superintendent John D.Benedict

Muskogee, I. T.

Dear Sir:

I have the honor to report a few facts in regard to the present organization of the cherokee school service.

Last quarter we had eighty (88) eight Union School teachers. Beginning February first, we have unionised 27 Cherokee Schools. We have established eight (8) new Union schools. We have discontinued two union schools viz: Crittenden, Aurora. We have withdrawn one (1) teacher from Blue Springs and Akins, each.

We now have from Feb.1st.1905 in town graded schools, teachers-40

In Union country schools	"	119
In Cherokee "	"	86
We have teachers and employes in Male Seminary		15
Female "		20
Orphanage		8
Colored High School		7

The Orphanage is crowded, the Female Seminary is well attended, the Male Seminary in good condition with 127 pupils and additions frequently, the Colored High School has 45 of whom 17 are in the High School and 17 pay board-formerly none of them paid board.

Encouraging reports come in from various districts. We need



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more money that we may establish more schools. We think we have reached the limit of safety for present allowance of funds.

Very respectfully,

Benj. S. Coppock.

School Supervisor

Cherokee Nation.

(Endorsed) Union Agency No. 18 January 28, 1905 Benj. S. Coppock,  
Tahlequah, I.T.-----Concerning organization of schools, etc.-----



DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.

Feb.16,1905.

My Dear Superintendent.

I have your various letters and all matters are attended to except the petition of the full bloods at Honey Hill School, east of Stillwell. I have looked the matter up at the Dawes Comm., and now go over to the neighborhood to visit a few schools and see what I can do for those people. I've caught up with all correspondence, but have a little bookkeeping yet. My "Grippe" is better. We had some orthodox winter imported from the north. They sent us snow, ice, freezing and all, but no coal or wood.

Everything is doing as well as weather will permit.

Faithfully,

Coppock.

(Endorsed) Union Agency No.10 February 16,1905 B.S.Coppock,Tahlequah  
Ind.Terry.-----Various matters are attended to.-----



DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.  
Feb. 20, 1905.

Superintendent John D. Benedict

Muskogee, I.T.

Sir:

On your instructions of Feb.13 I have taken up the matter of the fencing up of the public highway and the Honey Hill school, six miles of Stilwell. I made a trip of investigation to the school and neighborhood Friday and on Saturday by appointment I met the school directors and several of the patrons of the school in the town of Stilwell. I also visited the office of the Dawes Commission and found the location of the allotments of the "white man" Hiram B. Thomas who figures in the case.

We settled the school matter by his permitting the school to continue this term in the house as it is. They agreed to take an acre lot near by but just across the section line on the corner of a forty allotted by a man Collins, who told us all that he would give it and would sign a petition to that effect asking the Dawes Commission to reserve it.

The neighbors are not at all satisfied with the closing of the road. For more than thirty years it has been the main Lees Creek public road from Stillwell and Evensville to Ft Smith. They think it should be kept open as the country is so hilly and rough that it is not at all practicable to open on the section lines along there.



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I told them that was the Indian Agents matter and for them to write to him about it and leave the school matter out. They at once assured me they would take the matter up at once.

Thomas is a well known character in that region, very nice when he has his own way but very boisterous and contrary when crossed. It seems his sons hold with the neighbors and think the road should be kept open. His son George would prefer to have the school house remain where it is. I will receive a petition soon from the directors, Mr. Collins and neighborhood to have the acre reserved across the line as agreed upon.

I hope it will all work well, but is in a nice shape for a big neighborhood "fuss."

Very respectfully,

Benj.S.Coppock.

Supv.

(Endorsed) Union Agency No.11 February 20, 1905 Benj.S.Coppock,  
Tahlequah, I.T.-----In regard to fencing up Honey Hill School,-----



DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation,

Tahlequah, Ind.T.  
February 28, 1905.

Superintendent John D. Benedict

Muskogee, I.T.

Dear Sir:

I submit a report on the organization of our schools for the present term. The Male Seminary, the Female Seminary, the Colored High School and the Orphanage are all well attended and in good health and harmony of work. Officers, instructors and employes are quite competent and work in harmony. The severe winter has not adversely affected any of them either in attendance or work.

Last term we had 40 teachers in town schools with about 1500 Cherokee pupils,

118 country Cherokee schools with about 3563 Cherokee pupils,

88 Union schools with 1343 Cherokee and 3333 white pupils.

This term we have 40 town (combined) schools, 117 Union schools and 89 Cherokee schools.

The \$25,000.00 permitted us to open the 88 additional schools in localities where there were not enough Cherokee children to keep a Cherokee school yet we secured in them an average of 16 in enrollment and an average attendance of 10. We thus secured the attendance at school and paid therefor from Cherokee funds more than 1000 Cherokees by congressional aid. This term we opened 29 of the Cherokee schools considering upon its merits as to condition of house, neighborhood and strength of teacher, each of the schools maintained and now have 117 Union schools. This



will not increase the number of cherokees but will increase the number of white pupils who may attend. Had we established 29 new schools we could have made the \$25,000. go farther as we would have paid part of each teachers salary from cherokee funds. As it is we will do nicely and can keep up about all of the schools the whole term. The threat of laying down some of them at the end of the quarter acts as a stimulus to both teachers and neighborhoods to keep up a good attendance and work so as not to lose out. I think our organization is well adjusted and timed to get the largest and best results out of our teachers and funds.

Very respectfully,

Benj.S.Coppock.

School Supervisor.

(Endorsed) Union Agency No.13 February 28,1905 Benj.S.Coppock,  
Tahlequah,I.T.-----Concerning organization of Seminaries.-----



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Tahlequah, I.T.  
May 2, 1905.

Hon. J. Blair Shoenfelt

U.S. Ind. Agent

Dear Sir:

As I understand, you have been authorized to appoint more  
Indian Police.

I hereby make application for position as Police

Yours respectfully,

Robt. B. Bean.

(Endorsed) Union Agency No. 14 Received May 3, 1905 Office of U.S.  
Indian Agent, Muscogee, Ind. Ter. May 2, 1905 Robert B. Bean, Tahlequah,  
I.T.-----Application for appointment as Indian Policeman.-----



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Santown, I. T.

May 3, 1905.

Hon. J. Blair Shoenfelt

U. S. Indian, Muskogee (Sic) I.T.

There was a pertison (Sic) that was sined (Sic) by the people of this vicinit (Sic) and was give to Mr. C. F. Fry to send up to you, and we was in forn that it was not sent from Sallisaw. It was a perticon for C. A. Vann for a polise for the Northern District. We ask you over to please if it reaches your office, will you please notifie C. A. Vann at Ada.

Santown I.T.

August 11th, 1905.

U.S. Indian Agt.

Muskogee, I.T.

Dear Sir:

Just at the out going of Mr. Schoenfelt administration, there was a petition sent to him for a U. S. Indian Police at this place and I want to know what disposition was made of it as to whether he passed on it or not or whether it was left for your decision. Answer at once, I am,

Yours,

Cato Vann.

Santown, I.T.

November 7, 1905.

U.S. Indian Agent,

Muskogee, I.T.



Hon Sir:

I write you in regard to my petition to you some time ago, concerning the position of Indian Police. Would be glad to hear from you at an early date. Marshal Jno. Brown says there is a vacancy and you can consult him about me.

