

Superin-
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for
Five
Civilized
Tribes

Dawes
Commission

VOL 20

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SCRIPTS

Copies of

M A N U S C R I P T S

In the Office of the

SUPERINTENDENT FOR THE FIVE CIVILIZED TRIBES

MUSKOGEE, OKLAHOMA

Dawes Commission

Compiled from original records

selected by

GRANT FOREMAN

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41432-1893.

OFFICE OF INDIAN AFFAIRS,

Washington, November 28, 1893.

Hon. Henry L. Dawes,

Hon. Meridith H. Kidd,

Hon. Archibald S. McKennon.

Gentlemen:

The President, by and with the advice and consent of the Senate, has appointed you commissioners to enter into negotiations with the Five Civilized Tribes in the Indian Territory, for certain purposes, set forth in Section 16 of the Act of March 3, 1893, (27 Stats.645), which provides as follows:-

The President shall nominate and, by and with the advice and consent of the Senate, shall appoint three commissioners to enter into negotiations with the Cherokee Nation, the Choctaw Nation, the Chickasaw Nation, the Muscogee (or Creek) Nation; the Seminole Nation, for the purpose of the extinguishment of the national or tribal title to any lands within that Territory now held by any and all of such nations or tribes, either by cession of the same or some part thereof to the United States, or by the allotment and division of the same in severalty among the Indians of such nations or tribes, respectively, as may be entitled to the same, or by such other method as may be agreed upon between the several nations and tribes aforesaid, or each of them, with the United States, with a view to such and adjustment, upon the basis of justice and equity, as may, with the consent of such nations or tribes of Indians, so far as may be necessary, be requisite and suitable to enable the ultimate creation of a State or States of the Union which shall embrace the lands within

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the said Indian Territory.

The commissioners so appointed shall receive a salary, to be paid during such time as they may be actually employed, under direction of the President, in the duties enjoined by this act, at the rate of five thousand dollars per annum, and shall also be paid their reasonable and proper expenses incurred in the prosecution of the objects of this act, upon accounts therefor to be rendered to and allowed by the Secretary of the Interior from time to time. That such commissioners shall have power to employ a secretary, a stenographer, and such interpreter or interpreters as may be found necessary to the performance of their duties, and by order to fix their compensation, which shall be paid, upon the approval of the Secretary of the Interior, from time to time, with their reasonable and necessary expenses, upon accounts to be rendered as aforesaid; and may also employ, in like manner and with the like approval, a surveyor or other assistant or agent, which they shall certify in writing to be necessary to the performance of any part of their duties.

Such commissioners shall, under such regulations and directions as shall be prescribed by the President, through the Secretary of the Interior, enter upon negotiation with the several nations of Indians, as aforesaid, in the Indian Territory, and shall endeavor to procure, first, such allotments of land in severalty to the Indians belonging to each such nation, tribe, or band, respectively, as may be agreed upon as just and proper to provide for each such Indian, a sufficient quantity of land for his or her needs, in such equal distribution and apportionment as may be found just and suited to the circumstances; for which

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purpose, after the terms of such an agreement shall have been arrived at, the said commissioners shall cause the land of any such nation, or tribe, or band to be surveyed and the proper allotment to be designated; and, secondly, to procure the cession, for such price and upon such terms as shall be agreed upon, of any lands not found ~~not~~ necessary to be so allotted or divided, to the United States; and to make proper agreements for the investment or holding, by the United States, of such moneys as may be paid or agreed to be paid to such nation, or tribes, or bands, or to any of the Indians thereof for the extinguishment of their therein. But said commissioners shall, however, have power to negotiate any and all such agreements as, in view of all the circumstances affecting the subject, shall be found requisite and suitable to such an arrangement of the rights and interests and affairs of such nations, tribes, bands, or Indians, or any of them, to enable the ultimate creation of a Territory of the United States with a view to the admission of the same as a state in the Union.

The commissioners shall at any time, or from time to time, report to the Secretary of the Interior their transactions and the progress of their negotiations, and shall at any time, or from time to time, if separate agreements shall be made by them with any nation, tribe, or band, in pursuance of the authority hereby conferred, report the same to the Secretary of the Interior for submission to Congress for its consideration and ratification.

For the purposes aforesaid there is hereby appropriated, out of any moneys in the Treasury of the United States, the

sum of fifty thousand dollars to be immediately available.

Neither the provisions of this section nor the negotiations or agreements which may be had or made thereunder shall be held in any way to waive or impair any right of sovereignty which the Government of the United States has over or respecting said Indian Territory or the people thereof, or any other right of the Government relating to said Territory, its lands, or the people thereof. -- See copy of the Act herewith.

The primary object of your appointment is, as stated in the act: to secure by agreements to be arrived at through proper negotiations, the extinguishment of the national or tribal title of the Five Civilized Tribes to lands owned and occupied by them in the Indian Territory, with a view to such an arrangement of land titles and the abolition or such modification of tribal autonomy in the Indian Territory, as will leave the Government of the United States, with the consent of the Indians, to take steps looking to the ultimate creation of a State or States of the Union, to embrace the lands now within the boundaries of the said Territory, which it has in various treaties given its obligation shall not be included within the jurisdiction of any State or Territory without the consent of the Indian nations to which they have been granted. One of the instrumentalities to be employed to attain this object shall be through the allotment in severalty of the lands occupied by the Cherokee, Creek, Seminole, Choctaw and Chickasaw Nations of Indians, commonly known as the Five Civilized Tribes, if it shall be practicable for you to agree with the said nations upon a plan for the allotment of their lands. The Congress gives

no directions in the act as to the quantity of land which shall be given to each allottee, leaving the question to be agreed upon with any of the nations upon such an equitable allotment as may seem proper. In the event there is an agreement on the part of the Indians to take their lands in allotment, secure, if practicable, an agreement that allotments shall be taken in such manner as to leave two sections in each township for school purposes.

In the treaty of 1866 the Cherokees (14 Stats.799), Article XX, it is provided that whenever the Cherokee National Council shall request it, the Secretary of the Interior shall cause the country reserved for the Cherokees to be surveyed and allotted among them at the expense of the United States. It would seem from this provision of treaty that it was the intention of the contracting parties that the entire country occupied by the Cherokees should be divided equally among the citizens of the Nation. In the treaty of 1866 with the Choctaw and Chickasaw Nations (Ibid.769), a plan of allotments is provided for by which each Indian would have a right to one-quarter section of land, or 160 acres, the land selected to be inalienable for the period of twenty-one years, and patents to be issued by the United States countersigned by the chief of the Nation. Citizens of the Nation by intermarriage or adoption to have the same right of selection as citizens of Indian blood. No treaty provision is found touching the subject of the allotment of land in severalty to the Creeks and Seminoles. On receipt of a letter of November 2, 1891, from the Agent of the Union Agency, Muscogee, Indian

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Territory, transmitting copy of a bill introduced in the Creek Council, at that time in session, which proposed to give to each citizen of the Creek Nation the right to select and hold a homestead, not exceeding 200 acres in extent for every member of his family, the Department suggested to the Creeks that a law be adopted which, after making request to Congress for the extension of the United States surveys over the Nation, should provide, first, for reserving certain sections of land in each township to be devoted to school purposes and exclusively for the benefit of the Creek school fund; second, for the per capita division of all the land remaining among the citizens of the Creek Nation, without distinction, or for an allotment to each individual member of the Nation, and for the sale to the United States of such surplus, if any, as remained; third, for giving individual patents to the Creek homesteaders or allottees, said patents to contain a stipulation against alienation for a reasonable term of years.

For the purpose of patenting the land selecting by the allottees or homesteaders, it was suggested that it would seem to be necessary as well as advisable that the Creeks should provide for a cession of all their country to the United States, in trust, as title evidence by a patent from the United States is the most desirable title one can have in this country.

The Cherokee Nation embraces 5,031,351 acres of land which, if allotted in severalty to all persons entitled to receive allotments, including the Cherokee freedmen, would give to each a tract of 170 acres.

However, by the agreement of April 8, 1867, between

the Delawares in the Cherokee Nation and said Cherokee Nation, which was approved by the President April 11, 1867, said Delawares would be entitled to receive only 160 acres of land if not otherwise provided for in your agreement, which would increase the per capita allotment to each other citizen of the Nation. Except in the case of the Delawares, each citizen of the Cherokee Nation has a right to receive an equal allotment with each other citizen of the Nation, their rights therein being equal.

The territory owned and occupied by the Choctaws and Chickasaws belongs to the two nations in common, the Choctaws owning a three-fourths undivided interest and the Chickasaws the remaining one-fourth undivided interest. The political division between the two nations does not divide the interest of the nations in the land. This territory contains 11,338,935 acres. The Choctaws' portion of this is 8,504,201.25 acres. The total population of the Choctaw Nation is 14,397, of which 4,401 are colored persons who have been adopted by an Act of the Nation, under which they have a right to receive 40 acres of land, which would require 176,040 acres, leaving 8,328,161.25 acres out of which allotments are to be given to 9,996 citizens of the Choctaw Nation who are entitled to equal rights in the land. If this land is divided equally among the Choctaws it would give each member of the Nation an allotment of 833.15 acres. It is thought, however, that the Indians might be induced to take a less quantity of land in allotment and to cede the remainder for a proper consideration to the United States. The quantity of each allotment is a matter to be agreed upon between the commission and the Choctaw Indians.

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The freedmen in the Chickasaw Nation have no rights of citizenship whatever in that Nation and would not be entitled under existing conditions to any share in the lands of that Nation to be allotted. Their status will be discussed in another part of these instructions.

The 2,834,733.75 acres, being the undivided interest of the Choctaw and Chickasaw domain owned by the Chickasaws, or such portion thereof as you may agree upon, is subject to allotment only to citizens of the Chickasaw Nation, including those who have become such by intermarriage or adoption. If you agree on a per capita distribution of this land among the Chickasaws, each member of the Nation would be entitled to receive a little over 818 acres of land.

The area of the Creek Nation is 3,040,495 acres, which if divided per capita among the 14,632 citizens of the Nation, as appears from the eleventh census, would give to each citizen a little over 207 acres of land. The Creeks do not provide in any of their laws for the adoption of non-citizens intermarried with members of the tribe, and the only persons in the Nation, unless there be some who have been adopted by Act of council who would be entitled to receive an interest in the allotment of lands, would be citizens of the Nation by blood and the free persons who have been adopted into the Nation under the treaty of 1866.

The Seminole Nation comprises 375,000 acres, which, if allotted in severalty to all the citizens thereof, 2561 in number would give each a per capita allotment of 146 acres. The estimates above set forth are based upon the statement as to population contained in Census Bulletin No. 25 of the Eleventh 50.

Census. There is nothing to show that the white citizens of the several nations in the Indian Territory are included in the census of Indians. The colored citizens in the various nations are enumerated separately. If the white citizens of the Nation are not included in the enumeration as Indians, the estimates above may be varied by the addition to the stated population of the number of white citizens. This, of course, would decrease the per capita allotments in the different tribes. The Office has no means of judging of the number of white intermarried citizens or white adopted citizens in the Nation.

Should you find it impossible to reach any agreement with all of the Five Civilized Tribes or any of them, which would provide for the allotment of lands in severalty to the members thereof, and the cession of such surplus, if any, as may remain, to the United States for a consideration, Congress authorizes you to negotiate any agreements as in view of all the circumstances affecting the subject you shall find requisite and suitable to such an arrangement of the rights and interests of the nations, tribes, or bands of Indians affected, or any of them, as would enable Congress to ultimately create a Territory of the United States with a view to the admission of the same as a State in the Union. In other words, it is contemplated that in your negotiations you shall first endeavor to secure the allotment of the lands in severalty to the members of the Five Civilized Tribes and the cession of any surplus remaining to the United States. You will then direct your negotiations so as to receive from these tribes their consent to the abrogation of the treaty stipulations wherein the United States have agreed that the lands of these Indians shall

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not be brought within the jurisdiction of any State or Territory of the United States.

While most of the citizens of the Five Civilized Tribes are far advanced in civilization and perfectly competent to have control of their own affairs without restriction, there are doubtless many, especially among the full-bloods, who have not that knowledge of affairs and business that would enable them to so manage their allotments and business as to give them the fullest benefits therefrom. It is important, therefore, in the opinion of this Department, that any agreement that you may reach with any of the Five Civilized Tribes providing for giving allotments in severalty to the citizens thereof, shall contain a stipulation under which their allotments or a portion thereof, as may be agreed upon, shall be held inalienable for a term of years to be fixed in the agreement, which may be increased or diminished at any time in any case in the discretion of the President.

CHEROKEES. The Cherokee Indians have a title to their lands which has been held by the courts to be a "base, qualified, or determinable fee without the right of reversion but only a possibility of reversion in the United States." (U.S.v.Reese, 5th Dillon, 504).

This title was acquired by the Cherokees from the United States under grants contained in the treaties between them and this Government of May 6, 1828, (7 Stats., 311), February 14, 1833, (Ibid. 414), and December 29, 1835, (Ibid. 478), and their title is evidenced by a patent, issued December 31, 1838, the habendum of which is as follows:-

Therefore, in execution of the agreements and stipulations contained in the said several treaties, the United States

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have given and granted and by these presents do give and grant unto the said Cherokee Nation the two tracts of land so surveyed and hereinbefore described, containing in the whole 13,374,135.14 acres, to have and to hold the same together with all the rights, privileges and appurtenances thereunto belonging to the said Cherokee Nation forever; subject, however, to the right of the United States to permit other tribes of red men to get salt on the salt plain on the western prairie referred to in the second article of the treaty of the twenty-eighth of December, one thousand eight hundred and the limits prescribed for the outlet agreed to be granted by said United States in and by the articles hereinbefore recited, to the extent and in the manner in which the said rights are so reserved of the twenty-eighth of May, eighteen hundred and thirty, which condition is that the lands hereby granted shall revert to the United States if the said Cherokees become extinct or abandon the same."

CHOCTAWS. The land occupied by the Choctaws and Chickasaws was granted with other lands under Article 11. of the treaty with the Choctaws of September 27, 1830, (7 Stats.333), "in fee simple to them and their descendants to inure to them while they shall exist as a nation and live on it."

The Choctaw title is evidenced by a patent from the United States, dated March 23, 1842, the habendum of which is as follows:

"Now know ye that the United States of America, in consideration of the premises and in execution of the agreement and stipulations in the aforesaid treaty, have given and granted and by these presents do give and grant unto the Choctaw Nation the

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aforesaid 'tract of country west of the Mississippi,' to have and to hold the same with all the rights, privileges, immunities, and appurtenances of whatever nature thereunto belonging, as intended to be conveyed by the aforesaid article 'in fee simple to them and their descendants to inure to them while they shall exist as a nation and live on it,' liable to no transfer or alienation except to the United States or with their consent."

CHICKASAWS. The Chickasaws hold their interest in the Choctaw country under a convention and agreement entered into between the Choctaws and Chickasaws January 17, 1837, subject to the approval of the President and the Senate of the United States, which was so approved by the Senate February 25, and by the President March 24, 1837, (11 Stats.573).

By this convention it was agreed by the Choctaws that the Chickasaws should have the privilege of farming a district within the limits of the Choctaw country, to be held on the same terms that the Choctaws held it. It was contemplated by this convention that politically the Choctaws and Chickasaws should be one nation, except that the Chickasaws should not participate in the Choctaw annuities, and the Choctaws should not interfere with the control and management of the residue of the Chickasaw funds after the consideration paid by the Chickasaws to the Choctaws was deducted.

By treaty of 1855, between the Choctaws and Chickasaws and the United States, (11 Stats.611), the political connection between the Choctaws and Chickasaws was dissolved, and each nation was permitted or authorized to establish separate governments

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for themselves. In this treaty the rights of the two nations in the territory occupied by them was fixed, as set forth in another part of these instructions, the Choctaws being recognized as having a three-fourths undivided interest and the Chickasaws a one-fourth undivided interest. The title of the Chickasaws, therefore, to their proportion of the territory occupied by them jointly with the Choctaws, when it shall be ascertained, is the same as that of the Choctaws in theirs; that is, they own it "in fee simple, to them and their descendants, to inure to them while they shall exist as a nation and live on it."

CREEKS. The Creeks hold their land under a grant contained in Articles 11, 111 and 1V of the treaty of February 14, 1833, (7 Stats.417), and their title is evidenced by a patent under date of August 11, 1852, the habendum of which is as follows:-

"Now know ye that the United States of America, in consideration of the premises and in conformity with the above-recited provisions of the treaty aforesaid, have given and granted, Creek tribe of Indians, the tract of country above described, to have and to hold the same unto the said tribe of Indians so long as they shall exist as a nation and continue to occupy the country conveyed to them."

The effect of the grants is to vest in the Creek Nation, in fee simple, the country granted so long as the Nation shall exist and shall occupy the same.

SEMINOLES. By the said fourth article of the treaty above referred to with the Creeks, it was provided that "It is also understood and agreed that the Seminole Indians of Florida, whose

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removal to this country is provided for by their treaty with the United States, dated May 9, 1832, (Article I, 7 Stats.369), shall also have a permanent and comfortable home on the lands hereby set apart as the country of the Creek Nation; and they (the Seminoles) will hereafter be considered a constituent part of said Nation, but are to be located by themselves, which location will be selected for them by the Commissioners who have signed these articles of agreement or convention."

