

Jan 5 1963

*Int
Indian*

Mr. Amos A. Hopkins /aka/ Dukes
Box 1010, Register No. 34042
Canon City, Colorado

Dear Mr. Hopkins:

I have obtained from the Department of the Interior the information you requested concerning the Acts of February 8, 1887, and February 28, 1891.

The letter from the Department outlines the steps which you must take in applying for a public domain allotment.

As you requested, I am returning to you the two copies of the statutes which were attached to your original letter.

Sincerely yours,

Enclosures

JAN - 4 1963

Dear Senator Monroney:

This refers to your communication of December 7 with which you enclosed correspondence from Mr. Amos A. Hopkins/aka/Dukes, Box 1010, Register No. 34042, Canon City, Colorado. The second question in your correspondent's letter was marked out when received here, and we assume information is desired from us concerning only the first one.

Public domain allotments are authorized by Section 4 of the Act of February 8, 1887 (24 Stat. 389), as amended by Section 4 of the Act of February 28, 1891 (26 Stat. 795), and by Section 17 of the Act of June 25, 1910 (36 Stat. 860).

The regulations governing public domain allotments are contained in Title 43, Code of Federal Regulations, Part 176-Indian Allotments and Possessions. Section 176.3 thereof provides, that

"An applicant for allotment under the fourth section of the act of February 8, 1887, as amended, is required to show that he is a recognized member of an Indian tribe or is entitled to be so recognized. Such qualifications may be shown by the laws and usages of the tribe. The mere fact, however, that an Indian is a descendant of one whose name was at one time borne upon the rolls and who was recognized as a member of the tribe does not of itself make such Indian a member of the tribe. The possession of Indian blood, not accompanied by tribal affiliation or relationship, does not entitle a person to an allotment on the public domain. Tribal membership, even though once existing and recognized, may be abandoned in respect to the benefits of the fourth section."

In addition, the land must first be classified as suitable for an Indian allotment, and we understand that there is a scarcity of lands suitable for such classification.

CONGRESSIONAL

If Mr. Hopkins wishes to apply for a public domain allotment, he should first obtain a certificate from Mr. Will J. Pitner, Area Director, Bureau of Indian Affairs, Federal Building, Anadarko, Oklahoma, showing that he is an Indian and is entitled to an allotment. The certificate should be attached to his application which must be filed with the State Land Office of the Bureau of Land Management in the state where the land is located. It is, of course, an applicant's responsibility to locate suitable land.

Your enclosures are returned herewith as requested.

Sincerely yours,

(sgd) John A. Carver, Jr.

Assistant Secretary of the Interior

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

Enclosures

TO THE PERSON RECEIVING THIS LETTER:

****STAMPS or PERSONAL CHECKS WILL NOT BE ACCEPTED****

No visiting on Easter, Decoration Day, Fourth of July, Thanksgiving Day or Christmas.
Visiting hours on weekdays and Sunday, 9 to 11 A.M., 1 to 3 P.M. Ranch Men Sundays Only.

PARTIES CORRESPONDING WITH PRISONERS MUST OBSERVE CAREFULLY THE FOLLOWING DIRECTIONS:

Write plainly with pen and ink or typewriter; confine yourself strictly to family and business matters. Always use stamps enough to insure delivery. In sending money to prisoners **ONLY MONEY ORDERS WILL BE ACCEPTED**. All letters and papers are closely examined. Prisoners can write but once each week and can see friends not oftener than twice each month, except on special written permission of the Warden obtained before coming to the prison. No wearing apparel sent to prisoners without Official permission.

TO CORRESPONDENT: Always Sign Full Name and Address **ON THE OUTSIDE OF ALL LETTERS AND PACKAGES**. Prisoners are not permitted to send letters to **GENERAL DELIVERY** in cases where there should be a definite address.

Name Amos A. Hopkins /aka/ Dukes

Box 1010, REGISTER No. 34042

Canon City, Colorado

Name A. S. Mike Monroney, U. S. Senator

Street Number House of Representatives

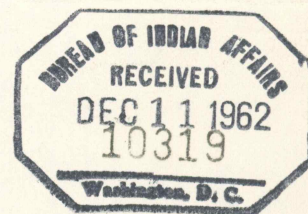
City Washington 25, State D. C.

PRISONERS MAIL MUST BE ADDRESSED AS ABOVE

TO PRISONERS: Don't Interline. Put But One Line of Writing on Each Ruled Line.

December 3, 1962

Mr. A. S. Mike Monroney, U.S.S.
House of Representatives
Washington 25, D. C.



Dear Senator:

I am sending a copy of 24 U. S. STATUTES 389, section 4, Act of February 8, 1887, and, a copy of 26 U. S. STATUTES 795, Act of February 28, 1891, Chapter 383, Section 4., as enclosures with this letter.

The information that I seek is whether or not these acts are still effective and if an Indian of the Kiowa tribe (Anadarko, Oklahoma) not residing upon a reservation and being unallotted, would be entitled to such a claim for land.

Any information that you may be able to furnish me regarding this matter would certainly be appreciated. Also, ~~if you have any further information regarding the previous request of facts concerning the right of an individual Indian to file a claim with the Indian Claims Commission, would be appreciated. Information of this type seems very hard to obtain and I would be interested in any advice given.~~

With best wishes, I am

Respectfully yours,

A handwritten signature in blue ink that reads "Amos A. Hopkins /aka/ Dukes".

Amos A. Hopkins/aka/ Dukes
Box 1010, Register No. 34042
Canon City, Colorado

Enclosures 3

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United States Senate

COMMITTEE ON APPROPRIATIONS

Sept. 17, 1962

EVERARD H. SMITH, CLERK
THOMAS J. SCOTT, ASST. CLERK

Mr. Amos A. Hopkins
Box 1010, Reg. No. 34042 CH6
Canon City, Colorado

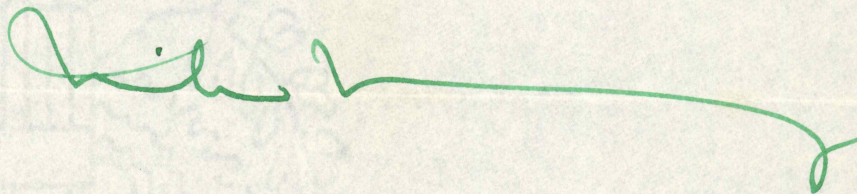
Dear Mr. Hopkins:

I wish to acknowledge receipt of your letter and enclosure inquiring about the right of an individual Indian to file a claim with the Indian Claims Commission.

This is a question which I am unable to answer factually without reference to the Indian Claims Commission Act. However, an answer is being obtained, and I will write you again just as soon as I have something to report.

With best regards and good wishes, I am

Sincerely yours,



December 7, 1962

Mr. Amos A. Hopkins /aka/ Dukes
Box 1010, Register No. 34042
Canon City, Colorado

Dear Mr. Hopkins:

In the absence of Senator Monroney, I wish to acknowledge receipt of your letter and enclosures.

The files of this office reveal that on September 19, 1962, you were forwarded the original of the attached letter from the Indian Claims Commission stating that it is without authority to hear individual Indian claims.

Information on the Acts of February 8, 1887, and February 28, 1891, is being obtained and will be forwarded to you promptly upon receipt.

Sincerely yours,

Jack Yocum
Executive Secretary

Enclosure