Respectfully,

Cato Vann.

(Endorsed) Union Agency No. 15 Received Nov. 9, 1905 Office of U.S. Indian Agent, Muscogee, Ind. Ter. Nov. 7, 1905 Cato Vann, Santown, I.T.  
-----Relative to his application for position as Indian Police, is told there is a vacancy.-----



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June 15, 1905.

To Honorable J. Blair Shoenfelt,  
United States Indian Agent,  
Union Agency. Muskogee, I.T.

We the undersigned respectfully beg leave to recommend the appointment of Anderson Lowrey as a member of the United States Indian Police. We are well acquainted with Mr. Lowrey and know him to be competent and reliable and in every way fitted to perform the duties of the position.

N. A. Gibson.  
Ed. A. Estes.  
R. R. Cravens.  
W. H. Keys.  
J. S. Blakemore.  
W. H. Patterson.  
N. Z. English.  
W. P. Butz.  
C. W. Winne.  
Harlow A. Leekley.  
J. D. Benedict.

(Endorsed) Union Agency No. 33188 Received Jun. 15, 1905 Office of  
U.S. Indian Agent Muskogee, Ind. Ter. N. A. Gibson, et al, Muskogee,  
I.T.-----Recommend the appointment of Anderson Lowrey as Indian  
Policeman.-----



CHEROKEE NATIONAL BOARD OF EDUCATION  
TAHLEQUAH. INDIAN TERRITORY.

June 20, 1905.

Honorable John D. Benedict,

Superintendent of Schools in the Indian Territory,  
Muskogee, Indian Territory.

Sir:-

We have the honor to submit herewith a list of positions and salaries in the various boarding schools of the Cherokee Nation for the fiscal year of 1906, and respectfully ask that same be authorized as follows, to-wit:

M A L E S E M I N A R Y.

Position	Monthly salary	Months employed	Amounts
Superintendent and Prin. teacher	\$100.00	12	\$1200.00
Matron, Domestic	25.00	12	300.00
Nurse	30.00	9	270.00
Matron Dining Rm.	30.00	9	270.00
Cook	40.00	9	360.00
Cook	30.00	9	270.00
Gardner	20.00	9	180.00
Laborer	25.00	12	300.00
Physician	50.00	9	450.00
1st Asst. Teacher.	75.00	9	675.00
2d Asst. Teacher.	60.00	9	540.00
4 Asst. Teachers, each	50.00	9	1800.00



F E M A L E S E M I N A R Y.

Position	Monthly salary	months employed	amount.
Superintendent	\$50.00	12	\$600.00
Matron, Domestic	25.00	9	300.00
Matron, Dining Rm.	30.00	9	270.00
Nurse	30.00	9	270.00
Engineer	40.00	12	480.00
Cook	40.00	9	360.00
Cook	30.00	9	270.00
Laborer	25.00	9	225.00
Laborer	20.00	12	240.00
Matron & Teacher, Domestic	50.00	9	450.00
Matron & Teacher, Sewing	50.00	9	450.00
Physician	50.00	9	450.00
Principal Teacher	100.00	9	900.00
1st. Asst. Teacher	75.00	9	675.00
2d. Asst. Teacher	60.00	9	540.00
3 Asst. Teachers, each 50.00		9	1350.00

O R P H A N A S Y L U M.

Superintendent	\$50.00	12	\$ 600.00
Matron	25.00	12	300.00
Matron-Nurse	30.00	9	270.00
Laundress	25.00	12	300.00
Washwoman	15.00	9	135.00
Cook	40.00	12	480.00
Gardner	25.00	9	225.00
Physician	30.00	12	360.00
Principal Teacher	65.00	9	585.00



O R P H A N A S Y L U M. Contd.

Position	Monthly salary	Months employed	Amount.
2 Asst. Teachers each	\$65.00	9	\$900.00

C O L O R E D H I G H S C H O O L.

Superintendent	\$25.00	12	\$300.00
Nurse & Matron	30.00	9	270.00
Cook	25.00	9	225.00
Laborer	15.00	12	180.00
Laundress	20.00	9	180.00
Principal Teacher	65.00	9	585.00
Asst. Teacher	50.00	9	450.00

Very respectfully.

A. S. Wyly

Cherokee Board of Education

S. F. Parks

Benjamin S. Coppock

Supervisor of Schools.

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(Endorsed) # 34, Received June 20, 1905. Benj. S. Coppock, Tahlequah, I.T. Submits a list of positions in the boarding schools of the Cherokee Nation for the ensuing year.



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Tahlequah, I.T.  
July 3rd, 1905.

Hon. Dana H. Kelsey,  
U.S. Indian Agent,  
Muskogee, I.T.

Sir:-

I make this application for position of Indian Police in the Cherokee Nation. I am a single man and a location at Pryor Creek, ---for the position I seek would suit me. I give for reference ex-Chief S. H. Mayes, J. C. Hogan, W; A. Graham and P. W. S. Samuels of Pryor Creek and C. J. Harris, A. S. Wyly and J. W. Stapler of Tahlequah.

Hoping this application will meet with your approval, I am,

Yours very truly,

Thos. B. Downing.

(Endorsed) Union Agency No. 42 Received Jul. 5, 1905 Office of U.S. Indian Agent, Muskogee, Ind. Ter. July 3, 1905. Thos. B. Downing, Tahlequah, I.T. --- Makes application for position of Indian Police in Cherokee Nation, and gives references. ---

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Tahlequah, I.T.  
July 6, 1905.

Hon. D. H. Kelsey,  
U.S. Indian Agent,  
Muskogee, I.T.

Sir:

Having been informed that you are intending to appoint an additional Police at Tahlequah, I desire to make application for the place. I have worked for the Dawes Commission for the past three years as Notary and Cherokee Interpreter. Can refer you to Maj. Breckinridge and W. C. Rogers, Chief Cherokee Nation.

Very Respectfully,

Samuel Foreman.

(Endorsed) Union Agency No. 44 Received Jul. 7, 1905 Office of U.S. Indian Agent Muskogee, Ind. Ter. July 6, 1905 Samuel Foreman, Tahlequah, I.T.-----Makes application for appointment as Indian Police at Tahlequah.-----



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D E P A R T M E N T O F T H E I N T E R I O R,

Washington.

I.T.D.6397-1905.

July 14,1905.

United States Indian Inspector

for Indian Territory,Muskogee,I.T.

Sir:

There is inclosed herewith a letter of July 8,1905, addressed to the Secretary by Richard M.Wolf, et al., head captains of the Keetoowah Organization, together with a communication of July 7th addressed to you by the same persons, and a "Synopsis of letter to the Chief of the Cherokee Nation by the brother officers of the Keetoowah Society," all relating to the election of members of the Cherokee National Council, which they suggest be held on August 7, 1905.

You are requested to submit an early report and recommendation in the premises.

Respectfully,

F.L.Campbell

Acting Secretary.

(Endorsed) Union Agency No.12010 Received Jul.17,1905 Office of U.S.Indian Inspector for Indian Territory.Washington,July 14, 1905.Secretary.Enclosing----letter from Richard Wolf Keetoowah, concerning selection of Cherokee National Council.----



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Valeda Kansas  
July 15, 1905.

