

October 7, 1963

✓  
Mr. LeRoy Hampton  
1628 Carolina  
Chickasha, Okla. 73108

*Sub  
Indians*

Dear Mr. Hampton:

Further reference is made to your letter alleging that homestead land awarded you as a citizen of the Choctaw Nation has been siezed and held illegally.

I am enclosing a letter from the Muskogee Area Office stating that the restrictions on your land were removed on February 7, 1920, thereby terminating the jurisdiction of the Department of the Interior. Therefore, the Government could not have been a party to the disposal of your land after that date. The land records of Grady County should reveal the manner in which your land changed hands.

A signed receipt indicates that you have received the original copy of your Homestead Patent which I returned September 27, 1963.

With best regards and good wishes, I am

Sincerely yours,

Enclosure  
jy





UNITED STATES  
DEPARTMENT OF THE INTERIOR

BUREAU OF INDIAN AFFAIRS

MUSKOGEE AREA OFFICE  
MUSKOGEE, OKLAHOMA

IN REPLY REFER TO:

REAL PROP. MGMT.  
AND GEN. SURVEY

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

Dear Senator Monroney:

We have your letter of September 27, 1963, written in behalf of Mr. Leroy Hampton of 1628 Carolina Avenue, Chickasha, Oklahoma, concerning the removal of restrictions from the lands allotted to him in Oklahoma. Mr. Hampton is an enrolled member of the Choctaw Tribe opposite Roll No. 10130 and is of one-half blood.

Restrictions were removed from all allotted lands of Five Civilized Tribes Indians of one-half Indian blood to three-fourths Indian blood with the exception of their homesteads, by Act of Congress of May 27, 1906 (35 Stat. 312). The following is the portion of that act pertaining to such removal of restrictions:

"\* \* \* All lands, except homesteads, of said allottees enrolled as mixed-blood Indians having half or more than half and less than three-fourths Indian blood shall be free from all restrictions."

As for the homestead allotments of those Indians enrolled as one-half blood or more, in which group Mr. Hampton falls, and of all lands of Indians enrolled as three-fourths blood or more, the following is quoted from the Act of May 27, 1906, supra:

"\* \* \* All homesteads of said allottees enrolled as mixed blood Indians having half or more than half Indian blood, including minors of such degree of blood, and all allotted lands of enrolled full bloods, and enrolled mixed bloods of three-fourths or more Indian blood, including minors of such degrees of blood, shall not be subject to alienation, contract to sell, power of attorney or any other incumbrance prior to April 26, 1931, except that the Secretary of the Interior may remove such restrictions, wholly or in part, under such rules and regulations concerning terms of sale and disposal of the proceeds for the benefit of the respective Indians as he may prescribe."



The Secretary of the Interior shall not be prohibited by this Act from continuing to remove restrictions as heretofore, and nothing herein shall be construed to impose restrictions removed from land by or under any law prior to the passage of this Act \* \* \*."

Under the authority delegated to the Secretary of the Interior by the Act of May 27, 1908, to "remove such restrictions, wholly or in part," a list was requested of those Indians enrolled as one-half blood, who were 21 years of age or over, able-bodied, and mentally competent. This list was requested on the theory that Indians who were competent and capable of taking care of themselves, should be placed on a footing of equality with non-Indians.

By a letter from the Acting Superintendent for the Five Civilized Tribes, dated January 31, 1920, a list of 27 names, including Mr. Hampton's, was submitted with the information that all persons listed thereon were reported by the Field Clerks to be able-bodied and not mentally deficient, and that each person was 21 years or over and enrolled as a one-half blood. By letter of January 12, 1920, Mr. Hampton protested the proposed removal of restrictions from his homestead land but gave no reason for his protest. Thereafter, orders removing restrictions on Mr. Hampton's land and the lands of the other 26 Indians listed were approved on February 7, 1920.

Mr. Hampton was previously advised that his allotted surplus land was freed from all restrictions in 1908 and that the restrictions against alienation on his homestead land were effectively removed by the Order of February 7, 1920. Such removals terminated the jurisdiction of this Department over all his lands. By the Acts of August 24, 1922 (42 Stat. 831) and August 4, 1947 (61 Stat. 731), Congress set at rest any question regarding the validity of orders removing restrictions, which might previously have been raised on the ground they were issued without application by the allottee.

We hope this information will be helpful in clarifying this situation to you and Mr. Hampton.

Sincerely yours,

Acting Assistant

Area Director



Sept. 27, 1963

Mr. Le Roy Hampton  
1628 Carolina  
Chickasha, Okla. 73108

Dear Mr. Hampton:

I wish to acknowledge receipt of your letter in which you allege that land awarded you as a citizen of the Choctaw Nation has been siezed and used illegally.

Enclosed is a copy of my letter to the Muskogee Area Office requesting that your contentions be carefully considered, and that I be given a report thereon as soon as possible.

Since the original copy of your Homestead Patent is a valuable document, I am sure you would not want to risk its loss. So that you may return the document to a place of safe keeping, I am returning it to your possession herewith.

