

February 11, 1963

*Int. Indians*

Mrs. Marie L. Wadley  
Executive Secretary  
Muskogee Area Office  
Bureau of Indian Affairs  
Muskogee, Oklahoma

Dear Mrs. Wadley:

Thank you for sending me the resolution adopted by the Executive Committee of the Cherokee Tribe authorizing and directing the Principal Chief to open negotiations with the Department of the Interior with a view to the re-acquisition of title and possession of 2,667.94 acres, more or less, of land acquired by the United States and reserved for the education of Indian children.

I appreciate being informed of this action, and will look forward with interest to the results of Chief Keeler's negotiations with the Interior Department.

With best regards, I am

Sincerely yours,





W. W. KEELER  
PRINCIPAL CHIEF  
1118 SO. DEWEY  
BARTLESVILLE, OKLAHOMA

CHEROKEE NATION

February 7, 1963

Senator A. S. Mike Monroney  
United States Senate  
Washington 25, D. C.

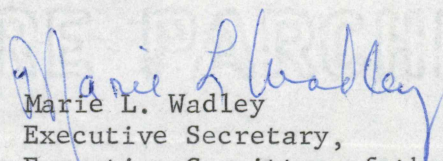
Dear Senator Monroney:

There is forwarded herewith Resolution adopted by the Executive Committee of the Cherokee Nation or Tribe of Indians at a special called meeting held at Muskogee, Oklahoma on January 26, 1963.

This Resolution authorizes and directs the Principal Chief of the Cherokee Nation to open negotiations with the Department of the Interior with a view to the re-acquisition of title and possession of certain lands described therein.

This Resolution is forwarded to you for your information and action.

Sincerely yours,

  
Marie L. Wadley  
Executive Secretary,  
Executive Committee of the  
Cherokee Nation

Enclosure



SOUTH-WESTERN COLLEGE  
RESOLUTION OF THE EXECUTIVE COMMITTEE OF THE CHEROKEE NATION  
MEETING UPON THE CALL OF THE PRINCIPAL CHIEF  
IN MUSKOGEE, OKLAHOMA, ON SATURDAY, JANUARY 26, 1963.

Whereas, the Department of the Interior has determined that certain lands, more particularly set forth and described in Exhibit "A", attached hereto, and made a part hereof, situate in Kay County, Oklahoma, is surplus and in excess of the needs for the maintenance and operation of the United States Indian  School at Chilocco, Oklahoma, and

Whereas, The legal title to said lands is vested in the United States. The history of said title is as follows: That said lands originally were a part of the Louisiana Purchase, acquired under the terms of a Treaty between France and the United States, during President Jefferson's administration in 1803; that under the terms of the Cherokee Treaties of May 6, 1828, 7 Stat. 311, February 14, 1833, 7 Stat. 414, and a land patent issued by the United States to the Cherokee Nation on December 31, 1838, fee title to said lands for valuable consideration was conveyed to the Cherokee Nation; that thereafter on May 17, 1893, pursuant to the terms of an agreement entered into between the Cherokee Nation and the United States, dated December 19, 1891, under circumstances amounting to duress, ratified by Congress on March 3, 1893, 27 Stat. 612, said land was conveyed by the Cherokee Nation to the United States.

That prior to the date of said last mentioned conveyance the Cherokee Nation, under the terms of Article 16 of the Treaty of July 19, 1866, 14 Stat. 799, 2 Kapp. 942, under certain conditions



specified in said Article 16, consented to sell to the United States, for the use and benefit of friendly Indian tribes, the lands mentioned herein; that upon the ratification of said treaty of 1866, several officials of the United States mistakenly believed that the said Article 16 of said Treaty amounted to a cession of all of the Cherokee Tribal domain lying west of the 96th° meridian, west longitude; that thereupon, by act of Congress, 22 Stat. 68, approved May 17, 1882, an undescribed section of land, lying west of 96°, belonging to the Cherokee Nation, was set aside and reserved for the education of Indian children; that thereafter on July 12, 1884, President Arthur, by Executive Order, set apart and reserved for Indian educational purposes 13½ sections of Cherokee fee title land, lying west of 96°, as aforesaid, all in Township 29 North, Range 2 East, including the lands which are the subject of this resolution; that on March 3, 1893, under the provisions of Section 10, of the Act of Congress ratifying the aforementioned Cherokee Agreement, 27 Stat. 612, the aforementioned 13½ sections of land were again reserved for the education of Indian children, "until the further action of Congress," and

Whereas, the Cherokee Nation is informed and believes that the total per acre price, which has been paid to the Cherokee Nation by the United States for title and possession of the aforesaid lands, now determined to be surplus and excess for school purposes, does not exceed the sum of \$3.75 per acre; that if said excess-surplus lands are authorized by Congress to be sold at public sale, that the proceeds derived therefrom will amount to a total sum far in excess of the amount necessary to make the United States whole as of today, and



Whereas, the Cherokee Nation is in dire need for land upon which qualified and competent members of the Nation may dwell and earn a living for themselves, and their children, and

Whereas, the Cherokee Nation believes that an arrangement satisfactory to both the United States and the Cherokee Nation can be effected, through negotiations for the return of said lands to the Cherokee Nation, and that in equity and good conscience the Cherokee Nation and the Officials of the Department of the Interior should promptly meet and endeavor to conclude the matter satisfactorily to both parties with the view of jointly seeking approval of their joint arrangement by Congress.