Hon. Indian Agent

Sir:

The Sessions of the northern part of scooswee scoowee district are in kneed (Sic) of a officer mity (Sic) bad for the leacers (Sic) are doing just as tha (Sic) pleas (Sic) with there cattel. (Sic) Thay (Sic) let them out on the commons and wont try to keep them up in pastures, and if any body ses (Sic) anything to them about ther (Sic) cattel (Sic) they will tell him that it is none of his business and there is some men in here that brought some texas cattel (Sic) in here last spring and thay (Sic) are running out on the commens two and now the cattel are dieng with the feaver and the peopel are wanting something dun with these cattel and these leacers have got lots of the section lines fenced up inside of pastuers that aught to be opened and there are varis other things that an officer is kneeded for and by request I make application to you for the office of Indian Police and if referince is kneeded I refure you to Caption John West and Judge Walter Agnew and can give more referince if kneeded.

Yours Respectfully,

Edward A. Trent.

(Endorsed) Union Agency No. 47 Received Jul. 17, 1905 Office of U.S. Indian Agent, Muscogee, Ind. Ter. July 15, 1905 Edward A. Trent, Valeda, Kans.-----Makes application for office of Indian Police; reports cattle running at large, etc.-----



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Vinita, Ind. Ter.  
August 3rd, 1905.

Hon. Dana H. Kelsey

U. S. Indian Agent,

Muskogee, Ind. Ter.

Sir:-

I have the honor to recommend, at the suggestion of our Principal Chief, the appointment of Clem Musgrove of Claremore Ind. Ter. as an Indian Policeman. He is a Cherokee by blood and in every way well qualified for the position.

With consistent with the practice of the Agency we would be glad if he be assigned to do special work for the Principal Chief and National Attorney of the Cherokee Nation, under general directions from your office.

I have the honor to be,

Your Obedient Servant,

L. F. Parker, Jr.

National Attorney.

(Endorsed) Union Agency No. 42422 Received Aug. 3, 1905 Office of U.S. Indian Agent, Muskogee, Ind. Ter. August 3/05. L. F. Parker, Jr., National Attorney Cherokee Nation, Vinita, I. T.-----Recommends appointment of Clem Musgrove, of Claremore, at suggestion of Principal Chief, to position of Indian Police, and requests that he be assigned to special duty for Principal Chief and National Attorney.---



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V.L.HURT.

RAN LEE.

HURT AND LEE

REAL ESTATE AND INSURANCE

Farms and city property for sale or rent.

Fort Gibson, I.T.,

August 8, 1905.

Mr.D.H.Kelsey,

Indian Agent,

Muskogee, I.T.

Dear Sir:

I hereby recommend John F. Fulson, of Fort Gibson, Ind. Terr., for Indian policeman, believing him to be a good and competent man for the position. I have known him for seven years, during which time he has been a soley law-abiding citizen. He does not drink whiskey, and I have always found him to be a well behaved and law-abiding man.

Yours respectfully,

J.S.Holden.

(Endorsed) Union Agency No.43201 Received Aug.8,1905 Office of  
U.S.Indian Agent Muscogee, Ind.Ter.August 8,1905 J.S.Holden,  
Ft.Gibson,I.T.-----Recommends John F.Fulson, of Ft.Gibson, for  
appointment as Indian Police.-----



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Oklahoma City, Oklahoma  
November 11, 1905.

To the Honorable Secretary of the Interior,  
Washington, D. C.

In addition to our application made November 9, for a permit for right-of-way to construct telephone lines through certain portions of the Indian Territory, we would like to have a permit to establish a telephone exchange at Skiatook, Cherokee Nation, Indian Territory.

We are having prepared a map showing the location of our line along streets in that town, which plat, approved by the town officials, we expect to forward to you within a few days.

Yours truly,

PIONEER TELEPHONE AND TELEGRAPH COMPANY

By E.D.Nims  
President.

ATTEST:

E.E.Westervelt  
Secretary.

(Endorsed) Union Agency No. 51259 Received Nov. 15, 1905 Office of U.S. Indian Inspector for Indian Territory. Oklahoma City, Okla., Nov. 11, 1905. E.D.Nims. ---- Encls. application for permit to construct telephone exchange at Skiatook, Cherokee Nation. ----



## PIONEER TELEPHONE AND TELEGRAPH COMPANY

E.D.Nims, President,  
Jno.M.Noble, Vice Pres. and Gen'l Mgr.  
E.E.Westervelt, Sec'y and Treas.  
Arthur Whorton, Auditor  
Henry E.Asp, General Solicitor.

Oklahoma City, Oklahoma,  
November 11, 1905.

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

Dear Sir:

I inclose you herewith an application for permit to construct an exchange at Skiatook, Cherokee Nation, Indian Territory. Will you kindly attach this to the application which we forwarded to you on November 9, - and by-the-way, I notice that our application was not dated. Will you be kind enough to put date on same as of November 9, 1905, before sending it in to the Secretary, and oblige.

Yours very truly,

E.D.Nims,

President.

EDN-RAR.



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation,

Tahlequah, Ind.T.  
November 20, 1905.

Superintendent John D. Benedict

Muskogee, I.T.

Dear Sir:

I return the vouchers for Grace Myers Dixon. In a day or so will send requisitions for all of the teachers reports at hand. Last Thursday I was seriously bruised and rolled in a fierce run-away but not crippled or in any way permanently injured. I have registered and endorsed all warrants and cleared my table of accumulated work. Can attend to all office work that reaches me and direct other matters very well. I have about recovered except my knees and shins. Wish you would read the articles in last weeks Tahlequah Arrow about the present Council and their impeachment of the Chief Hon.W.C.Rogers. I suppose he will commission Miss Carlotte Archer today as member of Cherokee School Board to succeed Mr. S. F. Parks. The Council may elect a member, and as the lawyers are directing things (so I am told) the whole thing may get into the courts.

It might be well to not get our accounts or warrants involved either as to the pay of new members or other accounts. If you have any instructions please let me hear this week or by the close of the month. We will not need a new member for the business of the balance of this month and not at all for that matter. Perhaps you will want to run over and look over the ground a few days.



Except the Council matter every thing appears to be in excellent shape. I do not see a need for annoyance about the strictly Cherokee governmental affairs. They will adjust it or the courts will for them if need be, in the mean time there is no interference with school affairs, unless the lawyers can see an entering wedge to complicate affairs so as to get into court and have the council recognised as legal - that is the great thing with them.

Very respectfully,

Benj. S. Coppock.

School Supervisor

Cherokee Nation.

(Endorsed) Union Agency No.23 Nov.20,1905 Benj.S.Coppock,Tahlequah,  
I.T.-----Returns vouchers of Grace Myers Dixon; gives synopsis  
of impeachment proceedings against Chief Rogers.-----



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D E P A R T M E N T O F T H E I N T E R I O R.  
WASHINGTON.

I.T.D. 14782-1905.

November 24, 1905.

United States Indian Inspector

for Indian Territory, Muskogee, I. T.

Sir:-

Receipt is acknowledged of your report of October 3, 1905, showing that there has been made, pursuant to departmental letter of June 16, 1905, a reappraisement of the improvements located upon lands heretofore held by the Cherokee National Orphan Asylum, With said report you transmitted a copy of a report dated September 23, 1905, rendered by Superintendent Benedict, by whom the reappraisement was made.