It having been found necessary to readjust the relations existing between the Creeks and Seminoles under the treaty of 1833, another treaty was entered into with them August 7, 1856, (11 Stats 699), by which the Creeks ceded and conveyed to the Seminoles a tract of country included within the following boundary:

"Beginning on the Canadian River a few miles east of the ninety-seventh parallel of West Longitude, where Ack-hi-appo or Pond Creek empties into the same; thence due north to the North Fork of the Canadian; thence up said North Fork of the Canadian to the south line of the Cherokee country; thence with that line west on the one hundredth parallel of West Longitude; thence south along said parallel of longitude to the Canadian river, and thence down and with that river to the place of beginning."

The title of the Seminoles to this country was the same as that formerly held by the Creeks.

By Article 111 of the treaty of March 21, 1866, (14 Stats. 756), between the United States and the Seminole Nation, the Seminoles ceded to the United States all of the country conveyed to them by the Creeks under the treaty of 1856, and the United States having by treaty of June 14, 1866, (14 Stats. 786), acquired

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a part of the Creek country a grant therefrom of two hundred thousand acres was made to the Seminoles for a permanent home in the following language, (Article 111):--

"The United States having obtained by grant of the Creek Nation the westerly half of their lands, hereby grant to the Seminole Nation the portion thereof hereafter described, which shall constitute the national domain of the Seminole Indians."

Then follows the description:--

"Beginning on the Canadian River where the line divides the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866, following said line due north to where said line crosses the North Fork of the Canadian River; thence up said North Fork of the Canadian River to a distance sufficient to make two hundred thousand acres by running due south to the Canadian River; thence down said Canadian River to the place of beginning."

The Chickasaws and Seminoles have never received any patents for their lands, but as has been seen the Chickasaw title is the same as that of the Choctaws, and as the Seminoles were required in the article granting them the reservation now occupied by them to pay to the United States 50 cents per acre for their lands, they would doubtless be held to have in those lands the same title that is enjoyed by the other Five Civilized Tribes in the lands occupied by them.

By the treaty of 1866 with the Cherokees, (Ibid.799), and an agreement which was ratified by Congress March 3, 1893, (27 Stats.644), the territory originally granted to the Cherokees

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and conveyed by the patent, as above stated, has been diminished by cessions to the United States until the entire possessions of that nation in the Indian Territory at present are but a little over five millions of acres of land; and cessions have been made to the United States by the Creeks and Seminoles from the original territory granted to the Creeks in 1833, in the treaties of 1866, as above stated.

In view of the fact that the United States has by the various treaties and other acts of conveyance parted with the legal title to the lands in the Indian Territory, the same now vesting in the several Five Civilized Tribes, it will be necessary for you, should you reach any agreement with any of the said tribes for the allotment of lands in severalty, to secure from the said tribes such a retrocession to the United States of their said legal title as will enable the United States to give such patents to the allottees as you may agree shall be given for the lands allotted to them. If it shall be impracticable for you to obtain this cession for that purpose to the United States, it will be necessary for the agreement or agreements to contain such a provision as will operate to give the lawful consent of the United States for the several tribes to patent the land to their citizens. This would be undesirable, however, and to be resorted to only in case no other arrangement can be made. I think, however, that should you reach an agreement for allotments the Indian nations will realize the annoyance, trouble, and difficulty it would entail upon them, as well as expense, to establish land offices for themselves and maintain a system of land entries, registries, etc., and would be perfectly willing

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that the United States should take the legal title in trust to be transferred to the allottees by proper evidence or patents.

You will observe that the third paragraph of the section under which you were appointed requires that you shall endeavor to procure first an allotment of lands in severalty, etc. to the Indians and concludes with directions that after the terms of such an agreement shall have been arrived at they, the said commissioners, shall cause the land of any such nation or tribe or band to be surveyed and the proper allotment to be designated." Then it proceeds with the second requirement, as follows: "And secondly, to procure the cession for such price and upon such terms as shall be agreed upon, of any lands not found necessary to be divided or allotted, to the United States."

It is not believed to have been the intention of Congress to require the commissioners to stop their negotiations as soon as they have agreed upon a plan of allotment with any Indian tribe in the Indian Territory for the purpose of having the land surveyed and the allotments designated, and then to proceed to negotiate for the purchase of the surplus or unallotted lands of the nation. This requirement of the Act is construed to mean that after the agreement with any nation, both as to the allotment and the purchase of the surplus if any by the United States shall have been reached between the commissioners and the Indian nations, the survey and allotments shall be proceeded with; that is, after the agreement is completed in all its stipulations so far as your commission and the Indian tribe are concerned.

In view of the large area of the lands within the several nations in the Indian Territory, Congress has provided no ade-

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quate appropriation for the survey or allotment of the lands. It will be necessary, therefore, before you take any steps looking to surveying and allotting these lands, after reaching an agreement with the several tribes, for you to report your agreement to this Department, with an estimate of the amount of money which will be required to make the surveys and have the allotments designated, so that Congress may be asked to provide by proper appropriation the funds required. In the meantime, it is not thought that Congress intended that pending the delay necessary to consider the question and provide the money for the surveys, your commission should be idle but that you should proceed with your negotiations with other of the tribes not treated with.

When you come to negotiate for the allotment of lands in severalty to the Indians within the Choctaw and Chickasaw country your agreement must be reached with the two nations jointly, as each nation has an undivided interest in the country. No agreement with the Choctaws would be valid to give the United States the legal title in any of the lands occupied by the Choctaw and Chickasaw nations unless the same is also agreed to by the Chickasaws. Of course there may be items in your agreement respecting this territory that will involve rights that can only be of interest to the Chickasaws, but when it comes to a question of the allotment of the lands or the cession of any surplus both nations must agree with you upon the terms of the same.

With respect to the freedmen in the Choctaw Nation, you have already been advised in these instructions that under the terms of the act of that Nation adopting them, which was passed under the provisions of an Act of Congress of May 17, 1882, (22 Stats., 72), the said freedmen were given a right to receive only forty 50.

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acres of land, and they will not be entitled to receive more unless in your agreement with the Choctaws and Chickasaws provision is made for increasing their per capita allotment.

The Chickasaw freedmen have not been adopted by that nation and have no right whatever in any of the lands or property thereof. It would not be improper, therefore, in your negotiations with the Chickasaws to endeavor to secure the consent of that nation to the insertion of same provision in the agreement by which they may receive an allotment of land. Indeed this is highly desirable.

In 1873 the Chickasaw Council passed an act to adopt the negroes of the Chickasaw Nation but it was not concurred in by the Choctaws, and as at that time it was necessary for both nations to act in conjunction on the matter of the freedmen, the act failed to accomplish any good for the freedmen in the Chickasaw Nation. Said act proposed to adopt them but to give them no benefits from the principal and interest of invested funds, nor of any share in the common domain except forty acres of land provided for in the treaty of 1866, (14 Stats.769), nor any privileges or rights not guaranteed by said treaty. Said act was to have full force and effect only after its approval by the proper authorities of this government. It was transmitted to Congress by the Secretary of the Interior, February 10, 1873, with recommendation that such legislation should be had by Congress as would extend the time in all respects for the execution of the provisions of the third article of the treaty of 1866 for the term of two years from July, 1873, but no action was taken by Congress on the matter. Subsequently, in 1876 and again in

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1879, the Chickasaw Council provided for the election of commissioners to confer with commissioners from the Choctaw Nation to consider and agree upon some plan for the disposition of the freedmen by their removal from the Nation, but nothing ever came of these commissions, and since the passage of the Act of May 17, 1882, (supra), authorizing the nations to act independently on this subject, the Chickasaws have refused to adopt their freedmen but the Choctaws have adopted theirs, as has been stated.

For your information on this subject, I enclose herewith a copy of House Executive Document No.207, 42d Congress, 2d Session.

In addition to your compensation at the rate of \$5000 per annum each, during such time as you may be actually employed under the direction of the President in the duties enjoined by law, as provided in the second paragraph of the said section 16, under which you were appointed, you will be entitled to receive your reasonable and proper expenses incurred in the prosecution of the objects for which you were appointed, upon accounts therefor to be rendered to and allowed by the Secretary of the Interior from time to time.

You are given power by the law to employ a secretary and stenographer and such interpreter or interpreters as you may find necessary to the performance of your duty, and to fix their compensation, to be paid upon the approval of the Secretary of the Interior from time to time, and to pay their reasonable expenses upon accounts to be rendered to and allowed by the Secretary of the Interior.

You are also empowered to employ in like manner and with

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like approval of the Secretary of the Interior, a surveyor or other assistant or agent which you must certify in writing to be necessary to the performance of any part of your duties.

The Secretary of the Interior has designated Hon. Henry L. Dawes as Chairman of the commission, and Hon. Archibald S. McKennon as disbursing officer, who is required to give a bond in the penal sum of \$5000. Mr. McKennon will be specifically instructed with respect to the rendering of his accounts in another communication.

Should anything arise in the progress of the work to which you have been assigned not covered by these instructions, you will report for specific instructions from the President, from time to time or at any time, report to the Secretary of the Interior your transactions and progress of your negotiations, and from time to time and at any time if separate agreements shall be made by you with any nation, tribe or band in pursuance of the authority conferred upon you by law, report the same to the Secretary of the Interior for submission to Congress for its consideration and action, as required in the fourth paragraph of said section 16 of the Act of 1893.

I do not think that it is necessary for me to call your attention to the importance of the work upon which you are about to enter. Success in your negotiations will mean the total abolition of the tribal autonomy of the Five Civilized Tribes and the wiping out of quasi-independent governments within our territorial limits. It means, also, ultimately, the organization of another Territory in the United States and the admission of another State or States into the Union, with equal rights with those now composing it.

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A great many things in connection with these negotiations must, of necessity, be left to your wisdom and discretion. The President imposes great confidence in you and much good is expected to come out of your labors in the Territory.

There is enclosed herewith, (besides the Executive Document relating to the Chickasaw freedmen mentioned on page 22), a memorandum prepared in this office some two years ago, and to which some additions have since been made, which it is thought may be of use to you on account of the citations and other data it contains. It bears the heading "Status of the Five Civilized Tribes in Relation to the Establishment of a Territorial Form of Government over them, and their Right to Representation in Congress by a Delegate in the House of Representatives, so far as the same is Expressed in their Treaties."

There is also enclosed a volume containing a revision of Indian treaties which is transmitted for your convenience in referring to the treaties with the Indian tribes to be negotiated with by you. You will please return the book to this Office when no longer required by you.

Very respectfully,

D.M.Browning

Commissioner.

DEPARTMENT OF THE INTERIOR,

December 5, 1893.

Approved:

Hoke Smith

Secretary.

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EXECUTIVE MANSION,

Dec. 6th, 1893.

Approved:

Grover Cleveland.

Murchison. (C)

(Endorsed) Union Agency No. 50 General letter of instructions
from the Secretary of Interior to the Dawes Commission. Nov. 28, 1893.

Muscogee, Indian Territory, May 18, 1895.

Mr. Simon Sterne,

Delmonico Building, 56 Beaver St.

New York City.

My dear Sir:-

As requested, I take pleasure in furnishing you with the names of the members of the Commission to the Five Civilized Tribes.

Honorable Henry L. Dawes, Chairman, of Massachusetts.

Genl. Frank C. Armstrong, of Washington, D. C.

Captain Archibald S. McKennon, of Arkansas.

Colonel Thomas B. Cabaniss, of Georgia.

Judge Alexander B. Montgomery, of Kentucky.

Allen R. Boyd, Secretary, of the Indian Territory.

Very truly yours,

Allen R. Boyd

Secretary.

Letter-book copy L. S.

(Copied by BEW, March 30, 1934.)

Muscogee, Indian Territory, May 29, 1895.

Mr. T. J. Brown,

Eli, Indian Territory.

Dear Sir:-

The Commission direct me to thank you for your note of May 17th. and to express their gratification at the sentiments in reference to their work here, entertained by you.

It would not be proper for the Commission to set on foot itself the petition that you suggest, but they are of the opinion that if you would yourself in your own language and just as you feel upon the subject, express yourself to your government, and then get all the names of your citizens who agree with you, and forward it to your chief or to your council, it would have an excellent effect and tend to unite your people in some active effort to bring about a just division of your property among all your people who are by the terms of your treaty entitled each one to enjoy an equal part of it.

The Commission, therefore, advises you to put in simple words on paper, in your own language, your wish directed to your chief and council, and to circulate as extensively as you can.

They will be happy at all times to explain to you

the matter and to answer any questions, or remove any difficulties that may arise in your mind or the minds of your fellow-citizens.

It would be an excellent thing for you to discuss this among yourselves, for it is for you that this change is urged by the government of the United States. That government has no desire and no intention of asking or obtaining by any means, any part of your property. It is for your interests and your alone, that they are earnestly urging upon you a change in the present condition of affairs in which a few of your people enjoy a monopoly and profits by appropriation of the larger portion of all that belongs to the nation collectively.

Truly yours,

Henry L. Dawes

Chairman.

Letter-book copy L. S.

(Copied by BEW, March 30, 1934.)

Muscogee, Indian Territory, June 11, 1895.

Mr. T. G. Brown,

Eli, Indian Territory.

My Dear Sir:-

Your letter has been received and noted by the Commission with pleasure.

We are sure that upon reflection you will appreciate that it would be better should you prepare the petition yourselves, have it in your own language and expressing your own wishes. It would be of far greater force than should the Commission undertake to draw up a paper and circulate it among your people who would naturally enough hesitate to sign it.

We think your idea of a petition an excellent one and hope you will carry it out.

I am, Very truly yours,

Henry L. Dawes,

Chairman.

Letter-book copy L. S.

(Copied by BEW, March 31, 1934.)

Muskogee, Indian Territory, May 29, 1895.

Messrs T. C. Brown,

G. H. Simmons,

S. C. Whittaker, Committee,

Marlow, Indian Territory.

Gentlemen:-

The Commission to the Five Tribes are in receipt of your letter of May 11th, inviting them to a celebration of the 4th of July intended to be held at your place.

I am instructed by the Commission to return you their thanks for your very kind invitation, and to express to you their sincere regrets that they cannot join with you in celebrating the anniversary of our national independence. They congratulate you upon the disposition manifested by your citizens to bear in mind the importance and true significance of that day, and they have no doubt that the celebration so conducted by you as it will be, in an orderly manner and in a way becoming its important relation to every citizen of the United States, will be productive of much good to you. Were it consistent with our engagements and our duties for us to participate in it and share with you in its pleasures and its benefits, they would be accordingly glad to be present, but they think themselves constrained by their duties here to

respectfully decline.

They trust you will understand that it is from no lack of appreciation of your invitation, or of the propriety of your engaging in this celebration which you contemplate.

I am, with highest respect,

Very truly yours,

Henry L. Dawes,
Chairman.

Letter-book copy L. S.

(Numbers of other letters addressed to various parties in different parts of Indian Territory, courteously refusing invitations to tribal celebrations, are recorded, apparently showing the policy of the Commissioners not to attend these gatherings.)

(Copied by BEW, March 31, 1934.)

Muscogee, Indian Territory, June 6, 1895.

To the Honorable,

The Commissioner of Indian Affairs,

Washington.

Sir:-

I have the honor to request that \$5000. be placed to my credit with the assistant treasurer of the United States at St. Louis, Mo., for the purpose of paying salaries and expenses of the Commission to the Five Civilized Tribes, authorized by Act of Congress of March 3, 1893, amended March 2, 1895. I have to report on hand, at date, with the Assistant Treasurer at St. Louis, \$1,437.90.

Respectfully,

Archibald S. McKennon

Comr. & Special Disbg. Agent.

Letter-book copy L. S.

(Copied by BEW, March 31, 1934.)

Muscogee, Indian Territory, June 11, 1895.

Messrs. Davis & Lindsey,

Wagoner, Indian Territory.

Gentlemen:-

The Commission desire me to express to you their appreciation of the cordial invitation you extend to us to be present at Tanglewood Farm, near Wagoner, upon the 4th of July.

It would give them great pleasure to accept, but much to thier regret they find that this is impossible.

They extend to you ~~their~~ very cordial wishes that your celebration will prove a success in every particular, and beg~~x~~ to assure you of their high consideration.

I am, with sincere regards,

Very truly yours,

Chairman.

Letter-book copy typewritten letter unsigned.

(Copied by BEW, March 31, 1934.)

Muscogee, Indian Territory, June 11, 1895.

My dear Mrs. Holdeman:-

I was very glad indeed to receive your letter of June 8th. setting forth the situation here so plainly and clearly. I wish more of the Indians, men and women, would talk with us in the same spirit. The greatest difficulty the Commission has to meet is the fact that so few of the Indians are willing to discuss the matter at all or even to inquire why the Commission are here. They will not even admit that a dark cloud is over them, or listen to the Commission in any way. If many people were ready to talk over the matter in the spirit which you show, both sides would understand each other better, and something might be done, I am sure. I wish I might talk with you and hope you will give me the opportunity every time you can do so. It is so much easier to talk than to write. But I will say what I can in a letter to try and meet some of your inquiries.