With best regards and good wishes, I am

Sincerely yours,

Enclosures



Sept. 27, 1963

Area Director  
Bureau of Indian Affairs  
Muskogee, Okla. 74401

Dear Sir:

Attached hereto is a letter from Mr. LeRoy Hampton, 1628 Carolina, Chickasha, Oklahoma, who alleges the illegal seizure and use of land awarded him as a citizen of the Choctaw Nation, Roll Number 10130.

I have examined the original Homestead Patent, approved October 23, 1905, describing the land as the West Half of the South West Quarter of Section Fifteen (15), Township Five (5) North and Range Five (5) West, (Chickasaw Nation). It has been returned to Mr. Hampton by registered mail.

It will be appreciated if you will consider the allegations made by Mr. Hampton, and give me a report there on as soon as practicable.

With best regards, I am

Sincerely yours,

Enclosure  
cc: Mr. Hampton



1628 Carolina  
Chickasha, Okla.

Sept. 24, 1963.

I want Agricultural Rentals  
to date. all Oil - Gas - mineral Rentals  
Re:

Hon. Mike Monroney  
U. S. Senate Chamber  
Washington 25 D.C.

Le Roy Hampton - Roll # 10130  
1/2 Choctaw Indian by blood.  
80A Homestead Land. (Restricted.)

"Official protest of Restriction  
Removal Order is of record.  
Reason "Incompetent" Also  
War time Service Connected  
Disabled Veteran, Reason for  
Disability "Black Out" "Eye  
Ears, Dizziness, Roaring Noises, Nervousness  
Not of sound judgement."

Dear Senator Monroney,  
Attached hereto Original  
Homestead Patent to 80A Land.  
dated Sept. 3, 1903. my homestead.

Yes on numerous occasions I have contacted  
Attorneys, the Interior Department Office, Washington, and the  
Mustoge, Okla. Office. The Principal Chief of the Choctaw  
Nation Henry J. W. Belvin, who directed me to the Choctaw  
Council, Attorney W. F. Semple, who told me that he had no  
contract to represent individual Indians in any matter. I have  
even contacted the U.S. Attorney General, Washington, and  
others whom I thought would assist me in this matter,  
of recovering my property.  
No material help was forthcoming. To my knowledge this  
matter has never been tried in any Court of Law.

During January 1920, I contacted the Indian  
Agency, Chickasha, Okla., requesting them to take  
over my lands and manage it as I was mentally  
and physically unable, due to war time service disability.  
I received absolutely no assistance from this Office, which  
was in direct disregard to the Congressional Act of  
May 27, 1908.

Unauthorized persons had been utilizing my



1874 11 10 DE 932

Lands the 120A. Surplus and my homestead 80A Restricted land since 1919. using my houses farming the land and paying no rentals at least not to me. The above Congressional Act of May 27, 1908 also protected my homestead 80A. from all incumbrances such as "Power of attorney, Contract to Sell, or any other incumbrances up to April 26, 1931.

Any rule regulation or order made or designed by the U.S. Interior Department Office, Washington, to deprive or destroy the property protective provisions of the above Congressional Act, is in error, is irregular, is illegal, and is a fraudulent act, and is therefore Null and Void and of no affect.

Restrictions from my 80A. Homestead was made by attaching my name to a long list of other Indians, and the restriction order was made wholesale. Such order being issued in error, was irregular, was illegal, and was a fraudulent action taken against me and my property, and such action is therefore Null and Void and of no affect. By reason of the fact I was mentally and physically incompetent, of no sound judgement and ability, at the time such order was issued, and for some years after.

Unauthorized persons who have availed themselves of my property - Grody D. Harris, Sr. Alex. Okla, C.L. Worden, Alex. Okla, C.L. Simmons, 805 S.W. 24, Oklahoma City, a Mr. Doybus, Alex. Okla. and others I have been unable to find who took upon themselves to defraud me of my property.

attached  
I Homestead Patent.

Very truly yours

Le Roy Stewart

Request return of this patent  
when it has served its purpose.



No. 686472

SENT TO

Mr. Nelson Hampton

STREET AND NO.

1628 Carolina

CITY, STATE, AND ZIP CODE

Chickasha, Okla. 73018

If you want a return receipt, check which



10¢ shows  
to whom  
and when  
delivered



35¢ shows to whom,  
when, and address  
where delivered

If you want  
delivery only  
to addressee,  
check here



50¢ fee

FEES ADDITIONAL TO 20¢ FEE

POD Form 3800  
July 1963

NO INSURANCE COVERAGE PROVIDED—  
NOT FOR INTERNATIONAL MAIL

(See other side)

POSTMARK  
OR DATE









# INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee

☐ Show address where delivered

*(Additional charges required for these services)*

## RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

SHOW WHERE DELIVERED (only if requested)

10-3-63



**POST OFFICE DEPARTMENT**  
**OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE USE TO AVOID**  
**PAYMENT OF POSTAGE, \$300**



PRAY  
PEACE

POSTMARK OF  
DELIVERING OFFICE

**INSTRUCTIONS:** Fill in items below and complete instructions on other side, if applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

**RETURN  
TO**

REGISTERED NO.

NAME OF SENDER

CERTIFIED NO.

STREET AND NO. OR P. O. BOX

INSURED NO.

CITY, ZONE AND STATE

*Mr. Mike Monroney*

*686472*

*6205 Nevada Office Bldg*

*Washington, D.C.*