You state that you believe the appraisement as fixed by Mr. Benedict is just and reasonable, both as to the Cherokee Nation and the allottees. You therefore recommend that said appraisement be approved, and that you be instructed to notify the allottees to make payment of the proper amounts; also that the Commissioner to the Five Civilized Tribes be instructed not to issue certificates of allotment until advised that such payments are made.

Reporting in the matter November 8, 1905, the Indian Office concurs in your recommendation.



The appraisement made by Mr. Benedict, as shown by his report of September 23, 1905, is hereby approved.

The Department also approves your other recommendations. It is requested that you furnish the Commissioner to the Five Civilized Tribes with a description of the lands upon which the improvements are located the appraisement of which has been approved herein; also that you furnish said Commissioner with a list containing the names of the allottees who have applied to select said lands.

A copy of the Indian Office report is inclosed.

Respectfully,

Thos. Ryan.  
First Assistant Secretary.

1 inclosure.

(Endorsed) Union Agency # 12892, Received Dec. 7, 1905. Office of U.S. Indian Inspector for Indian Territory. Washington, Nov. 24, 1905. Secretary. Approving reappraisement of the improvements located upon lands heretofore held by the Cherokee National Orphan Asylum.



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DEPARTMENT OF THE INTERIOR,  
Washington.

I.T.D.15640-1905.

November 25, 1905.

United States Indian Inspector

for Indian Territory, Muskogee, I.T.

Sir:

There is transmitted herewith to be forwarded a letter of even date to Mr. Alexander A. Dennison, Secretary of the Central Title & Trust Company, Claremore, I.T., concerning the right of way of the Kansas & Arkansas Valley Railroad Company over certain land in the Cherokee Nation.

The Indian Office in letter of November 20, 1905, a copy of which is enclosed to Mr. Dennison, mentions seventeen station grounds of this company. It states that the maps of the right of way of the company were made prior to the government survey and have no reference to the survey, and suggest that the company be requested to file in that office plats of its station grounds, showing their location with reference to the existing public survey, and an affidavit showing that they are the same grounds and occupy identically the same locations as those shown upon maps designated by the names mentioned.

It is requested that you invite the company's attention to the matter in accordance with such recommendation.

Respectfully,

Thos. Ryan.

First Assistant Secretary.

1 enclosure.

Through the Commissioner of Indian Affairs.



(Endorsed) Union Agency No. 12880 Received Dec. 4, 1905 Office of  
U.S. Indian Inspector for Indian Territory. Washington, Nov. 25, 1905.  
Secretary.-----Transmits letter to be forwarded to Mr. Alexander A.  
Dennison, Sec. Central Title & Trust Co., concerning the right-of-  
way of the Kansas & Arkansas Valley Railroad Co. over certain land  
in the Cherokee Nation.-----



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation,

Tahlequah, Ind.T.

Nov. 30, 1905.

Superintendent John D. Benedict

Muskogee, I.T.

Dear Sir:

After you left yesterday, we talked some with Miss Eleanor Allen and arranged for one of the faculty to call Mr. Wyly up by phone at his house at 12;30. He asked them to prepare in writing and sign such statement as they wished to make about affairs up at the seminary. He then called for Mr. Allen to come down to the office at 2;00 o'clock.

Upon a hint and before disclosures, Mr. E. V. Allen brought in the resignations of himself as Superintendent and of his wife as matron.

They manifested a very good spirit and I think all will be fixed up without clash or unpleasantness. They are anxious to leave with the good will of all and will work to that end.

In the evening representatives of the faculty brought in their statement asking for a change and that for the present, at least, the duties of superintendent be added to those of Principal Teacher Miss Allen and promising cordial support and willingness to take any necessary additional duties to assure success. They were surprised to learn that the resignations of the Allens were already in the office of their own accord. But the Allens have been expecting some developments for some three weeks., and were



quick to see indications. They lacked the experience and tact for adjustment when they knew something must be done. Do not know what will develop when the cooks are notified.

Settlements, transfers and appointments will take us several days.

Very respectfully,

Benj. S. Coppock.

School Supervisor.

P.S. Mr. Story, the cook just called and I have his resignation. Everything will move smoothly.

(Endorsed) Union Agency No.24 Nov.30,1905 Benj.S.Coppock,Tahlequah-----Relative to the resignation of the Supt of the Female Academy at Tahlequah and the state of things in general.-----



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DEPARTMENT OF THE INTERIOR,  
Office of School Supervisor for Cherokee Nation.

Tahlequah, Ind.T.

December 6, 1905.

Superintendent John D. Benedict  
Muskogee, Indian Territory.

Dear Sir:

Since you were here last week we have passed on the accounts of all of the High Schools for November. We have accomplished changes at the Female Seminary in organization by accepting the resignation of Superintendent E. V. Allen and attaching the duties of the Superintendent to those of Principal Teacher and devolved them on Miss Eleanor Allen. We accepted resignation of Domestic Matron Mrs. Mineola Allen and devolve duties of the office on the other matrons. We accepted the resignations of the Principal and of the Assistant Cook and employed two suitable cooks for the places. We assisted in taking an inventory of property and will soon have the bond of Miss Allen.

All changes were made with a good degree of satisfaction and pleasantness and everything moves with present harmony and strength.

We have given some attention to conditions at the Colored High School and have relieved the work hand and devolved his duties on the Superintendent. We will direct all superintendents to see that all of their help is fully employed and to report if any of them can be spared from the service. I hope to be able soon to look closely through all of our boarding

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institutions. Have spent about two days effecting the changes up at the Female Seminary and must see to it that Miss Allen gets a right start. Will report changes in teachers in day schools up to date in a few days.

Very respectfully,

Benj. S. Coppock

School Supervisor.

(Endorsed) Union Agency No. 25 Dec. 6, 1905. Benj. S. Coppock,  
Tahlequah, I. T. ----- Relative to reorganization of faculty at Female  
Seminary. -----



I.T.D.  
17806-1905.

December 27, 1905.

The Commissioner of  
Indian Affairs. ✓

Sir:

Your office in a communication to this Department of the 21st instant, after reviewing the impeachment proceedings against W.C. Rogers, Principal Chief of the Cherokee Nation, before an alleged council for said nation, his alleged removal from office, and the claimed election and qualification of one Frank J. Boudinot, as his successor, and after referring to two certain alleged legislative acts passed by a body of men assuming to act as a duly elected and qualified national council for said nation which met and adjourned during the month of November, 1905, recommends that this Department continue its official recognition of the said Rogers as principal chief of the nation, and that the two acts referred to be not submitted to the President of the United States for executive action, but that they be returned to the files of the Indian Office.

After most careful consideration of this matter, and after an oral hearing before the Assistant Attorney-General for this Department at which Mr. Rogers and Mr. Boudinot were represented, it is believed in view of all the facts and circumstances that the best interests of the Cherokee Nation demand that official recognition of Mr. Rogers as principal chief of the



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nation be continued, and that no recognition whatever be accord-  
ed to either Mr. Boudinot or the two alleged acts of said  
alleged national council.

The recommendation of your office is therefore approved  
without regard to and without an expression of opinion as to the  
grounds upon which it is based, and the papers are herewith  
returned for the files of your office.