First of all let me say you are right in thinking the Commission is not here to take away the Indians' land. That is farthest from their thoughts. On the contrary they wish to secure to the Indian the use and value of his own land. And you are also right in saying that his "enemies are on the inside as well as the outside". This is the point which so few are willing to concede, but which is nevertheless that which makes the problem so difficult.

You ask if the United States Government cannot put out its own citizens and make them stay out. Suppose for a moment the Government could and would do this. That would not put out the enemies on the inside. The men who are monopolizing the national domain so that Indians who have no farms cannot share with the rest. (I quote from your letter), "White men who have married Indian women who have thousands of acres of land under fence", so that the full-bloods and more ignorant, are "crowded into the mountains;" these and all the other "inside enemies" as you so well call them, the "galvanized or diluted Indians" would still remain, and the full-bloods would be as badly off as ever. It is because the United States Government has discovered how the real Indian is being crowded out of his rights that the President has sent this commission here to consult with your own people as to how the Indian can best be put in possession of his own under the new and complicated condition of affairs, but when they went to the President last year with the results of their observations, these very monopolists sent agents to Washington who declared there was no such monopoly and no such infringement of the Indians rights. And the people, full-bloods and half-breeds alike, continue to elect those very men to their offices, and to uphold them in every way, and to insist that no change is necessary or desirable. How can the United States Government protect the Indians of the Five Tribes from their inside enemies when they do not want to be protected? As to his others or outside enemies as you call them, the white man. If the government should

put out every white man in the Territory tomorrow what would be the result? The railroads would go, the mines would go, most of your shops would go your schools and your colleges would go, all the markets for your produce would disappear. Do you think the Indians themselves would allow that? But you say, let those remain who we are willing to have here. Very well. Let us see what would happen then. All the white men who are here, come under that head, for they are here under your own laws and permits, except a few in the Cherokee and Chickasaw nations, and a very few in the other nations. It is by permission of the Indian, and under the Indian law, and to the great profit of the Indian, that the white man is here. Do you think the Indian nations would be willing to have him turned out, or be satisfied that you should be "a people by yourselves?"

You are now governed by your own kind" and "your own people" and you yourself have set forth the result. I know that the Cherokees are very anxious to get rid of certain intruders. But the Cherokee Nation was not anxious to get rid of the cattlemen who leased the Strip. It is not anxious now to get rid of the white man who pays it money. It is only unprofitable white men they wish to get rid of. It does not seem as if it is the the presence of the white man that troubles the Indian.

I do not myself think the United States could put out all the white men among you without bloodshed which you

would not desire any more than the rest of the country. The Indian nations have encouraged the white man to come here for twenty years, notwithstanding the protests of many of their people. I do not think it would be possible now to suddenly dam up the ford. But I am sure that if it could be done the Indians themselves would be the first to cry out against the result.

Thus you are, as you say, in great darkness, with enemies inside and enemies outside, and the poor and ignorant people are crowded to the wall on every side. Just what the President has sent the Commission here for, is to talk over these difficulties and see how the matter can be adjusted, and put the poor full-blood back into possession of as many of his rights as possible. But nobldy is willing to think of it or talk it over with them at all. Isn't it possible for some of you who see the great difficulty and danger to persuade your leaders to consult over the inevitable change, and shape it in such fashion as shall be to the best interests of the Indians themselves?

I am sorry to have written such a long letter. I hope you will forgive me, and believe me most interested in the Indian. Please believe also that the Commission wish for nothing but the very best good of the Indian himself.

Hoping I may some time see you, and again thanking

you for giving me so much of your attention, I have the
honor to be, dear Madam,

Very sincerely yours,

Letter-book copy typewritten letter unsigned.

(Copied by BEW, March 31, 1934.)

Muscogee, Indian Territory, June 18, 1895.

Captain A. S. McKennon,

Clarksville, Arkansas.

My dear Captain McKennon:-

I have checked the statement and find it tallies with our records, and return herewith blank filled out as directed.

Senator Dawes has been under the weather, and decided not to delay longer in getting home, and so left for the East, with Miss Dawes, yesterday (Monday) morning.

Judge Montgomery and Colonel Cabaniss returned yesterday morning from their trip through the Chickasaw Nation, and the General returned this morning.

I inclose copies of letters received from Chief Harris and Chief Perryman.

Very truly yours,

Allen Richards Boyd,

Secretary.

(For Harris letter see 25-A)

Letter-book copy L. S.

(Copied by BEW, March 31, 1934.)

South McAlester, Indian Territory. July 11, 1895

General Frank C. Armstrong,

1759 P. Street, Washington.

Dear General:-

Your letter was received on the day of my arrival in South McAlester. It would have been more promptly acknowledged but for the delay incident to moving, unpacking, and getting the paper of which you wished a copy. I enclose copy herewith as requested.

The meeting at Hartshorne was a great success. The resolutions adopted and the speeches made were all strongly in favor of treating with the Commission. The attendance was large and included some of the leading men of the nation. I believe Captain McKennon has written fully of who were there and the proceedings. I was present as a spectator. Allen, a full-blood Choctaw, seemed to score quite a point in referring to McAlester's and Grady's absorption of all the desirable land in this part of the country. He said among other things that no Choctaw Indians would spend a night in South McAlester without waking up in the morning strongly in favor of allotment that he might share in all these benefits which were now being divided between McAlester, Kelly and Lester, three white men; he marvelled at the remarkable proficiency of the negroes who were Choctaw citizens and the white men who married Choctaw women in raising children,

and declared that if the present rate of producing white and black "Choctaw" citizens continued, there would be so many of them in a few years, to take up land, that nothing would be left for the genuine Indian. Therefore, much as he regretted the necessity he was for allotment now while there was something to allot. I go into detail because his remarks represent the prevailing sentiment among those who were present at the meeting.

Captain McKennon spoke briefly and pleasantly, carefully avoiding any discussion. He made plain that the propositions submitted last year had been disposed of, and that there was nothing from the Commission now before the Indians; that it was desired that propositions this time should come from them, and that the Commission simply stood ready to aid and advise.

The convention seems to have made a strong impression. It is considered the beginning of the end, and it is believed that many who have heretofore only in private professed a desire for allotment will follow the leaders and come out publicly in urging such action.

With cordial regards,

Very truly yours,

Allen R. Boyd.

South McAlester, I. T. July 18, 1895.

Mr. A. A. Poe,

Tulsa, Indian Territory.

My dear Sir:-

Your very kind letter is at hand and I remember you well and am very glad to hear from you.

Our Commission has made no proposition to any tribe or nation regarding town-sites. Much has been said to us in connection with that subject in the public prints of the Territory, and it seems that everybody knows more about it than we do. We have no proposition of that character to submit.

It is my desire to avoid publicity in the newspapers and I write this for your private information and not for publication.

I will be glad to meet you again, and think I will visit Tulsa before a great while, when I will talk matters over.

I am, Sincerely yours,

A. S. McKennon

Copy of Letter Press copy signed in office of Supt. of Five Civilized Tribes, Muskogee, Oklahoma. Copied by

RLW 5/2/34

South McAlester, I. T. July 18, 1895

Colonel J. H. Wilkins,

Atoka, Indian Territory.

My dear friend:-

I returned from Arkansas this afternoon and find your letter of the 13th inst. relative to the barbecue some distance in the country from your town.

I do not think it proper that I should suggest any date for the barbecue. Let the people arrange that to suit themselves. When they assemble, if they desire me to be present, I shall be pleased to come and to give them any information they may wish so far as I may be able. The Commission is anxious to help the people in every manner so far as they can, and I will be glad to do them any kindness that is in my power.

I cannot at present say how many of the Commission will be in the Territory at that time.

I hope you and your family are well.

Very truly yours friend,

A. S. McKennon

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

South McAlester, I. T. July 23, 1895.

General Frank C. Armstrong,
1759 P. Street, Washington.

Dear General:

Yours of the 18th inst. addressed to me at Clarkesville came today.

I heartily concur in the plans adopted at the meeting of yourself, Senator Dawes and Judge Montgomery. I am sure that nothing can be done in the Territory at present, except to advise with and encourage such Indians as may seek information.

I went to Wagoner and Vinita last Friday and Saturday, simply to see the situation and talk with a few individuals who had especially invited me. The petition circulated in the Cherokee Nation is being generally signed. It only asks that the land monopoly be abolished so that the people can get homes. This will be presented to the Cherokee Council by a strong delegation of real Indians, and if full relief is not granted they will present the matter to congress in December. They are very determined and I think the Cherokee bosses will feel the force of this movement.

I was requested to fix a date for a meeting of Choctaws, after the election, some miles out from Atoka, at which they desire to consider the matter of allotment, and desire my presence. I declined to fix any date, but stated that if when they were assembled they desired to see me, I would be glad to be present and give them any information within my power. Many Choctaw citizens are boldly talking allotment now who

2.

heretofore would not express themselves. I think this sentiment is growing and will result in some favorable action by the Choctaw government.

No permanent arrangements have been made for our stay at this place. We will be free to go anywhere our work may call us.

I am in receipt of additional exceptions to my cash accounts from November 30, /blurred/ to March 31, /blurred/. The letter of transmittal is dated July 11th, and is signed by G. F. Gannerlin, Acting Auditor.

After preparing exceptions which I submitted to you, I procured several itemized accounts properly signed which were covered by the exceptions and forwarded them to the Auditor, but they seem not to have reached him or else must have been wholly overlooked in making this list of exceptions.

I sent itemized accounts properly signed by J. F. Robinson & Co. sub-voucher 4, and J. Gardiner Merchandise Co., sub-voucher 5, voucher 7, 1st quarter 1895. Still these exceptions are continued.

Sub-voucher 19 and 23, voucher 10, same quarter, for newspapers distributed among the Indians, and sub-voucher 13, subscription to the CHOCTAW HERALD, sub-voucher 14, subscription to the CHIEFTAIN Publishing Company, and sub-voucher 15, sub-subscription to the SOUTH MCALESTER CAPITAL voucher 8, /blurred/ quarter /blurred/. They refer me to section 73 regulations 1894. If Secretary Smith can conscientiously do so and still give written authority to the Commission authorizing it to make such advertisements in the newspapers of the Territory and subscribe for such papers published therein as it may deem

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necessary, dating the same about January 8, 1894 this will authorize and cover these expenses, which were made in good faith and were, I think, effective. If he cannot do this I suppose I will lose the /blurred/. If you will see him I will be obliged. I obtained from him his approval of our travelling expenses to Washington and our expenses while there, covering Mr. Jacoway's travelling expenses to Russellville, Arkansas. This I forwarded to Auditor Blackburn but no notice is taken of it and exceptions of those matters are continued. My travelling expenses to the Territory and Major Kid/blurred/ to his home are suspended for want of department approval, but I would think the approval already obtained would cover this. Our room rent at South McAlester from November 13, 1894 to January 1, '96 is still suspended because, they say, the department will have to determine whether our headquarters were in fact at Washington or So. McAlester before this matter can be intelligently treated.

Sub-voucher 29, voucher 12, 2nd. quarter 1895; for this I sent an itemized account properly signed by A. R. Durant of which no notice is taken, and exception continued.

These matters discourage me much, and if you will be kind enough to give this your personal attention and get matters straightened as far as possible, and have them notify me specifically as to matters remaining suspended, I will be greatly obliged. If, however, it is inconvenient for you to do so or to see Secretary Smith, I hope you will not let this worry you in the least.

I am, General,

Very truly yours.

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

Honorable Henry L. Dawes,
Pittsfield, Massachusetts.

My dear Senator:-

I have not written you regularly because I have been running around and have had little to write which would interest you, since the meeting at Hartshorne of which I gave you an account.

The Cherokee citizens are circulating a petition to their Council to abolish the land monopoly and restore their domain to the citizens for homesteads. It sets out very clearly the condition of the common people much as we have heretofore stated it and which was so roundly denied by the bosses. The petition will be presented to their national council by a strong committee of real Indians, and in case they do not get the full relief they ask for they will want this committee to go to Washington and present this petition to Congress. This will place their bosses in a perplexing attitude and will give them much trouble. I do not know how the matter will result. The petition is being signed by the people generally and it is thought that a large majority will affix their names to it. I was among them last Friday and Saturday and had a pleasant time conferring with some of their leading Indian citizens who seemed very much determined and deeply in earnest. This move, I am sure, will result in good to our work.

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I was requested to fix a date for an allotment meeting of Choctaw Indians some time after the election, several miles out from Atoka, which I declined to do, suggesting that they fix the time and hold the meeting according to their own wishes, and if desired I would be present and give them all the information within my power.

Since the meeting at Hartshorne Choctaw citizens are boldly advocating allotment who had not dared to do so before. I think the way is opening for some good work by our Commission this Fall.

Colonel Cabaniss writes me that he will come out the first week in August. This is not really necessary, but he can be obtaining information which will serve him well in the future.

With kindest regards, to yourself and family, I am,

Very truly yours,

Archibald S. McKennon

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

South McAlester, I. T. July 25, 1895.

Honorable Thomas B. Cabaniss,

Forsyth, Georgia.

My dear Colonel:

Your very kind letter of July 17th, came a few days ago. Am glad to hear from you and to know that you will be with us again soon. Mr. Boyd and I are both pleased that we will have you with us within a couple of weeks. We can accomplish nothing very definite for a month or so, and really your presence is not absolutely required. You will, of course, be obtaining some information, though, and we will be delighted to have you with us.

I spent last Friday and Saturday in Wagoner and Vinita. The petition circulated in the Cherokee Nation is being signed very generally by the people. It demands that land monopolies be abolished and the lands restored to the people for homes. Intelligent Indians there tell me that two-thirds of the Indian population are without homes. The petition will be presented to the Council by a strong delegation of real Indians and if relief be denied they will go to Washington and present their petition to Congress. They are very determined and this will greatly disturb the Cherokee bosses.

I was requested to fix a date for a meeting of Choctaw Indians, after the election, several miles out from Atoka. I declined to do this but stated that if they assembled and wished me to be present I would be glad to attend and to give them all the information within my power. They are seeking information now as to the real object of /blank/ visit to this

2.

Territory; and since the meeting at Hartshorne, Indians are openly advocating allotment who did not dare to do so before. /blurred I think the sentiment is growing very rapidly and will result in some effective measures at an early date.

With very kindest regards from Mr. Boyd and myself, I am,

Very truly yours,

A. S. McKennon

Mr. Boyd suggests that were you in the Territory now you would not refer to this as a dry country and complain of the want of rain. We have been here eighteen days and ten of these it has rained hard.

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

South McAlester, I. T., October 15, 1895.

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

My dear Sir:-

I have your wire of even date, and send you by the American Express the quarterly accounts for the first quarter of the year 1896.

Please receipt the salary voucher in your favor and approve those vouchers on back that are marked with blue pencil. I shall be obliged if you will then forward all to the Commissioner of Indian Affairs with the accompanying letter which should be dated not later than the 19th., if possible.

The Commission are now installed at Fort Smith. Genl. Armstrong and Judge Montgomery are stopping at Hotel Main, and Colonel Cabaniss and myself at the Central. I have made arrangements for you at the Central.

Very truly yours,

Archibald S. McKennon
Comr. & Special Disbursing Agent.

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

Fort Smith, Arkansas, October 31, 1895.

To the Honorable,

The Clerk of the United States Court,

Paris, Texas.

Dear Sir:-

The Commission to the Five Tribes have requested me to ask of you for their use a statement of how many persons have been convicted and sentenced to death for crimes committed in the Indian Territory since the establishment of your court, how many each year, and how many, if any, are now under sentence of death, and how many are under indictment for capital offenses.

If you can furnish the Commission with this information at any early time you will greatly oblige them.

Truly yours,

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

Same letter to Clerk of United States Court at Fort Smith.

Fort Smith, Arkansas, October 31, 1895.

Honorable D. M. Wisdom,

United States Indian Agent,

Muscogee, Indian Territory.

Dear Sir:-

The Five Tribes Commission are desirous of obtaining information upon certain matters connected with the financial condition of the Five Tribes, and request me to ask you if you would obtain for them and forward to us here as early as you can, information upon the following points.

First. What is the present indebtedness of each of these nations?

What are their bonds selling at in the market?

What sources of revenue do they each have outside of the money which has been paid to them by the United States in purchase of land and in settlement of other claims?

Can you tell us what amount has been appropriated for each of these nations by the United States in payment for land and claims during the last ten years, and how has it been distributed in each case?

I do not know that you will be able to give us information upon all of these points. I will be very glad if you can give it for the use of the Commission upon as many of them as you can and upon all if possible.

I am, Very truly yours,

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, October 31, 1895.

To the Honorable

The Commissioner of Indian Affairs,
Washington.

Sir:-

The Five Tribes Commission find it necessary to make inquiries of you in reference to certain points touching the condition of these nations.

Can you obtain for their use from the Department, information upon the following points?