BE IT THEREFORE RESOLVED that the Principal Chief of the Cherokee Nation be and he is hereby authorized and directed to open negotiations with the Department of the Interior with a view to the re-acquisition of the title and possession of the lands herein mentioned for and on behalf of the Cherokee Nation and that upon reaching an agreement with said Department, the said Principal Chief is further authorized and directed to submit the results of his negotiations with the Department of Interior to the Congress of the United States, and urge the authorization by Congress of the return of this land to the Cherokees on the terms and conditions he, the said Principal Chief, may have agreed to with Officials of the Department of the Interior.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to United States Senators A. S. Mike Monroney and J. Howard Edmondson, and to Congressmen Ed Edmondson, Page Belcher and Carl Albert.



Done at Muskogee on this 26<sup>th</sup> day of January, 1963.

C. C. Victory  
C. C. Victory  
Chairman of the Executive Committee

Attest:

Marie L. Wadley  
Marie L. Wadley  
Secretary of the Executive Committee

Approved:

W. W. Keeler  
W. W. Keeler  
Principal Chief of the Cherokee Nation

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1963

\_\_\_\_\_  
Secretary of the Interior

By  
\_\_\_\_\_  
FOUR STAR BOND  
SOUTHWORTH COW.S.A.  
25% COTTON FIBER



## Chilocco School Lands Deemed Surplus

(All lands listed below are located in Township 29 North, Range 2 East)

### Section 13

Lots 1 & 2 (N/2 NE/4) and  
Lot 5 and SW/4 NE/4 150.93 acres

That part of Lot 3 and SE/4 NW/4  
lying east of A. T. & S. F. Railroad 17.35

Lots 6 & 7 (E/2 SE/4) and  
W/2 SE/4 155.23

That part of E/2 SW/4 lying east  
of A. T. & S. F. Railroad 16.02

339.53 acres\*

### Section 16

Lots 3 & 4 (N/2 NW/4) and  
S/2 NW/4 153.85

SW/4 160.00

313.85\*

### Section 17

Lots 1 & 2 (N/2 NE/4) except that  
part described as "Beginning at a  
point 39 rods south of the northeast  
corner of NE/4 Sec. 17-29N-2E,  
thence south 24 rods, thence west  
33-1/3 rods, thence north 24 rods,  
thence east 33-1/3 rods to point of  
beginning, containing 5 acres, more  
or less", containing, after said  
exception, 70.20 acres 70.20

Lot 5 & SE/4 NE/4 81.30

Lots 6 & 7 (W/2 SE/4) and  
E/2 SE/4 162.12

313.62\*

Total carried forward

967.00\*

Exhibit "A"



Total brought forward

967.00 acres

Section 20

Lots 1 & 2 (W/2 NE/4) and  
E/2 NE/4 except that part described  
as "Beginning at a point 67 rods  
north of southeast corner of NE/4  
Sec. 20-29N-2E, thence north 20 rods,  
thence west 50 rods, thence south  
10 rods, thence east 20 rods, thence  
south 10 rods, thence east 30 rods to  
point of beginning, containing 5 acres,  
more or less", leaving, after such  
exception,

156.24 acres

Lots 3 & 4 (W/2 SE/4) and  
E/2 SE/4

160.12

316.36\*

Section 21

That part of NW/4 lying west of  
S.L. & S.F. Railroad

119.56

That part of SW/4 lying west of  
S.L. & S.F. Railroad

30.70

150.26\*

Section 24

Lots 1 & 2 (E/2 NE/4) and  
W/2 NE/4

156.43

That part of E/2 NW/4 lying east  
of A.T. & S.F. Railroad

21.35

Lots 3 & 4 (E/2 SE/4) and  
W/2 SE/4

157.21

That part of SW/4 lying east of  
A.T. & S.F. Railroad

63.40

398.39\*

Total carried forward

1,832.01\*



Total brought forward 1,832.01

Section 25

Lots 1 & 2 (E/2 NE/4) and W/2 NE/4	158.23	
That part of NW/4 lying east of A. T. & S. F. Railroad	109.37	
Lot 3 & NW/4 SE/4 and Lots 6 & 7 (S/2 SE/4)	160.17	
That part of N 2 SW/4 lying east of A. T. & S. F. Railroad	73.33	
Lots 4 & 5 (S/2 SW/4)	<u>82.15</u>	<u>155.48</u>
		583.25*

Section 26

That part of Lot 1 (SE/4 SE/4) lying east of A. T. & S. F. Railroad	<u>12.68</u>	12.68*
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Section 29

N/2 SE/4	80.00	
NE/4	<u>160.00</u>	<u>240.00*</u>

TOTAL 2,667.94\*

\* All acreages figured as closely as possible from available maps.  
Figures should be followed by words "More or less".