Very respectfully,

Thos. Ryan

Acting Secretary.

10 inclosures.



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DEPARTMENT OF THE INTERIOR,  
Washington.

I.T.D.17806-1905.

December 29, 1905.

DIRECT.

U. S. Indian Inspector  
for the Indian Territory,  
Muskogee, I. T.

Sir:

There is enclosed press copy of Departmental decision of December 27, 1905, in which the Indian Office was advised "that the best ~~inter~~ests of the Cherokee Nation demand that official recognition of Mr. Rogers as principal chief of the nation be continued, and that no recognition whatever be accorded to either Mr. Boudinot or the two alleged acts of said alleged national council."

Respectfully,

Thos. Ryan

Acting Secretary.

1 enclosure.

(Endorsed) Union Agency No.13072 Received Jan. 2, 1906 Office of U.S.Indian Inspector for Indian Territory.Washington, December 29, 1905. Secretary.-----Encls. press copy of Departmental decision of Dec. 27-05 in which the Indian Office was advised that the best interests of the Cherokee Nation demand that official recognition of Mr. Rogers as Prin. Chief of the Nation be continued.-----



DEPARTMENT OF THE INTERIOR,  
Land. office of Indian Affairs,  
Washington. January 6, 1906.

---

J. George Wright, Esq.,  
U.S. Indian Inspector for Indian Ter.,  
Muskogee, I. T.

Sir:

During your recent visit to the city you brought to the attention of the Office, in an informal way, the matter of the description of the tract of land set aside in accordance with the provisions of the agreement between the Cherokee Nation and the United States for Willie Halsell College at Vinita.

It is understood by the Office that the authorities of the church which has supervision over the Willie Halsell College object to the form of deed executed by the Principal Chief of the Cherokee Nation transferring the title to the tract in question, in that it does not describe the tract by metes and bounds. You ask that you be furnished a description of the tract by metes and bounds for your use in connection with this matter.

The following is a description by metes and bounds of the tract mentioned:

Beginning at a stone set 15.6' east of a point, on the N. & S. center line of Sec. 15, T. 25 N., R. 20 E. of the Indian Mer., 147' S. of the NW Cor. of the NE/4 of said Section; thence S. 25 degrees 35' W. 2706' to a stone; thence S. 64 degrees 27' E. 2574' to a stone; thence N. 25 degrees 35' E. 2706' to a stone; thence N. 64 degrees 27' W. 2574' to the  
(13128)



point of beginning.

Very respectfully,

C.F.Larrabee,

Acting Commissioner.

EBH-Y.

(Endorsed) Union Agency No. 13128 Received Jan.9,1905 Office of  
U.S.Indian Inspector for Indian Territory.Washington, January  
6, 1906. Commissioner.----Gives description by metes and bounds  
of the tract of land set aside for Willie Halsell College,  
Vinita.-----



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Cherokee National Female Seminary.

Tahlequah, I.T.  
January 8, 1906

The Board of Education  
and Supervisor of Cherokee Schools,  
Tahlequah, I.T.

Gentlemen:

I beg to call your attention to the fact that the duties of the Second Assistant in the High School are now and have been ever since my connection with the institution equal in every way to those of the First Assistant. Since the recent change some additional classwork has been assumed by the second assistant and these facts considered with the ability and character of the present incumbent prompt me to ask that her salary be raised to that of the First Assistant.

Very respectfully,

M. Eleanor Allen.

Principal teacher and acting  
Superintendent.

(Endorsed) Union Agency No. 27. January 10, 1906. Board of Education and Supervisor B. S. Coppock, Tahlequah, I.T.----Recommends that the salary of 2nd asst. teacher, Female Seminary, be increased to \$75.00 per month.----



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O.H.P.BREWER, President, Webbers Falls, I.T.  
A.S.WYLY, Secretary, Tahlequah, I.T.  
S.F.PARKS, Treasurer, Vinita, I.T.

CHEROKEE NATIONAL BOARD OF EDUCATION  
Tahlequah, Indian Territory

January 10th, 1906.

Honorable John D. Benedict,  
Superintendent of Schools in  
Indian Territory.  
Muskogee, Indian Territory.

Sir:

We enclose, herewith, a letter from M. Eleanor Allen, Principal teacher and acting Superintendent of the Cherokee Female Seminary, Tahlequah, I.T. requesting that the salary of the second assistant teacher in that school be increased.

On December 1st, 1905 the position of superintendent in the school was vacated and the principal teacher assumed the duties of this office in connection with those of her own. We have only three teachers in the high school department of this institution, including the principal, and since she is filling both positions, superintendent and principal, she can not and does not devote as much time to class work as she formerly did, and, consequently, the bulk of the work in this department devolves upon the first and second assistants.

We, there, recommend that the salary of the second assistant teacher be increased from \$60.00 a month to \$75.00 a month.

Respectfully,

O.H.P. Brewer,  
A.S. Wyly

Cherokee Board of Education.

Benj. S. Coppock, Supervisor of schools.



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January 31, 1906.

Tahlequah, Cherokee Nation, Indian Territory, January,  
31st. 1906.

To the Hon. Dana H. Kelsey, U.S. Ind. Agt. Muskogee, Ind. Terry.  
We the undersigned, your petitioners, resident in the town of  
Tahlequah, Ind. Terry., would respectfully represent that they are  
personally well acquainted with our townsman, Robert B. Bean,  
and who we have so known for a number of years last past, being  
a Cherokee Indian by blood, and being of sober industrious habits,  
quiet, peaceable and law abiding at all times, who we deem well  
qualified for the position of member of the Indian Police, and  
we take pleasure in recommending him accordingly, and would ask  
that he be appointed to such office, as in duty bound, your peti-  
tioners will ever pray & C,-----

NAMES

J.T. Cunningham.  
J.L. Dement, N.O.  
Noah Perris.  
Herbert C. Smith.  
Jesse Sixkiller.  
Sherry Dick.  
A.S. Wyley, Mayor.  
Benj. S. Coppock.  
C.J. Harris.  
A.B. Cunningham.  
J.S. Stapler.

NAMES

Rob. B. Ross.  
George W. Bengé.  
Wm. B. Rasmus, Attorney.  
L.C. Ross.



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February 6, 1906.

Hon. Secretary of the Interior  
Washington, D. C.

Sir:

In November last I wrote you concerning the Cherokee National Council at its Regular Session, electing me Editor of the Cherokee Advocate Newspaper, according to existing laws, and that my predecessor refused to turn the office over to me, and requesting you to make an order, whereby I could be placed in possession of the office to which I had been elected. I desire to insist and urge that you direct W. J. Melton to vacate said office and turn the same over to me, as the legally elected Editor of said newspaper which is published by the authority of the Cherokee Nation, and comes under your control. Two years ago last November W. J. Melton was elected as such Editor for the period of two years, which expires on the third Monday of November 1905, at which time the Cherokee National Council at its Regular annual Session elected me to the Editorship of said paper, and now Mr. Melton refuses to give me possession, and I ask that he be directed to turn said office over to me, as the time for which he was elected has expired and I have been elected by the same authority that elected him to be his successor.