How much has been appropriated by Congress for payment to each of these nations during the last ten years, and what has it been for in each nation, and how has the money thus appropriated been distributed; that is per capita or otherwise.

If you have any knowledge or can obtain any of the present indebtedness of each of these tribes, you would confer a favor by communicating that also.

An early answer will be of great service to the Commission in the preparation of its report.

I am,

Very truly yours,

Henry L. Dawes

Chairman.

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

Fort Smith, Arkansas, November 2, 1895.

To the Editor of the GLOBE-DEMOCRAT,

St. Louis, Missouri.

Dear Sir:

In your paper of yesterday morning you state that there have been 257 murders in the Indian Territory since the adjournment of congress.

This Commission have been painfully impressed with the increase of crime in the Territory and are desirous of obtaining all the authentic information in their power upon that subject to lay before the Executive at Washington. They are startled, however, by your statement and are desirous, before using it, to ascertain how authentic your information may be upon that subject and in what manner it was obtained.

If you will do the Commission the favor to communicate this fact to them and also any other information in your possession bearing upon the same line of facts you will confer a great favor. An early reply will oblige,

Yours truly,

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 2, 1895.

O. M. Marrs Esq.

Vinita, Indian Territory.

My dear Sir:-

Yours of the first instant just received. It would certainly be very desirable to have the information which might be given by private citizens as mentioned by you, but I do not see how we could arrange to have the government pay their expenses to Washington. I talked to Doctor Trott about this and thought it might possibly be done but from a conference with older members of the Commission who have experience and knowledge of such matters, it seems that such a matter is impracticable.

I will be very greatly obliged if you will get a statement of the large land holdings in the Cherokee Nation, giving names and number of acres in each case, and send to me.

Our departure from the Territory signifies nothing so far as the work of the Commission is concerned. We are just as convenient to our work here and see a great many more Indians and have better opportunities of informing ourselves as to conditions in the Indian Territory than we had where we were located in the Territory.

Very truly yours,

A. S. McKennon.

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

Fort Smith, Arkansas, November 4, 1895

Honorable Hoke Smith,
Secretary of the Interior,
Washington, D. C.

Sir:-

The Commission has been for some little time in preparation of its report of the result of its labors up to this time, which has constituted until within a few days, of a constant and persistent denial on the part of the nations of any disposition to treat with the Commission on any conditions whatever. They have been preparing to present to you the evidence of this denial and their conclusions as to what action it was incumbent upon Congress to take under the present condition of affairs, but within a day or two certain occurrences have taken place which put somewhat a new aspect upon affairs, and they are so significant that the Commission think it best before proceeding with their report, to lay these new conditions before you, and seek instructions in reference to them.

Recently the Choctaw Nation which has hitherto refused to entertain any propositions from the Commission, adopted resolutions, of which we enclose you a copy, inviting the Commission to present to them propositions, and instructing their committee to report the same to their Council for further consideration. The Commission had a conference with this Committee, and submitted to them in writing propositions a copy of which is enclosed; and at the same time submitted a copy

2.

of these propositions to the Chief of the Cherokees with a request that he lay them before the Council of that nation. We are in receipt this morning, also, of a letter from the Chief of the Chickasaws, informing us of the appointment by that nation of a commission to join such a commission as may be appointed by the Choctaws, to confer with this Commission.

The Chief of the Cherokee Nation replies that he is going out of office, but that he will submit our proposition to his successor with the request that he lay it before the Council which meets in a day or two.

I also take the liberty of enclosing a slip from the ST. LOUIS REPUBLIC which indicates some action about to be taken by the Cherokee Nation in the premises.

The embarrassment that the Commission labor under in this new phase of the case, is whether it is policy for them to proceed with their report as if these occurrences had not taken place, presenting as it would necessarily, a persistent refusal of these nations to treat with the Commission at all, and recommending, as it must, measures for the consideration of Congress, or wait until something further may be developed in reference to these new indications of some change coming on among the Choctaws and Chickasaws and possibly the Cherokees also. It seems to the Commission that it would be unfortunate to conclude such a report while any reasonable expectation of a more favorable result might be anticipated. However slight may be the grounds for any hope of favorable action being taken, based upon these indications, still Congress and the public

3.

would say that the Commission had closed the door of negotiation too soon, and had recommended stringent action on the part of Congress at the very time that there were indications that it possibly might not be necessary. On the other hand, they are aware that the Honorable Secretary will need their report at the earliest date, and that it might be necessary for his use that we report to him before anything could possibly come from any of these manifestations of a disposition to treat with us. What the Commission desires from the Honorable Secretary is an indication whether it would be his desire that we close up at once with what has been done, without regard to these recent occurrences, or whether we postpone further the final conclusion of our report until something definite of some character may result from what is held out by these proceedings.

The Commission would desire as early as is convenient, some intimation from the Secretary upon this point.

Respectfully,

Henry L. Dawes,

Chairman.

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

Fort Smith, Arkansas, November 6, 1895.

Honorable P. S. Mosely,

Principal Chief of the Chickasaw Nation,

Tishomingo, Indian Territory.

Dear Sir:-

The Commission to the Five Tribes beg leave to acknowledge the receipt of yours of the 1st. instant informing them that the Chickasaw Nation had elected four commissioners to confer with the like commissioners from the Choctaws, and also with our Commission.

They are much gratified at this action on the part of your government and anxiously await an opportunity of a conference with the joint commission thus appointed. They have not been informed what action the Choctaws have taken upon proposals sent to them at their request to be laid before their Council.

I enclose a certified copy of those propositions for your own use and for that of your commission which has been appointed by your nation. It is very desirable that early and speedy action be taken upon this subject by both of the nations, because the Congress of the United States will meet on the first Monday in December and will look to the Commission for a report of what has been done by it and what prospect there is of any action in the premises. The Commission would

2.

regret to be compelled to report to Congress that nothing has been done in reference to the matters contained in these proposals. I therefore beg to suggest that you communicate with the Choctaw authorities upon the importance of speedy action.

You will consider the enclosed propositions as made to your nation as well as to the Choctaw Nation, and will do the Commission the favor to communicate this to your commission.

The Commission also desires a certified copy of the resolution of your Council appointing this commission. You will oblige them by furnishing them such copy, and the date of its passage.

The Commission desire to be informed at the earliest possible date of the action of the joint commission of your two nations in the premises.

I am, Truly yours,
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 21, 1895.

General Frank C. Armstrong,

Member of the Commission to the Five Civilized Tribes,
Fort Smith, Arkansas.

Sir:-

By direction of this Commission you will proceed to Washington, D. C. for the purpose of conferring with the Honorable Secretary of the Interior, and submitting to him in person the report of this Commission, of date, November 18th, 1896.

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

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

Washington, February 18, 1898.

Honorable T. B. Needles,

Muskogee, Indian Territory.

Dear Mr. Needles:

I am in receipt of your favor of the 15th, instant, and note what you say concerning the card question.

It is very important, as you say, to have the **cards** printed in such manner as to allow the recording thereon of every particle of information which will enable the Commission finally to prepare correct rolls of citizenship of the various tribes. We have had this matter under consideration for some days, and with a view to determining exactly what kind of card would best suit our purpose, wired Aylesworth a few days ago for a sample of the Creek card to be used as a basis in the preparation of new ones.

For your information, I enclose sample of card which it is thought will enable us to take all the data needed. We will be glad to hear from you promptly, with suggestions as to any proposed changes you think necessary.

In taking the census of the five tribes, it will be necessary to make eight distinct rolls, as follows: Cherokee, Cherokee Freedmen, Seminoles, Choctaw, Choctaw Freedmen, Chickasaw Freedmen, Chickasaw, and Creek Freedmen. In order to guard against the mixing of cards, it has been thought wise to use a different colored card for each roll. This will require eight distinct colors in addition to the manilla card now used for the Creeks and the white card for doubtfuls. The card we send you is a sample of the cardboard.

-2-

In addition to having the cards selected and printed by the government printing-office, it has been our intention to have the card boxes made here, and ship the cards direct to the territory in such boxes. We will also get the necessary indexes here, which will have to be made to order.

From personal experience in the printing business, I do not think it is possible to have such a job as the one in question properly executed without someone being on the ground to superintend the work. The whole business can be done here by the government much cheaper than in the Territory, and this fact should be taken into account considering the amount of work we are required to do under an appropriation which is not any too large.

The sample sent you will be about one-quarter of an inch smaller after trimming. The spaces for "father" and "mother" can be made a little larger by making "remarks" smaller.

If you think well of the foregoing suggestions, please examine carefully the proposed card, and let us know of any changes you may think necessary.

The Indian Appropriation Act is still in the hands of the Committee on Indian Affairs in the House, but I understand it will be reported back to the House in a few days, concurring in certain Senate amendments, and non-concurring in others, and asking that conferees be appointed to arrange the differences.

The Curtis Bill is still in the House Indian Committee, and we have no information when it will be reported to the House.

Captain McKennon will not leave Washington for the present.

Yours very truly,

Tams Bixby

Enc.--1.

(Endorsed) # 341, Commission to Five Tribes, Muskogee, Oklahoma
Received Feb. 28, 1898. Bixby, Tams Washington, 2/18/98/ Rel. to
Census card.

COMMISSIONERS: DEPARTMENT OF THE INTERIOR,
HENRY L. DAWES. Commission to the Five Civilized Tribes.
TAMS BIXBY.
ARCHIBALD S. McKENNON.
THOMAS B. NEEDLES.

ALLISON L. AYLESWORTH, Secretary.

Muskogee, Indian Territory
October 15, 1898.

Dr. F. B. Fite,

Muskogee, Indian Territory.

Dear Sir:-

Referring to the matter of an office for this Commission about which some conversation has already been had with you, I will state that the Commission to the Five Civilized Tribes will pay you a rental of Sixty Dollars (\$60) per month for the two story frame building, situate on the open lot west of the place now occupied by Mr. J. E. Turner, and formerly the property of Henry Kendall College, upon the following conditions:

POSSESSION.

The Commission to have the sole and exclusive use of said building, with the grounds surrounding same, including outbuildings in the rear. Possession to be given November 1st, 1898. No other buildings to be erected on the grounds adjoining on the South, formerly occupied by the Presbyterian Church, without the consent of the Commission.

-2-

VAULT.

You to detach and remove the small building now attached to and connected with the main building in the rear, and there erect a fire-proof vault, accessible by a door leading from the main room of said building. The vault to be ten by fourteen by twelve feet, inside measurement, supplied with such shelving as the Commission may require, and with a substantial fire-proof door, with combination lock.

One window to be placed in the rear of said building on the west side of the vault hereinbefore referred to, and one additional window to be placed in the south wall of said large room. All windows in the said building to be put in proper condition, so they will close tightly and open and shut freely. The screens now on said windows to be removed, and in the spring, when required, to be replaced by wire screens with frames.

ELECTRIC WIRING.

You to run electric wires into all rooms and supply such incandescent lamps as the Commission may require.

WALLS.

The large room to be repapered throughout and wood-work to be painted anew. Plastering, where damaged, to be repaired, and papering repaired where defective.

CHANGES IN DOORS.

A door-way, supplied with ordinary swing door, to be cut

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between the large room on the southeast corner of said building, and the small room immediately adjoining on the north, and all doors and locks to be put in good repair., and such other reasonable repairs as may be desired.

By Order of the Commission,

Tams Bixby,

Acting Chairman.

Accepted.

F.B.Fite

(Endorsed) Union Agency No.28.Relative----to renting the building of Dr.F. B. Fite, for office purposes.----

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

Pittsfield, Mass., Oct. 27, 1898

Sir:-

In reply to your letter of the 22nd, while Acting Secretary, calling for information concerning the administration of the Act of June 28, 1898 (the Curtis Bill), and for any suggestions as to amendments of the same promotive of the best interests of the Indians and of the United States, I respectfully submit the following observations;

The act has been in force for so short a time, and its three main provisions - forcible entry and detainer, allotment, and town sites--having, as yet, been put in operation very slightly if at all, no opportunity has been given to form an opinion of much value as to its administration. I can say, however, after a pretty careful observance among the several Tribes of its enactment that its existence as a law of the United States is having a very salutary effect. The best and most progressive element among the citizen Indians look upon it as the permanent future policy of the government, and is making up its mind to adjust its own relations to the requirements of this law. It is very desirable to strengthen this belief.

There is, nevertheless, a great opposition to it among the non-progressive element which is opposed to any change no matter what. They base their opposition largely upon what they claim to be its imperfections, and through retained lawyers are proclaiming that it is so defective that Congress will be compelled to repeal it at its next session. For that purpose they are organizing a plan for sending a delegation to Washington, such as was there last winter, to effect its entire repeal. Now any amendments proposed by the Department to these three features of the act materially changing them would be disheartening to those who stand by it in the Territory, and who are now

2.

looking upon it as the permanent policy of the government. At the same time this fact would be seized upon by opposition as a confession by the government of its worthlessness and impossibility of enforcement. This would greatly strengthen them in their attempt to effect its repeal next winter.

These considerations lead me to the conclusion that, while there are admitted defects in these three features of the act, I should deprecate any material amendments coming from the Department to either of these three features of the act. These defects are not serious and are working no present harm.

As to other parts of the act, those requiring administration by the Interior Department, such as the collection and disbursement of their revenues and the like, it may be otherwise. I have observed that the Department has found some embarrassment in carrying out these provisions which will require some amendments. It will not be necessary for me to point out the amendments needed in this particular, for the Department knows what is needed better than any one else. I think that these would be all that it would be wise for the Department to initiate for the present. If they could be safely entrusted, under the rules, to a place in the Indian Appropriation Bill all the better, for then any attempt to overthrow the act must be by an independent Bill for which its promoters alone would be responsible.

I am,

Truly yours (signed) Henry L. Dawes
Chairman

The honorable Thos. R. Ryan,
Assistant Secretary of the Interior,
Washington D C

(Copy of copy attached to Commission to Five Tribes file No. 1303 in office of Supt. Five Tribes, Muskogee, Oklahoma.)

Department of the Interior
UNITED STATES GEOLOGICAL SURVEY
Section of Indian Territory Surveys

Denison, Tex.,

Dec. 23, 1898

Hon. Tams Bixby,

Acting Chairman of the Commission to the Five Civilized Tribes,
Muscogee, I.T.

Dear Sir:-

Your telegram of this date received.

I have just written Mr. Dana, conveying the information contained in your telegram concerning him. I have also written to the men whose names are contained in the list given below, requesting them to inform you immediately whether they will accept a position with the Commission for the work indicated. Upon receipt of their replies you will be enabled to make your selections and to notify them when to report.

DRAFTSMEN.

W. E. Stumph

Denison, Tex.

Mark Kirkpatrick

Fredonia, Kan.

T. W. Cothran

Greenwood, S. C.

G. F. C. Merriss

Care Y. M. C. A., St.-
Charles St., New Orleans La.

R. H. Pratt

326 Indiana St., Chicago Ill

W. O. Beall

Denison, Tex.

W. J. Cook

Denison, Tex.

M. P. Lyon

Denison, Tex.

R. A. Parker
1791.

Calvert, Tex.

-2-

In addition to these, the following names are suggested, believing that they will be competent to make the diagrams necessary, and while they are not experienced draftsmen, may prove efficient in other capacities.

J.S.Gibson	Denison, Tex.
Rees Evans	Concord Depot, Va.
F. T. Marr	1318 Corcoran St., Washington, D.C.

I shall send you the blank plats as soon as possible, probably today. If you have in your possession the copies of the township plats from which these diagrams are to be made, all that will be needed will be a few drafting implements and ink, which I suggest you authorize Mr. Dana to purchase and ship to you from St. Louis, sufficient for the needs of the number of men you will require. The implements I have are well worn and would hardly pay to send you. The cost, however, will be small, inasmuch as little will be needed for the class of work you are to do.

If I can serve you in any other way in connection with this matter, please communicate with me.

Yours respectfully,

C. H. Fitch.

(Endorsed) Union Agency No.1791 Recd.Dec.24,1898 C. H. Fitch,
Denison, Tex. Dec.23,1898----Relative to draftsmen for the
Commission.----

Wolfe City, Texas

Dec. 31, 1898.

Hon. Tams Bixby,

Chairman Dawes Commission.

Muscogee

My dear Sir:

I herewith beg to place in your hands my application for a position with your Commission on allotment or townsite work.

I fully intended calling upon you at Muscogee a week before leaving South McAlistier for this place, but was called away by telegram. Upon my way here I called on Mr. C. H. Fitch at Dennison who stated that he had mentioned my name to you in connection with future work. I had charge of a party under Mr. Fitch during the U.S. Government Surveys and upon completion of the field work last June I was detailed upon Forest Reservation Surveys in Montana and Arizona, the notes and plats in connection with this work I completed on the 3d of this month and am awaiting any further work the Department may have. I am enclosing a letter from Governor Brown of the Seminole Nation and as I am well acquainted with the Brown Brothers and also a number of the Seminole people as I had charge of that portion of the Choctaw Railroad which runs through the Seminole Nation and was located there some time I would therefore possibly be in a better position to agreeably fix their lines and any disagreement that might arise among allottees than a stranger. This no doubt would be of some assistance to you.

1859

-2-

During one of the furloughs while awaiting passing of appropriation bills I laid off the Townsite of Wewoka. The surveys and plats were made in strict conformity to such rulings of the Interior Department as at that time governed the laying off of townsites and as I have surveyed and platted a number of townsites in Oklahoma which required filing with the Interior Department and which have all passed and were approved. I am confident that the plat of Wewoka will pass. Should the Department decide to make the survey of Townsites through the Territory, it will no doubt be found necessary to make rulings governing the survey of same somewhat different to meet existing conditions.

I certainly hope that you will consider this application. My home is in South McAlester and my family live there and if I could be located at South McAlester I should much prefer it. I am at the present time locating a Railroad from Wolfe City via Bonham to Denison and shall be here some few days. The parties who are furnishing (Sic) the capital for this project will be here about the 6th of January and may possibly desire that I enter into an engagement with them for some months. I would much prefer to be in your staff and if you can hold out any offer of a position even if I should have to wait some little time I will not enter into any permanent engagement. Hoping you will pardon the length of this epistle.

I am sir

Very respectfully yours.

W. A. Lindsay.

(endorsed) # 1859 Received Jan. 2, 1898. Commission Five Tribes
W. A. Lindsay, Wolfe City, Texas. Applies for position of allotting Agent.

Office of
JOHN F. BROWN & SON.
Dealers in
GENERAL MERCHANDISE.

Sasakwa, I.T. 12/22/1898

Hon. Tams Bixby

Actg. Chairman Dawes Commission.

Muscogee, I.T.

Dear Sir;

This will introduce to you Mr. W. A. Lindsay who desires to engage with you for any work in his line that you may have to offer at the proper time. He is a Civil Engineer of experience and has done much surveying in the field for the U.S. Government; he also platted the townsite of Maokw, a map of which you have seen.

Any favors shown him will be duly appreciated.

Yours very respectfully,

John F. Brown.

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

I, William A. Smiley, do solemnly swear that I will support and defend the Constitution of the United States against all enemies domestic and foreign; that I will bear true faith and allegiance to the same; that I take this obligation freely and without any mental reservation; that I will faithfully discharge the duties of Stenographer to the Commission to the Five Civilized Tribes by correctly recording and truthfully transcribing, to the best of my ability, all such matters and things as may come to be my duty.

William A. Smiley

Subscribed and sworn to before me at Muskogee in Indian Territory on this the seventh day of January, A. D. 1899.

Tams Bixby
Commissioner

Washington, D.C.

Jan. 23, 1899

Mr. Bixby:

Dear Sir:

Having learned the character of the work in which you and your corps are now engaged, through Mr. Wallace, a hard and energetic worker with Mr. Fitch, have taken the privilege to forward an application. I have just reached the age of 21 and find my self discontent to remain in a limited position where one can advance so slow as to render little encouragement. I have resided in Wash. D.C. for the last 15 years being well acquainted.

I have enclosed one of my fathers cards thinking some one if not yourself may perhaps be acquainted with him, as I understand a number of the employees are from Wash. In regard to responding, if offered an opportunity, would assure you of an early arrival.

Hoping you will consider my application,

I remain,

Respectfully

W.A.Lee

1343 Md.Avenue N.E.

Washington, D.C

P.S. Will expect to commence anywhere you consider suitable.

(Endorsed) Union Agency No. 2233 Recd. Jan. 30, 1899 W.A.Lee. Washington D.C. Jan. 23, 1899----Appl'es for position.----

DEPARTMENT OF THE INTERIOR.

Washington.

February 6, 1899

Hon. Tams Bixby,

Member to Commission to Five Civilized Tribes,

Muscogee, I.T.

Sir:-

I am in receipt of your letter of the 25th ultimo, through the Commissioner of Indian Affairs, requesting the detail of topographer Van H. Manning, of the United States Geological Survey, to take charge of the surveyors in the execution of the allotment survey proposed to be made of the lands of the Five Civilized Tribes, under the direction of your Commission.

The Commissioner of Indian Affairs, in transmitting said letter recommends that it be referred to the Director of the United States Geological Survey for "any remarks or suggestions that he may make" with respect to this request. Said reference has been made, and upon the receipt of the report of the Director of the Geological Survey, you will be further advised in the premises.

Respectfully,

C.N.Wise,

Secretary.

Ind.Ty. Div.
317-1899.

(Endorsed) Union Agency No.2312 Recd.Feb.9,1899 Department Feb. 6,1899 Washington,D.C.----Rel. to detailing Van H. Manning to take charge of Survey corps.----

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

COMMISSIONERS.

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

ALLISON L. AYLESWORTH, Secretary.

Alikchi, Indian Territory,
April 26th, 1899.

Hon. Tams Bixby,
Chairman Dawes Commission,
Muskogee, Ind. Ter.

Dear Major:--

We received your very welcome and newsy letter, and are glad to know that you are still alive, and that you have not yet taken to hard drink, and that things are progressing so satisfactorily at headquarters.

We also received a copy of your report to the Secretary of the Interior, with which both the Capt. and myself were well pleased. We do not think it could be improved upon.

We are getting along here as well as expected, forty miles from railroad and mail but three times a week. We have enrolled about 1600 Indians and about 1500 colored. The colored people have about run out, but we will have more than enough Indians to occupy our time until the end of this appointment.

We are living well, plenty of wild turkey and fish, good sulphur water, and all are enjoying good health. We have had two days' steady rain, but our tents have kept us comfortable.

-2-

As I expected, the help is not what could be desired. Creagan is a stuffed sausage of the cheapest character. In fact he is the poorest man we have ever had on the force. Even the Captain kicks on him, and if the Captain kicks on a man he is certainly not No. 1. Abbott does very good work while we can keep him at it, but he shirks it on every occasion. Of course we will have to get along with them. Green is a very good stenographer, but writes a poor hand. Of course you know what Smiley is. He is No. 1 in all respects.

We have nothing new to write you here. We are expecting Smith back soon. We will be kept constantly busy here until the end of our appointment on the 4th of next month, when we will drag through the mud and sand to Goodland.

With kindest regards from all of us to Mr. Aylesworth, Hopkins and all the force. Please remember us kindly to Mrs. Bixby, and tell her if she was here, we could supply her with roast wild turkey every day.

There are but very few white applicants or inter-married applicants for enrollment, but the full bloods are numerous.

Send Josie down. We will take care of him and teach him something of Indian life.

Very truly yours,

T. B. Needles,
COMMISSIONER.

(Endorsed) Union Agency # 73 Letter from Commissioner Needles at Alichí Camp.

Wewoka, Indian Territory.

I T. J. Farrar do solemnly swear that I will truly and faithfully perform the duties of Appraiser and Clerk in the appraisement of lands, under the employment of the Commission to the Five Civilized Tribes, so help me God.

T. J. Farrar

Subscribed and sworn to before me, this 17th day of May 1899.

C.L.Long

Notary Public.

(Endorsed) Union Agency No.52----Relative----Employee's Oaths----

Muskogee, Indian Territory

June 6th, 1899.

I, William Perryman, do solemnly swear that I will truly and faithfully perform the duties of Interpreter under the employment of the Commission to the Five Civilized Tribes, so help me God.

William Perryman

Subscribed and sworn to before me this 6th day of June, 1899.

Tams Bixby.

Commissioner.

RULES OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

1.

The following rules are adopted for the government and proceedings of the Commission to the Five Civilized Tribes, subject to the instruction of the Secretary of the Interior.

2.

(a) The powers and duties of the Commission devolve upon it as a body, and only a quorum of its members, acting by a majority vote of said quorum, has authority to do or authorize the transaction of business.

(b) A quorum shall consist of a majority of the whole number of Commissioners authorized by law.

3.

(a) The Chairman of the Commission shall be designated by the Secretary of the Interior.

(b) An Acting Chairman shall be designated by the Secretary of the Interior, to act in case of the absence or disability of the Chairman, and in case of the disability or absence from the office of the Commission of both the Chairman and the Acting Chairman the Commissioner present who is the senior by appointment shall be the Commissioner in charge. All the duties attaching to the position of Chairman shall devolve upon the Commissioners in the order and under the conditions herein named.

(c) At least one Commissioner should always be present at the principal office of the Commission but should all the Commissioners necessarily be absent, the Secretary shall, by

-2-

virtue of his office, be next in authority, and he shall see that the orders of the Commission are executed.

(d) Whenever a Commissioner in charge shall absent himself from the central office, it shall be his duty to acquaint the Commissioners of his intended absence, and to secure, if possible, the presence at the office of a Commissioner, as provided in paragraph c of this rule.

-4-

It shall be the duty of the Chairman, or, in his absence, of the Acting Chairman, as defined in rule three, to preside over the meetings of the Commission, and, as the executive officer of the body, he shall see generally that the business of the Commission is properly and expeditiously transacted in accordance with the orders, rules and instructions of the Commission.

-5-

(a) Unless otherwise ordered, the Commission shall meet at ten o'clock A. M., every Tuesday, and in any event it shall meet the first Tuesday of each month, and a special meeting shall be called at any time desired by the Commissioner in charge, or upon the written request of a Commissioner.

(b) If in an emergency it be impracticable to convene the Commission, the votes of the Commissioners may be obtained by mail or telegraph. In such case the proposition to be passed upon shall be submitted as fully as circumstances shall permit. A reasonable time shall be allowed to hear from all the Commissioners, but if after a lapse of such time a reply be had from a

-3-

quorum, but not from all the Commissioners, the majority vote so recorded shall prevail, and a full statement of all such proceedings shall be laid before the Commission at its next succeeding meeting.

-6-

Full and correct minutes of the proceedings of all sessions of the Commission shall be kept by the Secretary, the same to be submitted to the Commission at its next succeeding meeting for its approval, and when the minutes are approved they shall be signed by the commissioner presiding, and attested by the Secretary.

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(a) All official communications should be addressed to the Commission to the Five Civilized Tribes, and not to any individual member or official of the Commission.

(b) All communications addressed to a Commissioner in his official capacity, shall, if he is absent, be considered as if addressed to the Commission and shall be treated in such manner, unless they be found upon examination to be of a personal character, in which case they shall be duly forwarded to him. If a Commissioner personally receive a communication intended for the Commission he shall promptly deliver or forward the same to the Commission for appropriate action.

(c) All letters, instructions, decisions, and communications of every nature received from the Secretary of the Interior, or Commissioner of Indian Affairs, or communications from the officials or representatives of any of the Five Civilized

-4-

Tribes, shall be submitted to the Commission at its next meeting following the receipt thereof, and if an early meeting is impracticable, it shall be the duty of the Secretary to immediately forward to each Commissioner a copy of the letter, instructions, decision or other communication so received.

(d) The annual, monthly, and other reports of similar importance, to the Department shall be submitted to the Commission for adoption before being transmitted, and it shall be the duty of the Secretary to furnish each Commissioner with a copy thereof.

(e) Letters and communications of every character conveying information of the opinion of the Commission on points of law, or construction of law or treaty provisions affecting the work of the Commission, (not previously determined by the Commission), shall be submitted to, and approved of by the Commission before being finally transmitted. All letters involving only statements of fact, and such orders and communications as relate only to the routine of the Commission, may, in the absence of all the Commissioners, be signed by the Secretary in the name of the Chairman or Acting Chairman.

(f) In cases of emergency and if all the Commissioners be absent, the Secretary, as provided in clause (e) of this rule, shall act on applications for leave of absence, due care being taken that no leave be granted in excess of the limit provided by the Commission, or to the embarrassment of the public service.

(g) Requisitions for supplies already on hand, and also for purchases or other expenditures not exceeding \$500.00 in amount at any one time, may be approved by the Commissioner in charge or, in the absence of all of the Commissioners, by the

34.

-5-

Secretary, acting as provided in clause e of this rule, provided that the Secretary shall not approve of new expenditures in excess of \$25.00 for any one purpose.

-8-

The Special Disbursing Agent, detailed from the office of the Secretary of the Interior, to disburse the funds of the Commission and to act as custodian of all public property, shall keep a clear and concise record of the transactions of his office, so that a statement of the condition of the funds and Government property can be made by him whenever he shall be called upon to do so.

-9-

All office officials and employees shall be entitled to thirty days annual leave of absence from duty, and an additional thirty days leave of absence in case of actual sickness.

-10-

The office hours of the Commission shall be from 8:30 A. M., to 12:00 M., and from 1:00 P. M., to 5:00 P. M., and the time which any office official or employee is absent from duty without leave during said office hours shall be deducted from the thirty days annual leave to which he or she may be entitled.

-11-

Employees shall not be permitted to attend to personal business or social affairs during office hours, and shall not be diverted from the duties to which they have been regularly assigned except upon instructions issued to them by the Commission through its executive officer.

-6-

-(12)-

No change shall be made in the number, pay or personnel of the employees of the Commission receiving compensation at a greater rate than \$50.00 per month, without the consent of the Commission provided that in cases of emergency a Commissioner in charge of a division of work shall have power to employ additional assistance to a reasonable extent, to be paid per diem, and such action shall be reported to the Commission at its succeeding meeting; and in the absence of all the Commissioners the Secretary may, in cases of emergency, employ additional assistance, no engagement to be for a longer period than one week and the total of expenditures of this character by the Secretary shall not exceed in amount \$25.00 for any one week, and he shall report all such actions to the Commission at its succeeding meeting.

-13-

It shall be the duty of the Chairman, or in his absence, of the Acting Chairman or Commissioner in charge, to formulate and submit plans and estimates for the prosecution of the work of the Commission, and no plans shall be entered upon or new expenditures incurred, except as specially provided for, until the same have been considered and approved by the Commission; and reports of the progress of all work shall be made to the Commission.

-14-

The Secretary of the Commission shall be generally the custodian of its correspondence and the medium through which its orders are issued. He shall be the custodian of the records of the Commission, except as the same may be entrusted to the chiefs of

-7-

(-15-)

The presiding Commissioner, as defined in rule three, shall assign and detail the employees of the Commission as he may deem for the best interest of the work of the Commission, except where otherwise provided, and he shall have the disposition and assignment of the rooms of the central office, except as the Commission may otherwise provide. But the Commission shall select out of the rooms at its disposal at said office, an appropriate room for its occupancy, the holding of its sessions, and the transaction of its business.

Department of the Interior,

Washington, D. C., July 10, 1901.

Approved:

E. A. Hitchcock.

Secretary.

(Endorsed) Union Agency No. 34.-----Relative Rules of the Commission to the Five Civilized Tribes Adopted May 13th, 1901, for its Government and Proceedings.-----

Land
32742

Department of the Interior,
OFFICE OF INDIAN AFFAIRS,

Washington,
June 22, 1901.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Department letter of November 28, 1900, approving the application of J.A.Harris, of Wagoner, I.T., for permission to enter into a contract for the purchase of stone from certain lands in the Creek Nation described in the application under and in accordance with the provisions of the act of June 6, 1900 (31 Stats., 660), there is enclosed herewith a report dated June 15, 1901, from Inspector Wright, returning said application.

The Inspector states that although Mr.Harris was advised of the approval of his application by the Department and instructed to enter into a contract with the U.S.Indian Agent for the Union Agency in accordance with the provisions of the law and the regulations promulgated thereunder, no action has been taken by him and he recommends that the approval of the application be reconsidered and that the application be disapproved.

The office concurs in Inspector Wright's recommendation.

Very respectfully,
Your obedient servant,

W.A.Jones.

Commissioner.

G.A.W.(L'e)

(Endorsed) Union Agency No. 2344 Received Jul.1,1901 Office
of U.S.Indian Inspector for the Indian Territory.Washington,
June 25, 1901.Secretary.-----Disapproves stone application
of J.A.Harris.-----

DEPARTMENT OF THE INTERIOR.

Washington.

May 31, 1902.

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

Gentlemen:

Changes in the personnel of your Commission's employees, under section 20 of the Act of Congress approved June 28, 1898 (30 Stats., 495) are hereby approved as follows, under the provisions of the same section:

Reinstatement:

Samuel W. Foster of Kansas, Clerk at \$100 per month. Reported April 15.

Promotions:

William H. Angell of Minnesota, Clerk at \$110 to \$125 per month. Reported May 16.

Edward C. Funk of District of Columbia, Clerk at \$45 to \$60 per month, instead of \$75 as requested by the Commission. Reported April 15.

Miss Gertrude Hanna of Illinois, Stenographer at \$75 to \$85 per month. Reported May 16.

Ira S. Niles of Illinois, Stenographer at \$75 to \$100 per month. Reported May 16.

Robert S. Streit of Indian Territory, Stenographer at \$75 to \$100 per month. Reported May 16.

-2-

Reductions:

Guy L. V. Emerson of Missouri, Clerk at \$150 to Law Clerk at \$125 per month. Reported May 15.

John Sharron of Missouri, Appraiser at \$100 to Storekeeper at \$60 per month. Reported May 15.

Resignation:

William T. Maxey of Indian Territory, Surveyor's Assistant at \$30 per month, effect May 19. Reported May 22.

Very respectfully,

Thos. Ryan

Acting Secretary.

Through the Commissioner of Indian Affairs.