Very respectfully,

J. T. Parker.

(Endorsed) Union Agency No. 13385 Received Feb. 19, 1906. Office of U.S. Indian Inspector for Indian Territory. Washington, February 16, 1906. Secretary.-----Refers for appro. action letter from J. T. Parks, Tahlequah, I. T., rel. to being placed in possession of the office of the Cherokee Advocate Newspaper, of which he was elected editor by Cherokee National Council.-----



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DEPARTMENT OF THE INTERIOR,  
OFFICE OF SCHOOL SUPERVISOR FOR CHEROKEE NATION,

Tahlequah, Ind. T.,

Mar. 7th, 1906.

Superintendent John D. Benedict,

Muskogee, Indian Territory.

Dear Sir:-

I have your letter of Mar. 6th. wherein you call attention to the proposed converting of the 100 separate cherokee day schools into combined schools, and note your opinion as to the proposed change. The matter was brought up by Mr. Coppock some time ago, and Mr. Wyly supposed that he had talked the matter over with you. I suppose that Mr. Coppock's opinion was based upon the event of all tribal relations ceasing. At any rate the schools will continue until the close of the year along the lines suggested in your letter.

Very respectfully yours,

D. Frank Redd.

Supervisor of the Schools in the  
Cherokee Nation.

(Endorsed) Union Agency No. 28 Mar. 7, 1906 D. Frank Redd, Tahlequah,  
I.T.-----Concerning the 100 separate Cherokee Schools.-----



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DEPARTMENT OF THE INTERIOR,

Washington.

I.T.D.3898-1906.

March 8, 1906.

The United States Indian Inspector

for Indian Territory, Muskogee, Ind. T.

Sir:

The Department is in receipt of your letter of February 20, 1906, transmitting an agreement, in quadruplicate, entered into by and between the U.S. Indian Agent, Union Agency, and the Kansas and Arkansas Valley Railway, a corporation organized under the laws of the State of Arkansas, which agreement is dated August 31, 1905, and is an extension of a contract approved by the Department on October 18, 1904, between said Agent and said Kansas and Arkansas Valley Railway, covering the purchase of 500,000 cubic yards of gravel, to be taken from the bars and bed of the Arkansas River near Webber's Falls, in the Cherokee Nation, Indian Territory, where the same runs through the NW/4 of Section 20, the NE/4 of Section 19 and the SE/4 and NW/4 of Section 18, Township 12 North, Range 21 East; such gravel to be paid for at the rate of 2 cents per cubic yard; said original contract being dated September 1, 1904, to continue in force and effect one year from the date thereof. This extension contract is to continue in force for one year from the date thereof.

You state that the surety on the bond accompanying the original contract has endorsed its consent to the extension and



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agrees that such bond shall remain in full force and effect during such time. It is also stipulated that this agreement shall be attached to and become a part of the original contract.

You recommend that the same be approved; that the original be attached to the original contract on file in the Indian Office, and the remaining copies returned to your office for appropriate disposition.

Reporting in the matter March 3, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

The Department has approved the extension contract, and three parts of same are returned herewith for appropriate disposition.

Respectfully,

Thos. Ryan

First Assistant Secretary.

4 inclosures.

(Endorsed) Union Agency No. 13615 Received Mar. 14, 1906 Office of U.S. Indian Inspector for Indian Territory. Washington, March 8, 1906. Secretary.-----Approves extension of a contract between the Indian Agent and the K. & A. V. Ry., covering the purchase of 500,000 cubic yards of gravel to be taken from the bars and bed of the Arkansas River in the Cherokee Nation.-----



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D E P A R T M E N T O F T H E I N T E R I O R,  
W A S H I N G T O N.

I.T.D. 4214-1906.

March 15, 1906.

United States Indian Inspector  
for the Indian Territory.

Sir:

The Department is in receipt of your report, dated March 6, 1906, (Direct) D.-13538-1906, acknowledging receipt of departmental letter of March 3, 1906, concerning the continuation of the tribal schools of the Five Civilized Tribes during the present scholastic year. (Sic) You state that the principal Chief of each Nation has been advised of the continuation of the tribal governments and proper action has been taken in reference to continuing the schools; that no further action is necessary by the Department, excepting in regard to the Cherokee Nation, where the contracts for boarding schools expired March 4, 1906.

You further state that the Superintendent of Schools in the Indian Territory has been advised to continue such schools and to submit for consideration agreements extending the terms for such contracts for the remainder of the present scholastic year.

You are advised that your action is approved by the Department.

Respectfully,

Thos. Ryan  
First Assistant Secretary.

Through the Commissioner of  
Indian Affairs.

(Endorsed) Union Agency No. 13658. Received Mar. 19, 1906. Office of U.S. Indian Inspector for Indian Territory. Washington, Mar. 15, 1906. Secretary.-----Approves action of Inspector rel. to advising Supt. of Schools to continue schools in the Cherokee Nation and to submit for consideration agreements extending the terms of the contract therefor for the remainder of the present scholastic year.



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DEPARTMENT OF THE INTERIOR.  
WASHINGTON.

I.T.D 5124-1906.  
5234- "

March 31, 1906.

The United States Indian Inspector,

For Indian Territory, Muskogee, Ind.T.

Sir:

There are returned herewith the papers relative to the actions of W.T.Whittaker in connection with Indian lands, received with your letter of March 28, 1906.

Recommendation has been made to Congress relative to the proposed appropriation of \$10,000 for the care of orphan children at the Whittaker Home. It has been suggested that for the paragraph relative to said home, found in the Indian Appropriation Bill, line 19, page 23, there be inserted as follows:

"That the Secretary of the Interior be, and he is hereby, authorized to make such contract as in his judgment seems advisable, for the care of Cherokee orphan Indian children in the Indian Territory, and that the proceeds from leasing of the lands allotted to such orphan Indian children shall be used, under direction of the Secretary of the Interior, for their care and support, and for the purpose of carrying this provision into effect, the sum of ten thousand dollars, or so much thereof as is necessary, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.



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It is requested that you further investigate the conduct of Mr. Whittaker in connection with Indian lands, in order that the Department may be fully advised and in order that he may be prevented if possible from defrauding any Indians.

Respectfully,

Thos. Ryan.  
ACTING SECRETARY.

2 inclosures.

(Endorsed) Union Agency # 13806. Received April 5, 1906. Office of U.S. Indian Inspector for Indian Territory. Washington, Mar. 31, 1906. Secretary. Returns papers relative to actions of W.T. Whittaker in connection with Indian lands, with request for further investigation.



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Dawson, I.T.

April 2, 1906.

J. Geo. Wright,

Muskogee, I.T.

Dear Sir:

Your letter of March 29, received, and will say that it is strange to me that the Pioneer Tel. Co. or any one else would think that a citizen did not know a section line from a railroad right-of-way.

Their poles are still on section line along N. W.  $\frac{1}{4}$  sec. 30 T. 20 R.14 you need not take my word for this. Send your man here and I will show him. Have him to get off at Rice Station and let me know what day he will be here and I will meet him.

They will never move their poles till they are made to do so for they have got out of it so far. I have been after them now about 1 yr. with no results.

Your respectfully,

J. Edgar Flourney.

(Endorsed) Union Agency # 54646



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April 5, 1906

INDIAN TERRITORY, WESTERN DISTRICT THEREOF.