(Endorsed) Union Agency No. 9209 Received Jun. 7, 1902 Department, Ryan, Washington, D.C. May 31, 1902. ---- Approves reinstatement Saml. W. Foster, ... promotions, Angell, Funk, Hanna, Niles and Streit. Reductions.... Emerson, Sharron. Resignation.... Maxey. ----

DEPARTMENT OF THE INTERIOR.
Washington.

June 4, 1902.

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

Gentlemen:

Changes in the personnel of your Commission's employees, under Section 20 of the Act of Congress approved June 28, 1898 (30 Stats., 495) are hereby approved as follows, under the provisions of the same section:

Promotion:

Charles E. Webster of the District of Columbia, Clerk \$45 per month to \$60 per month. Reported in letter of May 15, 1902.

Appointment:

Edward B. Miller of Illinois, Stenographer \$100 per month. Reported in letter of May 19, 1902.

Very respectfully,

Thos. Ryan

Acting Secretary.

Through the Commissioner of Indian Affairs.

(Endorsed) Union Agency No. 9270 Received Jun. 9, 1902 Department, Ryan, Washington, D.C. June 4, 1902----Approving promotion Chas. E. Webster, Appointment, Edward B. Miller.----

DEPARTMENT OF THE INTERIOR.

Washington.

June 5, 1902.

The Commission to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Changes in the personnel of your Commission's employees, under section 20 of the Act of Congress approved June 28, 1898 (30 Stats., 495) are hereby approved as follows, under the provisions of the same Section:

Promotion:

David Shelby of Mississippi, Clerk at \$120 to \$125 per month. Report May 16.

Resignation:

Clarence B. Douglas of Indian Territory, Draughtsman at \$100 per month, effect May 23. Reported May 27.

Very respectfully,

Thos. Ryan

Acting Secretary.

Through the commissioner of Indian Affairs.

(Endorsed) Union Agency No. 9371 Recd. Jun. 10, 1902 Department Ryan, Washington, D.C. June 5th, 1902.-----Approves promotion Shelby, resignation-Douglas.-----

The Western Union Telegraph Company

June 5, 1902.

13 KS NU Wn 27 Collect Govt

Received at 1032 A.M. 6/5/1902

Dated StLouis Mo. 6/5

To Hon.Tams Bixby Muskogee, I.T.

I leave for Washington one oclock tomorrow wish you to meet me
there as soon as possible

E.A.Hitchcock Secy.

(Endorsed) Union Agency No. 9198 Recd. Jun.6,1902 Hitchcock,E.A.,
St.Louis,Mo., June 4,1902.-----Leave for Washington tomorrow; wish
you to meet me there as soon as possible.-----

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

Muskogee, Ind. Ter., June 26, 1902.

The Honorable

The Secretary of the Interior.

Sir:

The Commission to the Five Civilized Tribes has the honor to report for approval, under section 20, Act of June 28, 1898, the appointment of JOHN BRANDT..... of Minnesota.... as.....surveyor's assistant..... at a salary ofthirty... dollars per month, to take effect when... he shall file the oath of office and enter on duty,

Very respectfully,

T. B. Needles.
COMM'R IN CHARGE.

THROUGH COMMISSIONER OF IND. AFFAIRS.

(This form to be used for appointments under \$50 per month)

(Endorsed) # 11241, Received Jul. 5, 1902. Comm. Five Tribes Muskogee, I.T. Subject--Reports, for Department approval, appointment of John Brandt of Minnesota, as surveyor's assistant at \$30 per month. Department of Interior Office of Secretary. July 5, 1902. Respectfully returned to Five Tribes Com. in compliance with its request of 26th instant in which it is stated that this paper is a duplication. Edward W. Dawson. Chief Clerk of the Dept.

DEPARTMENT OF THE INTERIOR.
Washington.

June 28, 1902.

Commission to Five Civilized Tribes,

Muskogee, I.T.

Gentlemen:

June 26, 1902, the Acting Commissioner of Indian Affairs transmitted the Commission's report of work performed under its direction during May, 1902, and stated that the same shows substantial progress, and recommends that you be advised of the approval thereof.

You are informed that the Department concurs in the Acting Commissioner's conclusions. A copy of his letter is inclosed.

Respectfully,

E. A. Hitchcock.

Secretary.

1 inclosure.

(Endorsed) # 11024, Received Jul. 7, 1902. Commission to Five Tribes. Muskogee, I.T. Washington, D. C., Department, Hitchcock, June 28, 1902. Approving Commission's report for the month of May, 1902.

DEPARTMENT OF THE INTERIOR.
OFFICE OF INDIAN AFFAIRS.

Washington,

June 26, 1902.

The Honorable,

The Secretary of the Interior.

Sir:-

I have the honor to transmit herewith a report made on June 14, 1902 by the Commission to the Five Civilized Tribes, showing the work performed under the direction of the Commission during the month of May, 1902, and the status of certain of the Commission's work to date, There are 40 Mississippi Choctaw cases pending in this office, 15 Cherokee citizenship cases and 8 Creek land contest cases.

The report shows substantial progress, and it is respectfully recommended that the Commission be advised of its approval.

Very respectfully,

Your obedient servant,

A. C. Tonner.
ACTING COMMISSIONER.

11024

THE WESTERN UNION TELEGRAPH COMPANY

(59)

August 20, 1902.

Number 55 Ks Sent by Bz Rec'd By An Check 71 Paid Govt

RECEIVED at 445 PM

August 20, 1902.

Dated Po Washington D. C. 9/20

To Tams Bixby Acting Chairman Muskogee I.T.

Telegram received have conferred with the Department of Justice the result being that Department in cooperation with this department will deal summarily about any government official attempting to in any way interfere directly or indirectly in the matter of the pending agreement except for the preservation of public order in accordance with specific departmental instructions and you will give notice accordingly.

E. A. Hitchcock, Secy.

(Endorsed) Union Agency No. 15408 Recd. Sep. 22, 1902 Department, Hitchcock, Washington, D. C., Sept. 20, 1902.----The Department will deal summarily with anyone attempting to interfere in the matter of the pending agreement.----

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

WASHINGTON.

August 23, 1902.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department is in receipt of a communication from the acting Secretary of the Treasury, acknowledging receipt of departmental letter, advising that "Operative Henry C. Dickey, of the Secret Service Division, has been ordered by wire to report to the Commission of the Five Civilized Tribes at Muskogee, Indian Territory, as requested."

Respectfully,

Thos. Ryan.
Acting Secretary.

(Endorsed) # 13805, Received Aug. 26, 1902. Commission to Five Tribes. Muskogee, I.T. Department, Ryan, Washington, D. C. Aug. 23, 1902. Advises that Henry C. Dickey has been ordered to report to commission.

DEPARTMENT OF THE INTERIOR.

ITD 5431-1902.

Washington.

September 2, 1902.

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

Gentlemen:

The Department is in receipt of your monthly report dated August 11, 1902, showing the work for the month ended July 31, 1902.

Said report was forwarded by the Acting Commissioner of Indian Affairs the 29th ultimo, and he recommends that it be approved. He further states that there are 154 consolidated Mississippi Choctaw cases and 5 Creek land contest cases pending in the Indian Office.

The Department concurs in the recommendation of the Acting Commissioner; said report is approved, and a copy of the report of the Acting Commissioner is inclosed herewith.

Respectfully,

Thos. Ryan

Acting Secretary.

Land
51152-1902.

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,
Washington,
August 29, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the monthly report of the Commission to the Five Civilized Tribes, showing the progress of the work under its supervision during the month of July, 1902.

This report was forwarded from Minette, Canada, on August 25, 1902 by Commissioner Breckinridge, with his report of that date.

The report shows good progress, and it is respectfully recommended that it be approved.

There are 154 consolidated Mississippi Choctaw cases and five Creek land contest cases pending in this office. All other citizenship cases have been forwarded to the Department.

Very respectfully,

Your obedient servant,

A.C. TONNER,

Acting Commissioner.

(Endorsed) Union Agency No. 14768 Recd. Sep. 11, 1902 Department,
Ryan, Washington, Sept. 2, 1902.-----Acknowledges report of Commission
for July 1902 and approves.-----

DEPARTMENT OF THE INTERIOR,

WASHINGTON

ITD 4906-1902.

September 18, 1902.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Referring to departmental letter of August 14, 1902, in which you were requested to submit draft of regulations deemed suitable and appropriate to carry into effect the provisions of sections 16 and 17 of the Act of Congress approved June 30, 1902, ratifying the supplemental agreement with the Creek Nation, you are also requested to submit at the same time, if you have not already submitted said draft, regulations relative to the disposition of lands under section 72 of the Act of Congress approved July 1, 1902 (Public 241)--agreement with the Cherokee Nation.

Early action is desired in these matters.

Respectfully,

Thos. Ryan,

Acting Secretary.

(Endorsed) Commission to Five Tribes. No. 15702. Received Sept. 25, 1902. Department, Ryan, Washington, D.C., Sept. 18, 1902. ---Requests the Commission to submit a draft of the regulations deemed suitable to carry into effects the provisions of sections 16 & 17 of the Act ratifying the agreement with the Creek Nation, and at the same time, draft of the regulations relative to the disposition of Cherokee lands.

DEPARTMENT OF THE INTERIOR.

ITD 6030-1902.

Washington.

October 3, 1902.

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

Gentlemen:

Referring to departmental letter of even date (ITD 6016 and 6017), there is inclosed herewith a letter from the President of the New England National Bank, Kansas City, Missouri, to be considered in connection therewith.

Respectfully,

Thos. Ryan,

Acting Secretary.

DEPARTMENT OF THE INTERIOR.

Washington.

ITD 6239-1902.

October 14, 1902.

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

Gentlemen:

The Department is in receipt of a communication from the Acting Commissioner of Indian Affairs, dated October 10, 1902, recommending that authority be granted for the settlement of an indebtedness amounting to \$3696.12, incurred by your Commission during the month of August, 1902, in the employment of irregular labor, as shown by the report of irregular employees therewith inclosed, payment to be made from fund applicable.

An examination of said report shows that there were eight law clerks employed, namely: James T. Watson, Robert W. Wilson, Thomas W. Leahy, L. G. Disney, Olie L. Johnson, and Frank P. Tisharner, for twenty-six days; James A. Cotner, for twenty-five days; and Edgar Kirkland, for twenty-two and one-half days.

It also appears that all of said law clerks were carried on the irregular roll for the month of July.

A further examination of said report for August shows that there were twenty-one stenographers employed, all of whom were carried on the roll of July; and that one was employed for two days, another for twenty-four days, one for twenty-five days, three for twenty-five and one-half days, and the remainder for twenty-six days.

-2-

The report also contains the names of six other clerks who were also carried on the roll for July.

The Department desires to have a full report from your Commission as to the necessity for carrying these names on the irregular roll. It is not understood that the Commission is authorized to employ law clerks, stenographers and other clerks who may be required for a considerable length of time, except in an emergency; nor does any good reason appear why the names of the law clerks who were employed for the month of July, if needed for August, were not reported to the Department for appointment in the regular way. While the Department is anxious to authorize the employment of all the force necessary to carry on the work of the Commission, yet, especially in view of the reported deficiency of \$40,000, it must insist upon a careful and economical expenditure of the public money in the employment of the force of the Commission.

You are requested to make an immediate report in the matter and the irregular roll transmitted by the Disbursing Agent will be held to await your report.

There is nothing upon the face of said report to show that said employees were authorized by the Commission. It is thought that the approval of the Commission or the Acting Chairman of the Commission should be endorsed upon each report.

You will also report the number and names of the irregular clerks that were carried on the roll for September and who are

-3-

carried as irregular employees at the present time.

Respectfully,

Thos. Ryan,

Acting Secretary.

(Endorsed) Union Agency No.18821 Recd. Oct. 20,1902 Department,
Ryan, Washington, D. C. October 14, 1902.-----Requesting an immediate report in the matter of the irregular employees carried on the roll for months of July and August, and names and number of irregular clerks on the September roll.-----

DEPARTMENT OF THE INTERIOR.

Washington.

ITD 5972-1902.

October 31, 1902.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

On September 20, 1902, you transmitted an itemized estimate of the expenses of your commission for the fiscal year ending June 30, 1904, amounting to \$222,815.

In said letter you stated:

"It is estimated that the appropriation for the fiscal year ending June 30, 1903, will be entirely exhausted before the end of the year, and that a deficiency of \$40,000 will exist. In order to complete the work outlined for the fiscal year ending June 30, 1903, the deficiency of \$40,000 required for the fiscal year ending June 30, 1903, will be expended by the close of the year, and the estimated appropriation of \$222,815 is the estimated amount necessary to carry on the work of the commission for the fiscal year ending June 30, 1904."

The Department desires that you transmit a statement of the items included in said deficiency of \$40,000, so that the same can be forwarded to the Treasury Department for transmission to Congress before the beginning of the next session. Early

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action by you is desired.

Respectfully,

E. A. Hitchcock.

Secretary.

(Endorsed) Union Agency No. 20731 Recd. Nov. 6, 1902 Department,
Hitchcock, Washington, D. C., October 31, 1902.-----Department
desires a statement of the items included in the deficiency of
\$40,000 in the appropriation for the year ending June 30, 1903.-----

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

November 19, 1902.

Mr. Clifton R. Breckinridge,
Commissioner to the Five Civilized Tribes,
Muskogee, Indian Territory.

Sir:

Leave of absence for four (4) days, reported in your letter of the 14th instant, to enable to go home to vote, is hereby granted.

Very respectfully,

Thos. Ryan.
ACTING SECRETARY.

Through the
Commissioner of Indian Affairs

(Endorsed) # 22198, Received Nov. 22, 1902. Commission to Five Tribes, Muskogee, I.T. Department, Ryan, Washington, D. C. Nov. 19, 1902. Granting leave of absence.

GEN. JOHN B. SANBORN.
EDWARD P. SANBORN.

LAW OFFICES OF
John B. and E. P. Sanborn,
Rooms 66 to 69,
National German American Bank Building,
Cor. Fourth and Robert Sts.

St. Paul, Minn.
January 9th, 1903.

Dictated.

Hon. Tams Bixby,

Dear Sir:-

Your letter and the Ninth Annual Report of the Commission to the Five Civilized Tribes has been received, for which please accept my thanks. I am greatly interested in observing the steady advancement of the Five Tribes and of the population of the Indian Territory, and of the Indian Territory itself. The progress made since 1865 and '66, when I was last in the Territory is truly wonderful. The progress seems to be in all directions, in wealth, population, civilization and manner of life generally. May this progress continue until the civilization of the Indians is at least equal to that of their white neighbors in Arkansas, Kansas and Texas.

Sincerely yours,

John B. Sanborn.

(Endorsed) Union Agency No. 804. Relative---Letter of John B. Sanborn, commending the advancement of the Five Civilized Tribes.----

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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. C M R
W A S H I N G T O N.

ITD "2502-1901.

February 13, 1903.

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

Gentlemen:

On account of the vacancy occurring by reason of the death of Chairman Henry L. Dawes, and by virtue of paragraph A of section 3 of the rules adopted for the government and proceedings of your commission, approved by the Secretary on July 10, 1901, Commissioner Tams Bixby is hereby designated as Chairman of the Commission to the Five Civilized Tribes.

Respectfully,

E. A. Hitchcock.

SECRETARY.

(Endorsed) # 4585, Commission to Five Tribes, Muskogee, Oklahoma. Department, Hitchcock, Washington, D. C. Feb. 13, 1903. Designating Commissioner Tams Bixby as Chairman of the Commission to the Five Civilized Tribes. Received Feb. 20, 1903.

FIFTY SEVENTH CONGRESS

James S. Sherman, N.Y., Chairman.
 Charles Curtis, Kans. J.C. Needham, Cal.
 Frank M. Eddy, Minn. John S. Little, Ark.
 John F. Lacey, Iowa. John H. Stephens, Tex.
 C.D. Sheldon, Mich. William T. Zenor, Ind.
 T.F. Marshall, N. Dak. J.J. Fitzgerald, N.Y.
 W.E. Brown, Wis. J. Dougherty, Mo.
 C.H. Burke, S. Dak. J. McAndrews, Ill.
 S.R. Morgan, Ohio. M.A. Smith, Ark.
 M.A. Moody, Oreg.
 H.E. Devendorf, Clerk.

COMMITTEE ON INDIAN AFFAIRS
 House of Representatives U.S.

Washington, D. C.

April 21, 1903.

Hon. Tams Bixby,

Chairman Commission to Five Civilized Tribes,

Muscogee, I.T.

My Dear Mr. Bixby:--

Permit me to thank you for your kind favor of recent date informing me that you have cared for Gilloren. I appreciate your courteous attention in this matter and can assure you of my lasting gratitude for it.

With personal regard, I am,

Sincerely yours,

J.S. Sherman.

Hon. Tams Bixby,

Dawes Commission,

Muskogee, Indian Territory.

Dear Mr. Bixby,--

Mr. William Gilloren writes me that he has about concluded his work in the field, and very much desires to secure a position in the office of the commission at Muskogee. I would be very much pleased if his desire could be complied with, and would appreciate it very much if you could see your way clear

812.

-2-

to give Mr. Gilloren something to do on the regular rolls.

Thanking you for your courteous attention, I am

Sincerely yours,

J.S.Sherman.

(Endorsed) Union Agency No. 812 Relative--Letter to Tams Bixby from J.S.Sherman, asking for employment for William Gilloren, in the office of the commission at Muskogee.-----

DEPARTMENT OF JUSTICE
OFFICE OF UNITED STATES ATTORNEY,
Northern District Of Indian Territory,
VINITA.

March 25, 1904.

Hon. Tams Bixby,
Washington, D. C.

My Dear Mr. Bixby:

As a citizen of the Indian Territory, and one interested in the outcome of the Dawes Commission as such citizen, I feel that I must write you to say that your resignation as Chairman of the Dawes Commission would be deplorable, to say the least.

There is no man alive more eminently fitted to close up the work than yourself. You need not for a moment doubt the loyalty and steadfastness of your friends who know you and who are familiar with your work; they are with you to a man. The Territory may be filled with complainers, and necessarily, in the transaction of your business, men have been disappointed, and as for the welfare of the Indian, no man can truthfully say that you have not had it always in view.

I want to assure you that if there is anything I can do for you now or any other time, I am your friend and you can command me. The motives of many men and their attacks upon government officials may be all right from their narrow standpoint, but of the integrity of the men assailed, there can be no question,
824.

-2-

as the most searching investigation has failed to bring to light any prominent example.

I presume, of course, you have seen the Muskogee Times and the Phoenix, and I heartily endorse your editorial in the Times, which, if you have not seen, I will cut out and send you. Even the very newspapers that have been attacking you are now coming around and saying that they depend and rely upon you.

You cannot afford to resign under the circumstances, and the hardship that would ensue if you did would be great to this country, and I sincerely hope that you will battle it out.

Assuring you of my steadfast friendship and highest regard for you as a man and as a citizen and that you may call upon me at any time for anything I may do, I am,

Very sincerely yours,

P.L.Soper.

(Endorsed) Union agency no.824.Relative----To resignation of Tams Bixby as Chairman of the Dawes Commission, saying it would be deplorable, to say the least.----

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory,
September 3, 1904.

Mr. Fred T. Marr,

Clerk in Charge, Chickasaw Land Office,
Tishomingo, Indian Territory,

Dear Sir:

Replying to yours of the first instant relative to Mr. McDavitt I have to advise you that after conferring with the Chairman of the Commission, I find that Mr. McDavitt was discharged from the service of the Commission under date of August 20, 1904. I enclose herewith form of oath which is now being required from persons leaving the service. Kindly secure Mr. McDavitt's signature to the same and return to this office and check will then be forwarded him up to the time of his suspension.

Kindly sign the inspection certificate enclosed herewith, also put your seal upon the enclosed oath of D.E. Turner.

Very respectfully,

Rees. Evans.

Special Disbursing Agent.

(endorsed) Union Agency No. 3562 Received Sep. 6, 1904 Commission to the Five Civilized Tribes, Muskogee, Indian Territory. Regarding discharge from the service, of the Commission of Mr. McDavitt----

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

Muskogee, Indian Territory,

September 26, 1904.

Rees Evans,

Special Disbursing Agent,

Dear Sir:

Your attention is invited to the following rule adopted by the Commission at a session held June 29, 1903:

"Hereafter no leaves of absence with pay will be granted to employes of the Commission for a longer time than has been earned for the year at a rate of two and a half days per month."

In construing this rule you will have the same apply to applications for both annual and sick leave, and in reporting the number of days for which an applicant is entitled to leave you will compute the same from the beginning of the calendar year up to and inclusive of the end of the month in which the application is made, at a rate of two and a half days for each month.

Very respectfully,

(signed) Tams Bixby,

Chairman.

(Endorsed) Union Agency No. 3989 Received Sep. 29, 1904 Commission to the five Civilized Tribes, Muskogee, Indian Territory.----Rel. to rule adopted by the Commission.----

COMMISSIONERS:
TAMS BIXBY.
THOMAS B.NEEDLES.
C.R.BRECKINRIDGE.

Wm.O.BEALL,
Secretary.

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Address only the
commission to the Five Civilized Tribes.

Muskogee, Indian Territory,
October 25, 1904.

Commissioner in Charge,
Chickasaw Land Office,
Tishomingo, Indian Territory.

Dear Sir:

Enclosed, please find list of Attorneys and Agents admitted to practice before the Commission. The same has been corrected to October 25th.

Respectfully,

Tams Bixby,
Chairman.

(Endorsed) Union Agency no.4468. Relative----list of Attorneys and Agents admitted to practice before the Commission.----

ATTORNEYS & AGENTS.

Admitted to practice before the Commission

October 25, 1904.

Allen, Clay.	Muskogee, Indian Territory.
Allen, Harry K.	Gallatin, Missouri.
Allen, Joseph N.	Muskogee, Indian Territory.
Andrews, Leonidas C.	Ada, " "
Apple, Samuel A.	Tishomingo, " "
Arnote, J.S.	South McAlester, Indian Territory
Arnote, Andrew J.	Antlers, Indian Territory.
Andrews, Guy L.	Wilburton, " "
Ayers, Fred H.	Atoka, " "
Bacho, Fred W.	Mobile, Alabama.
Bagg, Charles,	Atoka, Indian Territory.
Bailey, Frank M.	Chickasha, " "
Bailey, Melvin G.	Muskogee, " "
Bailey, De Roos.	Muskogee, " "
Banks, Winston T.	Wewoka, " "
Baugh, Joel L. (Agent)	Ft. Gibson, " "
Beadle, Samuel A.	Jackson, Mississippi
Beavers, Wm.W.	Chickasha, Indian Territory.
Bell, Lucien,	Vinita, " "
Benge, George W.	Tahlequah, " "
Bingham, William H.	Tishomingo, " "
Blanton, James T.	Pauls Valley, " "
Bleakmore, Willard R.	Ardmore, " "
Bledsoe, Samuel T.	Ardmore, " "
Bledsoe, Isaac P. (Agent)	Choteau, " "
Blue, Richard W.	Columbus, Kansas.
Bolger, Perry C.	Poteau, Indian Territory.
Bonds, Archibald.	Chelsea, " "
Boudinot, Frank J.	Tahlequah, " "
Bowman, William F.	Ardmore, " "
Boyd, E. Allen.	Tishomingo, " "
Bozarth, Mark L.	Okmulgee, " "
Bolen, James W.	Ada, " "
Bourland, Wm. F.	Tishomingo, " "
Bradley, Horace.	Wewoka, " "
Brennan, Francis R.	Bixby, " "
Brewster, Alpheus C.	Pryor Creek, " "
Bringham, William A.	Coweta, " "
Brook, Eck. E.	Muskogee, " "
Brook, Walter N.	Muskogee, " "
Brown, Louis T. (Agent)	Vinita, " "
Brown, Henry H.	Ardmore, " "
Brown, Thomas Sebastian Ernest,	Ardmore, " "
Brown, Ancel D.	Lehigh, " "
Brewer, Philip D.	S. McAlester, " "
Brunson, David D.	Coalgate, " "
Buckley, John L.	Enterprise, Mississippi.

-2-

Buell, J. Garfield.
 Burris, George W.
 Butler, Sam H.
 Butte, Geo. Chas.
 Bulger, James J.
 Bond, Reford,

Calkins, Edward,
 Calloway, Alfred M.
 Campbell, Joe G.
 Campbell, Neb.
 Cannon, Hal M.
 Carrington, Walter H.
 Cassidy, William J.
 Carr, Henry M.
 Chambers, James H.
 Chase, Wilson A.
 Chenault, Waller.
 Clark, Edwin O.
 Clarke, Morris G.
 Clayton, Junius P.
 Clover, Sutton S. (Agent)
 Cobb, Madison I.
 Coffee, Rus N.
 Cole, Thomas J.
 Coleman, Wm. Ware,
 Cook, Isaac L.
 Cotner, George (Agent)
 Cotner, James A.
 Cox, Jefferson D.
 Cole, Preslie B.
 Cook, Chas. Alston,
 Crafton, Anthony,
 Crenshaw, Charles R.
 Cruce, William I.
 Crump, William Jackson.
 Crump, George C.
 Currie, William G.
 Curtis, William L.
 Couch, R. H.
 Crosthwaite, Frank B.

Davenport, Luda P.
 Davenport, James S.
 Davis, Josiah G.
 Davis, Harry G.
 Davis, Preston S.
 Davis, Wm. O.
 Dean, Thomas R.
 De Graffenried, Robert P.
 Degroot, John L.
 Denison, George B.
 Doty, Lemuel H.
 Dubois, Tous H.
 4468.

Muskogee, Indian Territory.
 Tishomingo, " "
 Ardmore, " "
 Muskogee, " "
 Columbus, Kansas.
 Chickasha, Indian Territory.

Tulsa, Indian Territory.
 Claremore, Indian Territory.
 Atoka, " "
 Pryor Creek, " "
 Ardmore, " "
 S. McAlester, " "
 Tishomingo, " "
 Pauls Valley " "
 Atoka, " "
 Nowata, " "
 Tishomingo, " "
 Whitefield, " "
 Okmulgee, " "
 Wagoner, " "
 Vinita, " "
 Hot Springs, Arkansas.
 Pauls Valley, Indian Territory.
 Waxahachie, Texas. " "
 Atoka, Indian Territory.
 Atoka, Indian Territory.
 Muskogee, Indian Territory.
 Tishomingo, " "
 Wagoner, " "
 Pauls Valley " "
 Muskogee, " "
 Muskogee, " "
 Sherman, Texas? "
 Ardmore, Indian Territory.
 Muskogee, " "
 Wewoka, " "
 Ada " "
 Sallisaw " "
 Westville, " "
 Washington, D.C.

Antlers, Indian Territory.
 Vinita, " "
 Muskogee, " "
 Muskogee, " "
 Vinita, " "
 Gainesville, Texas.
 S. McAlester, Indian Territory.
 Muskogee, Indian Territory.
 Tahlequah, " "
 Vinita, " "
 Meridian, Mississippi.
 S. McAlester, Indian Territory.

-3-

Duval, Ben T.
Dolman, Lewis S.

Okmulgee, Indian Territory.
Tishomingo, " "

Easton, Eugene,
Eddleman, Alixis,
Elting, Cornelius H.
Eppstein, Louis B.
Etheridge, Allen G.
Eubanks, Ira N.
Edwards, Joseph A.

Antlers, Indian Territory
Ardmore, " "
Caddo, " "
Denison, Texas.
Atoka, Indian Territory.
S. McAlester, " "
McGee, " "

Fant, Leon B.
Farmer, Winfield S.
Faucett, Lemuel S.
Fears, Walter T.
Fechheimer, Charles M.
Ferguson, A. H.
Fitzpatrick, George,
Fogle, George Preston.
Forrest, Edwin, J.
Fort, Brooks.
Foreman, Grant,
Fortune, George M.
Foster, Townsend N.
Foulds, John F.
Foy, Malcom P.
Fowler, Henry J.
Fooshee, Geo. A.
Franklin, Buck C.

Wagoner, Indian Territory,
Atoka, " "
Holdenville, " "
Eufaula, " "
Chickasha, " "
S. McAlester, " "
S. McAlester, " "
Vinita, " "
Muskogee, " "
S. McAlester, " "
Muskogee, " "
S. McAlester, " "
S. McAlester, " "
Muskogee, " "
Decatur, Mississippi.
Poteau, Indian Territory.
Coalgate, " "
Springer, " "

Gallaspy, William H.
Galloway, Clifford L.
Gardner, Robert H.
Garrett, Marion L.
Gibson, Nathan A.
Gibson, Jo Somervell (Agent)
Givens, James M.
Gierke, Wm. F. A.
Gordon, James H.
Gordon, Robert Lee.
Gower, W.C.
Grace, George A.
Graham, James Clinton,
Green, William A.
Greer, William H.C.(Agent)
Gresham, James E.
Gubser, Nicholas J.
Guess, Henry A.
Graves, Orlin H.

Hickory, Mississippi.
Sherman, Texas.
Tishomingo, Indian Territory.
Tishomingo, Indian Territory.
Muskogee, Indian Territory.
Tishomingo, " "
Muskogee, " "
Beggs, " "
S. McAlester, " "
Muskogee, " "
Antlers, " "
S. McAlester, " "
Ardmore, " "
Muskogee, " "
Sherman, Texas
S. McAlester, Indian Territory.
Tulsa, Indian Territory.
S. McAlester, " "
Pryor Creek, " "

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Hart, James,
 Hagler, John S.
 Halsell, Robert E.
 Hall, James W.
 Hayes, Samuel W.
 Harley, Jack G.
 Harnage, Jesse L.
 Harrison, William M.
 Haskell, Norman R.
 Harrison, William H.
 Hastain, Eddy,
 Hastings, W. W.
 Hatchett, Jesse M.
 Heard, Shelton,
 Hedrick, Frank R.
 Heflin, H. Bruce.
 Heidelberg, Daniel W.
 Herbert, Calvin L.
 Hicks, Virgil.
 Hill, E. P.
 Hill, Jesse H.
 Hill, John C.
 Holcomb, Joel R.
 Holding, Benjamin F.
 Homer, Solomon J.
 Horton, Lorenzo D.
 Horton, William J.
 Huckleberry, James H. Sr.
 Humphrey, Thomas C.
 Humphrey, Walter D.
 Humphreys, James M.
 Hunt, William T.
 Hutchings, William T.

Irvin, William S. (Agent)
 Isaac, Sandy W.

Jackson, Wayman Crow.
 Jenkins, Thomas A.
 Johnson, Brown S.
 Johnson, J. E.
 Jones, Jos. J.
 Jones, J. W.
 Jones, Cornelius J.
 Julien, Charley C.

Keith, John Henry
 Kimball, Harry G.
 King, James A.

Muskogee, Indian Territory.
 Bowie, Texas.
 Laurel, Mississippi.
 Poteau, Indian Territory.
 Chickasha, I. T.
 S. McAlester, I. T.
 Tahlequah, I. T.
 Muskogee, I. T.
 Muskogee, I. T.
 Poteau, I. T.
 Tishomingo, I. T.
 Tahlequah, I. T.
 Durant, I. T.
 Tishomingo, I. T.
 Madill, I. T.
 Sherman, Texas.
 Shubuta, Mississippi.
 Ardmore, I. T.
 Atoka, I. T.
 S. McAlester, I. T.
 Muskogee, I. T.
 Meridian, Mississippi.
 Pervis, Mississippi
 Chickasha, Indian Territory.
 Caddo, I. T.
 Durant, I. T.
 S. McAlester, I. T.
 Sallisaw, I. T.
 S. McAlester, I. T.
 Vinita, I. T.
 Atoka, I. T.
 Wagoner, I. T.
 Muskogee, I. T.

Nowata, Indian Territory.
 Muskogee, Indian Territory.

Muskogee, Indian Territory.
 Muskogee, I. T.
 Durant, I. T.
 Poteau, I. T.
 Sapulpa, I. T.
 Atoka, I. T.
 Greenville, Mississippi.
 Bartlesville, Indian Territory.

Coffeyville, Kansas.
 Washington, D. C.
 Tahlequah, Indian Territory.

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Kistler, Ernest L.
King, Isaac M.
Kornegay, Wade H.

Holdenville, Indian Territory.
Ada, I.T.
Vinita, I.T.

Langley, J. Howard,
Lawson, Eugene B.
Ledbetter, Walter A.
Leslie, Samuel F.
Lester, Richard M.
Lester, Preston S.
Lewis, Fielding.
Ledbetter, Hugh A.
Lee, Robert E.
Leeds, Clarence L.
Lindley, Madison M.
Linebaugh, D. Haden,
Linebaugh, John H.
Linton, William E.
Lieber, John G.
London, John
Long, James A.
Losey, Thomas B.
Louis, Stephen R.
Lowe, Cornelius G.
Lowe, Sedley, S.
Lowery, Jesse C.
Lucas, W. M.
Luckett, S. D.

Pryor Creek, Indian Territory.
Nowata, I.T.
Ardmore, I.T.
Okmulgee, I.T.
Tishomingo, I.T.
S. McAlester, I.T.
S. McAlester, I.T.
Ardmore, I.T.
Ardmore, I.T.
Sapulpa, I.T.
S. McAlester, I.T.
Atoka, I.T.
Atoka, I.T.
Muskogee, I.T.
Muskogee, I.T.
Poteau, I.T.
Wetumka, I.T.
Atoka, I.T.
Claremore, I.T.
Muskogee, I.T.
Sterrett, I.T.
Muskogee, I.T.
Tishomingo, I.T.
Washington, D.C.

Marsh, Andrew J.
Marrs, Franklin L.
Martin, Ben Jr.
Martindale, Dorrance M.
Mathers, James H.
Maytubby, Joseph S.
Maxey, Napoleon B.
Mellette, William M.
Merrick, Edward.
Melton, Alger,
Moore, William H.
Moore, Edward H.
Mood, Asbury F.
Morris, Eugene E.
Morris, John W.
Mosley, Arthur G.
Moulton, Frank L.
Muldrow, H. L.
Mullen, Joseph S.
Murchison, Kenneth S.
Murray, William H.
4468.