TO THE HONORABLE DANA H. KELSEY

UNITED STATES INDIAN AGENT FOR THE INDIAN TERRITORY.

Your petitioner, Robert E. Williams, respectfully represents to your Honor that he is thirty years old and is a resident of the City of Muskogee, residing therein with his family for the passed two years, that he served as a soldier in the regular army of the United States from March 29, 1899 to March 28, 1902 being the full term for which petitioner enlisted; that petitioner has also served on the police force of the City of Muskogee for the passed one year continuously; that petitioner is a citizen of the Cherokee Nation by blood and enrolled as such Cherokee; that petitioner was reared in the Indian Territory and lived therein all of his life excepting while serving the United States as a soldier, as before stated, and petitioner is well acquainted with the Indian country; that petitioner also served two years as city marshal of the incorporated town of Pryor-Creek in the Cherokee Nation.

Your petitioner respectfully asks for an appointment under your Honor as United States Indian police for the Indian Territory and respectfully submits this petition and the following recommendations.

Robert E. Williams.

We, the undersigned residents of the Indian Territory, respectfully state that we have known Robert E. Williams, severally, for a good many years, and know him to have been reared in the Indian Country and to be a citizen of the Cherokee Nation thereof.



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We also know him to be a person of good moral character and business capacity and ability, and to be a person of sober habits and and to be fully competent and trust worthy to perform the duties of the office of United States Indian Police, and we respectfully indorse him for said office.

F.B.Fike,

Claude O.Thompson,  
H.C.Cobb,  
W.W.Hastings.

(Endorsed) Union Agency No.105 Received Apr.5,1906 Office of U.S.  
Indian Agent, Muskogee,Ind.Ter.Robert E.Williams,Muskogee,I.T.-----  
Petition for appointment as Indian Police, also recommendations.-----



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HARRY PADGETT,  
Dealer in  
GENERAL MERCHANDISE

Braggs, Ind.Ter.  
May 14, 1906.

To the Hon.Indian Agent,Union Agency,  
Muskogee,I.T.

We, the undersigned, citizens of Braggs and the surrounding country, respectfully petition your Honor to appoint as a member of the U.S.Indian Police of the Indian Territory, Mr.Evverett W. Fooy, of Braggs, I.T., believing as we do, that it will be for the good of the community in many respects. Our part of the country has not, until recently, had representation in the Government offices, and we feel that a great deal for law and order will be gained by this appointment. We know Mr.Fooy to be sober and of regular habits, and a vigorous upholder of the law, and believe that he is in every way competent to fill the position.

Respectfully submitted,

Wilson N.Smith	-----Assistant Post Master
R.H.Hawkins, M.D.	P.M.
M.B.Scott,	M.D.
Harry Padgett,	Genl.Merchant,
Charley Starr,	
M.A.Scott,	M.D.
Johnson Kirk,	Deputy
J.W.Hamm,	City Marshal
O.J.Davis,	Butcher.
George Conrad,	
Charles Ballard,	
N.M.Dougherty,	
H.P.Sager,	
I.V.Peters	



Johnson Waters -----

E.B.Smith,	Mayor of Braggs
John James,	Farmer
J.C.Marlow,	Salesman.
Andrew Sanders,	Farmer
J.W.Ayres,	Farmer
Ahrin Bruce,	Farmer
Charley Newman,	Farmer
A.T.Davidson,	Farmer
W.R.Bruce,	Farmer
T.J.Lowrey,	Carpenter
B.D.Hawn,	Salesman
F.A.Castanien,	President Bank of Braggs,
P.W.Castanien	Cashier Bank of Braggs,
C.Y.Castanien	Vice President Bank of Braggs.
A.E.Bullock,	
Jim Guthrie,	Salesman
J.M.Calvert,	Farmer
I.G.Davis,	
Richard T.West,	U.S.Indian Police.
C.S.Gomalis,	
Alex Ballard,	
Levi Rogers,	
J.L.Mathis,	
John Hilderbrand,	
Pomp Thompson,	
Edward Hammond,	
John Luman.	



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HARRY PADGETT,  
Dealer in  
GENERAL MERCHANDISE

Braggs, Ind.Ter.  
May 28, 1906.

Hon. Dana H. Kelsey,  
Muskogee, I.T.,

Dear Sir:

Enclosed please find petition for appointment of myself for member of the Indian Police of the Indian Territory, which I trust will meet your approval, as I feel that I have been diligent enough in the discharge of my duties to warrant my filling the office with credit.

Assuring you that if appointed, I shall do all in my power to do honor to the office, I am,

Your obedient servant,

Everett W. Fooy,

Deputy U.S.M.

(Endorsed) Union Agency No. 142 Received May 31, 1906 Office of U.S.  
Indian Agent, Muskogee, Ind. Ter. Everett W. Fooy, Braggs, I.T.----  
Enc. petition for appointment of himself as Indian Policeman.----



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SPECIAL.

I.T.D.18458-1906.

September 22, 1906.

The Commissioner of Indian Affairs.

Sir:

In compliance with the recommendation of your Office, dated September 20, 1906 (Education 31152-1906), the list of day schools, positions and salaries recommended by Superintendent Benedict for the Cherokee Nation, Indian Territory, involving an expenditure of \$840, payable from "Indian Schools, Five Civilized Tribes, 1907", is hereby authorized and approved.

Said list is as follows:

School.	Salary per month.	Number of months.	Annual salary.
Crapoe,	\$35.00	8	\$280.00
Chandler,	35.00	8	280.00
Long Prairie,	35.00	8	280.00
		Total-----	\$840.00

The letter of the Superintendent is returned.

Respectfully,

Thos. Ryan

Acting Secretary.

1 inclosure.



Exchange construction, Bartlesville & Collinsville.

PIONEER TELEPHONE & TELEGRAPH CO.  
LAW DEPARTMENT.

E.D.Nims, Pres.  
Jno. M.Noble Vice Prest & Gen.Mgr.  
E.E.Westervelt, Sec'y & Treas.  
Arthur Whorton, Auditor  
Henry E.Asp, Gen. Solicitor.

Oklahoma City, Okla.,  
January 14, 1907.

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

Dear Sir:

We are handing you herewith affidavits covering the date of construction of the Bartlesville and Collinsville exchanges, as per your request of recent date.

The other information for which you asked will be furnished you just as soon as we can procure it from outside source.

Yours very truly,

J. R.Spirleman.

Solicitor.

(Endorsed) Union Agency # 61288 Received Jan. 23, 1907. Office of U.S. Indian Inspector for Indian Territory. Oklahoma City, Okla., Jan. 14, 07. Pioneer Tel. & Tel. Co. Trans. affidavit of E.D.Nims rel. to date of construction of Bartlesville & Collinsville exchanges.



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January 21, 1907.

I, E.D. Nims, being first duly sworn, hereby state under oath that I am President of the PIONEER TELEPHONE AND TELEGRAPH COMPANY.

THAT, the Collinsville exchange which is being operated by said Company was constructed during the spring of 1903, was first put into operation on April 1st, 1893, and was taken over by the PIONEER TELEPHONE AND TELEGRAPH COMPANY on March 1st., 1905.

(Signature) E. D. Nims

President.

Subscribed and sworn to before me

this 21st day of January

A.D. 1907.

(Signature) R. A. Rattedger  
Notary Public,

My commission expires June 5, 1910.



Robt. L. Owen

W. T. Wisdom

Offices of

ROBT. L. OWEN

209-210-211 Missouri Building

Muskogee, I.T.

January 25, 1907.

Hon. Dana H. Kelsey,

United States Indian Agent,

Muskogee, Ind. Ter.

Sir:

We desire to recommend Mr. Owen McNair, of Pryor Creek, Indian Territory, for appointment as United States Indian Policeman, to be stationed at Pryor Creek.

We believe that his appointment would be satisfactory to Pryor Creek and the people of that vicinity and will be glad to hear of his appointment if a vacancy exists.

Yours respectfully,

R.L.Owen

W.T.Wisdom.

(Endorsed) Union Agency No.162 Received Jan.26,1907 Office of U.S. Indian Agent,Muskogee,Ind.Ter.Jan.25,1907 R.L.Owen, W.T.Wisdom, Muskogee,I.T.----Recommend Owen McNair of Pryor Creek for position on Indian Police Force.-----



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PIONEER TELEPHONE & TELEGRAPH CO.  
LAW DEPARTMENT

Right-of-way.

Oklahoma City, O. T.,  
January 29, 1907.

Honorable J. Geo. Wright,  
Indian Inspector,  
Muskogee, Indian Territory.

Dear Sir:--

With further reference to your letter of recent date in which you state that we have a line running from Muldrow to Ft. Smith for which approval has never been given, we beg to state that the line in question is a series of what we call farmer lines, built for the purpose of connecting subscribers to our exchange either at Muldrow or with the exchange at Ft. Smith.

These lines are not intended for a general telephone or telegraph business but are merely for the purpose of giving the aforesaid connection with the local exchange.

I take it from this that the line in question, being not used for a general telephone or telegraph business, that the act of March 3rd, 1901, does not apply, for it specifically reads that a right of way shall be required in cases where a telephone or telegraph line is to be built for a general telephone and telegraph business.

I should, however, be glad to have any suggestion that you may care to make in regard to the above view and shall be

guided by your advice in the matter.

Yours truly,

J.R. Spirlman, Solicitor



(Endorsed) Union Agency # 61478 Received Jan. 20, 1907. Office of U.S. Indian Inspector for Indian Territory. Oklahoma City, O.T., Jan. 29, '07. Pioneer Tel. & Tel. Co. Rel. to line from Muldrow to Ft. Smith.



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JAMES W. BREEDLOVE  
L A W Y E R  
Office: Room 3 First National Bank Bldg.

Muldrow, Ind. Ter.  
March 4th, 1907.

Hon. J. George Wright,  
United States Indian Inspector,  
Muskogee, I.T.

Sir:

If I understand the law in regard to Telephone and Telegraph lines in the Indian Territory there is some one in this section of the Country violating the regulations.

The pioneer Telegraph and Telephone Co. have some rural lines running in all directions from Muldrow, I.T. and their wires form a "spider web" most of them being strung on trees with the wire hanging in places to the ground and along the roads so that it is dangerous to travel. Several people having been dragged from their horses lately, by the wires of this Company.

Their rural line wires run through farms and over lands that belong to me and the wire is never put over 10 ft. from the ground.

Then there are some toll lines at Maple, I.T. operated by George McEwin, John B. Wilson and others that are in the same condition, wires hanging like spider webbs (sic) all through the timber and across roads making it unsafe to travel with buggy  
62257.



top up. The people of these neighborhoods are complaining and ask me to make this complaint.

Hoping that the matter will be looked into and regulated at once I am,

Very respectfully,

James W. Breedlove.

(Endorsed) Union Agency No. 62257 Received Mar. 6, 1907 Office of U.S. Indian Inspector for Indian Territory. Muldrow, I.T., March 4, 1907 James W. Breedlove----Makes complaint relative to the lines of the Pioneer Telephone & Telegraph Company.----



W.E. ROHDE, Mayor

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O.P. JONES, Recorder,

MAYOR'S OFFICE

TULSA, I.T. May 2nd, 1907.

Mr. J. Geo. Wright,  
Muskogee, I.T.

Dear Sir:

We have two Cherokee Children here that have been deserted by their parents. I am writing you for information, as to what can be done to care for them. The Fathers name is Henry Parsons, said to be half Cherokee and he lived at Nowata, I.T. The children are Harry A. Parsons, age 4 years, Josephene, aged 6 years, both said to have been allotted in the Cherokee nation. We have no way except to ask charitable people to help out. These children are being temporarily cared for by Mr. and Mrs. C.O. Frye.

Early advice on this matter will be duly appreciated.

Yours very truly,

W.E. Rohde, Mayor.

(Endorsed) Union Agency No. 63652 Received May 4, 1907 Office of U.S. Indian Inspector for Indian Territory. Tulsa, I.T., May 2, 1907  
W.E. Rohde-----Asks advice as to the care of two children deserted by their parents.-----

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May, 14, 1907.

E. D. Nims, being first duly sworn states that he is President of the Pioneer Telephone & Telegraph Company; that the exchange which is being operated by the said company in the town of Ft. Gibson, Indian Territory, was constructed and first put in operation during the month of September, 1902.

(Sig) E.D. Nims,  
President.

Subscribed to and sworn before me this 14th day of May. A.D. 1907.

(Sig) R.A. Rattedger  
Notary Public

My commissione expires June 6, 1910.

(Endorsed) Union Agency # 63982.



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E.M.LANDRUM,  
Tahlequah,Okla

THE FIRST LEGISLATURE

STATE OF OKLAHOMA

Tahlequah, Oklahoma  
June 19th, 1908.

Hon. Dana H. Kelsey,  
Union Agency,  
Muskogee, Okla.

Dear Sir:

I hereby make application for the appointment of police in the Indian Service for this portion of the State.

I am informed that it is the desire of your department to secure the services of one who speaks the English and Cherokee languages.

I enclose herewith letters of recommendation.

Yours very respectfully,

Jas. D. Guinn.



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SENATE CHAMBER  
State of Oklahoma

Chairman of  
fees and salaries  
Member of  
mining and manufacturing  
private corporations.  
Indian Affairs.  
Prohibition Enforcement  
Internal improvements  
and navigation.

E.M.LANDRUM,  
Tahlequah,  
District No.30.

Tahlequah Oklahoma  
June 19,1908

Hon.Dana H.Kelsey

Muskogee, Okla.

Dear Sir:

The bearer hereof, Mr.James D.Guinn, is a native Cherokee,  
and a citizen of Tahlequah,Okla, and as such I have known him  
for twelve years.

He speaks the Cherokee language fluently, and is a good up-  
right citizen; a gentleman and a good business man. If it is  
the policy of your agency to appoint good, clean, sober men, and  
your desire to get one for this locality who speaks the Cherokee  
language, the appointment of Mr.Guinn will be very satisfactory  
to this community and will, I believe reflect credit on the  
service.

Very truly yours,

E.M.Landrum.

(Endorsed) Union Agency No.2. Received Jul.1,1908----Relative-  
Jas.D.Guinn receiving appointment, as he speaks English and also  
Cherokee languages.----



In Council,  
Nov. 20, 1905.  
Imperial - Rogers,  
" 27 - 1905.  
" 29 - "