Ardmore, Indian Territory.
Sapulpa I.T.
Muskogee, I.T.
S. McAlester, I.T.
Ardmore, I.T.
Tishomingo, I.T.
Muskogee, I.T.
Muskogee, I.T.
Muskogee, I.T.
Chickasha, I.T.
S. McAlester, I.T.
Okmulgee, I.T.
Claremore, I.T.
Ryan, I.T.
Tishomingo, I.T.
Denison, Texas
Muskogee, Indian Territory.
Tishomingo, I.T.
Ardmore, I.T.
Tahlequah, I.T.
Tishomingo, I.T.

-6-

McClure, John A.
 McCulloch, George E.
 McCurtain, D.C.
 McDougal, Daniel A.
 McGarr, Arthur F.
 McIntosh, Cheesie,
 McKeel, John F.
 McKennon, A.S.
 McMillan, Robinson,
 McMillan, John Walter,
 McMurtry, Horace C.
 McPherrren, Charles E.
 McRea, A.S.

Chickasha, Indian Territory.
 Vinita, I.T.
 S. McAlester, I.T.
 Sapulpa, I.T.
 Eufaula, I.T.
 Checotah, I.T.
 Ada, I.T.
 S. McAlester, I.T.
 Pauls Valley, I.T.
 S. McAlester, I.T.
 Pauls Valley, I.T.
 Caddo, I.T.
 Muskogee, I.T.

Nelson, Thos. O.
 Neale, Archie D.
 Needles, Homer, (Agent)
 Newman, Edward A.
 Newman, Henry O.
 Norman, Thomas.
 Norwood, Andrew H.
 Nicolds, Edward Fountain,

Ft. Towson, Indian Territory.
 Chetopa, Kansas.
 Muskogee, I.T.
 Ardmore, I.T.
 Tishomingo, I.T.
 Ardmore, I.T.
 Vinita, I.T.
 Caddo, I.T.

O'Bryan, Julion B.
 O'Reilly, Ellis, I.
 Osborn, Roy T.
 Owen, Thomas H.
 Owen, Chas.
 Osborn, Stephen J.

Tishomingo, I.T.
 Eufaula, I.T.
 Coffeyville, Kansas
 Muskogee, I.T.
 Nowata, I.T.
 Coffeyville, Kansas.

Parks, Samuel F.
 Paschal, Ridge,
 Payne, Wm. R.
 Person, Harry L.
 Phillips, Chas. A.
 Pierce, Francis A.
 Pitchford, John H.
 Pixley, James W.
 Pool, J. O.
 Porter, George M.
 Potter, Clement C.
 Potter, William D.
 Potter, Clem B.
 Potts, Theodore F.
 Pursel, Carl
 Pyeatt, Alvin F.

Vinita, Indian Territory.
 Tahlequah, I.T.
 Muskogee, I.T.
 Denison, Texas
 Durant, I.T.
 Ardmore, I.T.
 Tahlequah, I.T.
 Tulsa, I.T.
 Nocona, Texas
 Eufaula, I.T.
 Gainesville, Texas
 Ardmore, I.T.
 Gainesville, Texas
 Wagoner, I.T.
 Muskogee, I.T.
 Pauls Valley, I.T.

Querry, Archibald, R.

Tulsa, Indian Territory.

Ralls, Joseph G.
 Rampendahl, Wm.
 Rappolee, John L.
 Rasmus, William F.
 Reed, Guy S.
 Reed, Henry C.
 Redmon, John G. V.
 Redwine, Wilburn N.
 Rennie, Albert,
 Rice, Francis E.
 Richardson, D. A.
 Riddle, Seymour,
 Rider, George E.
 Ridley, Henry M.
 Riley, Chilion,
 Rogers, William E.
 Rosenwinkel, Gustav (Agent)
 Ross, Joshua (Agent)
 Rosser, Malcolm E.
 Root, William P.
 Rushing, Francis W.
 Rogers, Charles D.

Atoka, I. T.
 Muskogee, I. T.
 Caddo, I. T.
 Tahlequah, I. T.
 Tahlequah, I. T.
 Lee, I. T.
 Tishomingo, I. T.
 S. McAlester, I. T.
 Pauls Valley, I. T.
 Lindsay, I. T.
 S. McAlester, I. T.
 Vinita, I. T.
 Madill, I. T.
 Atoka, I. T.
 Tishomingo, I. T.
 S. McAlester, I. T.
 S. McAlester, I. T.
 Muskogee, I. T.
 Poteau, I. T.
 Sapulpa, I. T.
 Eufaula, I. T.
 Okmulgee, I. T.

Sango, Alexander G. W. (Agent)
 Scarborough, Daniel G.
 Scruggs, Frank.
 Seavers, William F.
 Sharp, John F.
 Slough, Elmer D.
 Smith, Edgar,
 Sprinkle, Thos. Vinson.
 Spain, Ellis M.
 Spriggs, C. aude P.
 Sprowle, Walter T.
 Stanfield, Wade S.
 Stanford, H. E. P.
 Starr, John C.
 Stephens, Charles D.
 Stewart, William P.
 Stone, Jos. C.
 Stuart, Chas. B.
 Sullivan, William J.
 Swett, Arthur W.

Muskogee, Indian Territory.
 Natchitoches, La.
 Muskogee, I. T.
 Muskogee, I. T.
 Purcell, I. T.
 Madill, I. T.
 Vinita, I. T.
 S. McAlester, I. T.
 Atoka, I. T.
 Fort Towson, I. T.
 Durant, I. T.
 Vinita, I. T.
 Okmulgee, I. T.
 Vinita, I. T.
 Tishomingo, I. T.
 Antlers, I. T.
 Okmulgee, I. T.
 S. McAlester, I. T.
 Muskogee, I. T.
 Tahlequah, I. T.

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Taylor, Thomas D.
 Templeton, James A.
 Terrall, Samuel H. Jr.
 Thigpen, Joseph H.
 Thomas, John R.
 Thomas, Clarence L.
 Thompson, Joseph B.
 Thompson, William P.
 Thompson, James C.
 Threadgill, Colin M.
 Tillotson, James A.
 Tolbert, Sidney R.
 Toomer, Robert,
 Treadwell, S.C.
 Trotter, Alex W.
 Twine, William H.
 Trotter, R.M. (Agent)
 Twitchell, Wm. E.

Utterback, Wm. E.

Van, William H. (Agent)
 Van Hoy, Wm. C.
 Van Leuven, Bert,
 Vaughan, Robert M.
 Vaughan, Thomas J.
 Veasey, James A.
 Vernon, Don O.
 Von Weise, Charles,

Walker, Edward A.
 Walker, William I.
 Walround, Z.T.
 Walters, George W.
 Warner, Charles E.
 Watkins, John,
 Watts, Thomas J.
 Watts, Jesse W.
 West, Alonzo, T.
 West, Preston C.
 West, Robert H.
 Welborne, Robert D.
 Wheeler, Charles,
 White, Eugene E.
 White, Myron,
 White, William Henry,
 Whitehead, James E.

S. McAlester, Indian Territory.
 Sherman, Texas.
 Shubuta, Mississippi
 Wagoner, I.T.
 Muskogee, I.T.
 Muskogee, I.T.
 Pauls Valley, I.T.
 Tahlequah, I.T.
 Ardmore, I.T.
 Coalgate, I.T.
 Nowata, I.T.
 Ada, I.T.
 Muskogee, I.T.
 Tishomingo, I.T.
 Shubuta, Mississippi.
 Muskogee, I.T.
 West Point, Mississippi
 Lenapah, I.T.

Durant, Indian Territory.

Lenapah, Indian Territory.
 Bartlesville, I.T.
 Tahlequah, Indian Territory
 Hillsborough, Texas
 Durant, I.T.
 Tahlequah, I.T.
 Lebanon, Missouri
 Tishomingo, I.T.

Ardmore, Indian Territory.
 Marietta, I.T.
 Muskogee, I.T.
 San Saba, Texas
 Ft. Smith, Arkansas
 Muskogee, Indian Territory
 Sallisaw, I.T.
 Sallisaw, I.T.
 Lehigh, I.T.
 Muskogee, I.T.
 Ardmore, I.T.
 Chickasha, I.T.
 Muskogee, I.T.
 Sulphur, I.T.
 Muskogee, I.T.
 Washington, D.C.
 S. McAlester, Indian Territory.

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Wiggins, Sherman T.
 Wilkins, Thomas B.
 Wilkinson, Wallace,
 Wilkins, John H.
 Williams, Haley B.
 Williams, Robert L.
 Wilson, Dennis H.
 Winchester, Thomas P.
 Winn, Ulysses G.
 Wisdom, Dew M.
 Wolfe, Nick,
 Wolfenberger, William S.
 Wood, W.W.
 Wood, James R.
 Worrall, Philip J. (Agent)
 Wright, Thomas L.
 Williams, Chas. B.

Yantis, James A.
 Young, Jno. T.

Zevely, Jas. W.

Ardmore, Indian Territory.
 Durant, I.T.
 S. McAlester, I.T.
 S. McAlester, I.T.
 Craig, Missouri.
 Durant, I.T.
 Vinita, I.T.
 Ft. Smith, Arkansas
 Ada, Indian Territory.
 Muskogee, I.T.
 Tishomingo, I.T.
 Muskogee, I.T.
 Okmulgee, I.T.
 Coalgate, I.T.
 Claremore, I.T.
 Tishomingo, I.T.
 S. McAlester, I.T.

S. McAlester, I.T.
 Tishomingo, I.T.

Muskogee, Indian Territory.

FIFTY-EIGHTH CONGRESS,
Third Session.

CONGRESS OF THE UNITED STATES.

In the House of Representatives.

January 27, 1905.

RESOLVES, That the Secretary of the Interior be, and he is hereby requested, if not incompatible with public interests, to inform the House of Representatives whether or not any member of the Commission to the Five Civilized Tribes in the Indian Territory, commonly known as the Dawes Commission, or any clerk or employee in the Indian Service in the Indian Territory, who are required to make oath that they have no financial interest with any person or corporation dealing in Indian lands, as required by Act of Congress approved April twenty-first, nineteen hundred and four, have refused to make said oath and have not drawn their salary because of such refusal, and the name or names of any such officer, or employee, and whether he has knowledge of or is in any way advised that any such officer or employee has been or is now engaged in dealing in Indian lands through corporations or otherwise.

Attest:

(signed) S. McDowell,
Clerk.

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(Endorsed) Union Agency No.10958 Received Dec.31,1904
Office of U.S.Indian Inspector for Indian Territory.Washington,
Jan.28,1905.Secretary.----Encloses copy of resolution of House
of Representatives requesting information as to whether any em-
ploye in Indian Service in Ind.Ter., has refused to take oath
that he is not interested in Indian lands directed to report
thereon.----

DEPARTMENT OF THE INTERIOR
Office of First Assistant Secretary
Washington.

March 14, 1905.

My Dear Mr. Bixby:-

Dixon H. Bynum, age twenty-eight years, a young lawyer with some practice and good ability, is very anxious to get employment as a law clerk in your service. He is a son of Congressman Bynum with whom I served in Congress and I feel some interest in the matter. If you need his services I am confident you will find him useful.

Let me know whether there is any chance for him.

Very truly yours,

Thos. Ryan

I don't want you to take him unless the service actually needs him.

Ryan.

Hon. Tams Bixby,
Muskogee, I. T.

(Endorsed) Union Agency No. 803 Re. Dixon H. Bynum----young lawyer, and son of Congressman Bynum, seeking employment with Mr. Bixby----

DEPARTMENT OF THE INTERIOR.
Washington.

DIRECT.

I.T.D. 7366-1906.

September 18, 1906.

The United States Indian Inspector

for Indian Territory, Muskogee, Ind.Ter.

Sir:

On May 3, 1906, you were directed to make a report upon a copy of a letter from the Commissioner of Indian Affairs, dated April 30, 1906, submitting quotations from a "confidential personal letter" concerning alleged collusion between a certain employee of the Dawes Commission and W.W. Wright, of this city.

The Department has not received said report. You are requested to forward it at once, or a copy of your report, if one has already been forwarded,

Respectfully,

Jesse E. Wilson
Assistant Secretary.

(Endorsed) Union Agency # 15329 Received Sep. 20, 1906.
Office of U.S. Indian Inspector for Indian Territory.
Washington, D. C. Sept. 18, 1906. Secretary. Calls for immediate REPORT on letter of Commissioner Indian Affairs of April 30, 1906, referred by Dept. May 3, 1906, relative alleged collusion between certain employee of Dawes Commission and W. W. Wright, of Washington, D. C.

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

Education
11998/1907
11313 "
16069 "
20505 "

March 4, 1907.

U. S. Indian Inspector
for Indian Territory,
Muskogee, I.T.

Sir:

There is enclosed herewith a letter addressed to Mr. Frederick H. Umholtz, advising him that his official bond under his appointment of February 1, 1907, as Supervisor for the Chickasaw Nation in the Indian Territory, has been received and approved.

The Department has been requested to accept the resignation of Mr. George Beck to take effect with the day preceding that on which Mr. Umholtz enters on duty.

Please advise this Office of the date of termination of service of Mr. Beck and the entrance on duty of Mr. Umholtz.

Very respectfully,

C. F. Larrabee,
ACTING COMMISSIONER.

(ENDORSED) Union Agency # 16962 Received March 7, 1907. Office of U.S. Indian Inspector for Indian Territory. Washington, D.C. March 4, 1907. Commissioner. Relative appointment of Fred'k H. Umholtz, and resignation of Mr. Beck.

APPRAISERS IN CHARGE OF CAMPS, SALARY \$110.00 per Month.

NAME	STATE	REMARKS
Brunner, Jacob	New York	Cong. Sherman of New York urges retention #9707.
Foreman, Grant	Illinois	7/9 Ordered to contest Dept. Gen'l. office.
Irish, George H.	Minnesota	Excellent man.
Kessler, Henry C.	Wyoming	Excellent man.
Needles, Homer	Illinois	Assigned to the Creek land office 7/6/1901.
Williams, W.S.	Ohio	President desires this man retained.
Fleming, Roscoe	Indian Territory	Assigned to camp #5. July 9, 1901.
Foster, S. W.	Kansas	A bro. of Senator Foster of Washington State. Retention urged.
Mueller, M. J.	Minnesota	Bishop Whipple desires man retained #9996.
Nichols, L. G.	Texas	Assigned to Camp #5. July 9, 1901.
Price, M. V.	Missouri	Rep. Benton of Mo. urges retention #9905. A poor clerk and poor appraiser.
Raff, Ray M.	Ohio	Desires to continue in service. Possesses clerical ability. See 10049.
Stanley, T. O.	Missouri	Assigned to survey camp #5 as surveyor. W.D. Christian on leave.
Winters, M. S.	Arkansas	Cong. Little of Ark. desires this man retained #9897.

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Allen, Andrew

Indian Territory Assigned to Camp 5 as 1st
teamster. July 5, 1901.

(Endorsed) Union Agency No. 53 Relative-----List of employees engaged in appraisement of lands and estimating timber.-----

MEMORANDUM.

While I believe that the enactment of all of the sections of the bill, as indicated in my letter, would facilitate the work of the Commission, the following sections are most essential to the completion of the work:

Section 1: Closing citizenship rolls. An effort has been made to attach this provision to the Indian Appropriation bill in the Senate.

Section 3: Advancing Cherokee Freedman injunction suit on court docket.

Section 4. Amends Enid and Anadarko Act.

Section 9. Providing that Court shall designate homestead from allotments of deceased Creeks, where issue born since May 25, 1901.

Section 10. That patents to deceased allottees shall issue in name of such deceased allottee.

Section 12. Issuance of deeds in Seminole Nation, and designation of homesteads.

Section 13. Surplus land in Seminole Nation to be allotted to new borns.

Section 14. Providing that \$500,000 set apart as school fund in Seminole Nation be returned to general fund; for per capita payment of \$200, and providing for use of sufficient principal to equalize loss in interest on invested funds.

Section 15. Appointment of public administrator in Seminole Nation.

Section 17. Extends to Seminole Nation law authorizing platting of townsites by private parties; makes such platting

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in any nation unlawful except by consent of Secretary of Interior.

Section 18. Conveyance of lands reserved from allotment provided for.

Section 19. Secretary of Interior to act in place of any chief or governor failing or refusing.

Section 20. Commission to secure and record all deeds to town lots in Choctaw and Chickasaw Nations, and all other deeds; deeds to be approved by Secretary of Interior and to convey title.

Section 21. Unlawful for any recorder to record any unapproved deed, or deed to land not alienable.

Section 27. Tribal indebtednesses to be paid under direction of Secretary.

Section 28. On dissolution of tribal governments, U. S. to purchase tribal public property; appraisement.

Section 29. Residue of lands in all tribes to be sold and money used in equalizing allotments as far as necessary.

Section 30. Distribution of tribal funds.

(Endorsed) Union Agency No. 862. Relative--Enrollment of Indians--re. sections of the bill, most essential to the completion of the work.-----