

Leased District

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PETITION - FOR - REFERENDUM

TO THE CONGRESS OF THE UNITED STATES:

We, the undersigned enrolled members of the Choctaw and Chickasaw Tribes of the Five Civilized Tribes of Indians, citizens and legal voters of the United States of America, respectfully order that the Public Law 754, Eightieth Congress, Act of June 24, 1948, providing for the ratification by Congress of a Contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians, with respect to that portion of Section 4 of the "Contract" reading as follows:

"_____The share of a deceased member shall be distributed to his heirs or devisees determined in conformity with the law applicable at the date of the death of the deceased member, or the date of the death of his heirs or devisees,"

passed by the Eightieth Congress of the United States, at the regular session of said Congress, shall be referred to the enrolled members of the Choctaw and Chickasaw Nations of Indians for their approval or rejection, at _____ election to be held on the _____ day of _____, A. D. 195____. and each for himself says:

I have personally signed this petition; I am a regular enrolled Tribe member and legal voter of the United States of America, and my residence and postoffice are correctly written after my name.

The question we herewith submit to our fellow enrolled tribal members and legal voters is:

" SHALL THE SHARE OF A DECEASED MEMBER BE DISTRIBUTED TO HIS HEIRS IN CONFORMITY WITH THE BLOOD-LINE OF SAID TRIBES, AS PROVIDED BY THE MANSFIELD DIGEST STATUTES OF ARKANSAS, 1884. CHAPTER 49, AS ADOPTED BY THE ATOKA AGREEMENT, 1898, AND

we, the undersigned enrolled members of the Choctaw and Chickasaw Tribes of the Five Civilized Tribes of Indians, citizens and legal voters of the United States of America, respectfully order that the Public Law 754, Eightieth Congress, Act of June 24, 1948, providing for the ratification by Congress of a Contract for the purchase of certain lands and mineral deposits by the United States from the Choctaw and Chickasaw Nations of Indians, with respect to that portion of Section 4 of the "Contract" reading as follows:

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I have personally signed this petition; I am a regular enrolled tribe member and legal voter of the United States of America, and my residence and postoffice are correctly written after my name.

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" SHALL THE SHARE OF A DECEASED MEMBER BE DISTRIBUTED TO HIS HEIRS IN CONFORMITY WITH THE BLOOD-LINE OF SAID TRIBES, AS PROVIDED BY THE MANSFIELD DIGEST STATUTES OF ARKANSAS, 1884. CHAPTER 49, AS ADOPTED BY THE ATOKA AGREEMENT, 1898, AND AS PREVIOUSLY PAID, THROUGH THE PAYMENT OF 1928?"

Paymon P Gardner 10469 Ada Okla
 Samuel Jones 1926 Ada. Okla
 C. R. Williams Tilly 1056 N. B. Ada Ok.
 Susie P Blumens mu. Tilly 1373 Ada Ok
 Sammie D. Wood 173, 580-W-10 Ada. Okla.
 Abe F. Winter 313 R-3 Box 30 Laugus Calif.
 Frank Jones Box 225 9625 Jorney Texas.
 Mary C. S. Kennedy (Roll 316-Chickasaw) 628-W-7t Ada Okla
 William D. Kennedy Roll^{no} 320 Chickasaw Ada-R2-
 Leata Freemy now Kennedy Roll 11210 Bromide Okla
 Ida May Kennedy now Bingham no. 392. Ada Okla
 Fandy Alfred Kennedy Roll-317-Chickasaw Bromide Okla
 Julia Elizabeth Kennedy ^{now Thomas} R-319-Chickasaw. R off Okla
 Patson Lilley Gen Del Ada Okla.
 Jacob Smith 420. W-5th Ada. Okla.

February 13, 1952

Mrs. Myrtle Creason
1015 West Park
Oklahoma City 6, Oklahoma

Dear Mrs. Creason:

Thank you for your letter of the 7th. As I said before, I have no objection to introducing a bill if it will do any good. However, I talked the matter over with Congressman Stigler and he seems to think that it should not be done at this time. Since this is a matter which relates principally to Oklahoma representatives, you can see how important it would be that such a proposal should have the support of the entire delegation.

I feel that it might delay payment of the new claims and that it would be better if we had such a bill, to relate it to any future payments that might be coming up. I don't want to do anything that will give the Department an excuse for holding up anybody's heirship payments.

Sincerely yours,

CA:m

CARL ALBERT, M. C.
Third District, Oklahoma

CHOCTAW-CHICKASAW CONFEDERATION
OKLAHOMA COUNTY

CARL ALBERT
RECEIVED
FEB 11 1952
RESOLVED
3rd Dist. Oklahoma

February, 7th, 1952.

Mr. Carl Albert,
Washington, D. C.

Dear Mr. Albert:

I waited to answer your letter of January 15th until after I had made a proposed trip to Muskogee, and until after our regular monthly meeting of the Okla. Co. ~~unit~~ of the CCC.

Mr. Roberts appears to have no objection to the Choctaw-Chickasaw Indians being allowed to vote on the heirship payments. He expressed no objection at least. He did say that he doubted if Congress would have ratified the coal sale contract if Section 4 had not been in it. But that's neither here nor there.

About 65 persons were at the Feb. 5th meeting. They were unanimous in wanting this opportunity. Names are still being signed to the petition for the Referendum.

You will remember that on last Labor Day, at Tuskahoma you offered to introduce this petition for the people. I was going to ask you to do so, but you beat me to it.

I am quite sure the united support of the Oklahoma delegation should be had. Do you have any reason to believe this cannot be secured? We can see no reason why anyone should object. Inasmuch as the item was secretly put into the contract, after the Indians had (through a skeleton contract proposed by Governor Maytubby) stated definitely that they wanted the blood-line distribution of dead ~~claims~~ it ~~should not~~ be a hard matter to convince the delegation that the Indians are united in this. We have copies of that skeleton contract and can show that the units did approve it. At that time we did have a working organization. I am quite sure there will never be a time when there will not be some Indians who do not "understand it". But I ~~am~~ also know that I have yet to find the first Indian who intentionally and knowingly signed away his blood-line inheritance. Those who seem to feel it is too late to do anything about it with the new payment coming up undoubtedly have the idea that this is the closing of our affairs and that there will be no more payments, ever. Many thought this about the coal sale money. They have no conception of the vast amount of claims now filed or being filed. It is not the desire of the people that you ~~introduce~~ this without first laying all the background necessary to its passage. So, if there's something we can do at this end of the line to help in this matter you will please let us know what it is.

I shall send you some more names before too long.

Please keep us advised in this matter, and remember, the Indians definitely want an opportunity to vote on the question.

Sincerely yours,

Mrs. Myrtle Creason
1015 W. Park. Okla. City 6, Okla.

January 15, 1952

leased district

Mrs. Myrtle Creason, President
Choctaw-Chickasaw Confed. Okla. County
1015 West Park
Oklahoma City, Oklahoma

Dear Mrs. Creason:

Thank you for your letter of the 10th. Since returning to Washington I have been trying to find out whether it would be worth while to try to introduce a bill allowing the Choctaws to vote on the question of their heirship payments. Unless we can get the whole delegation to go along on this, it will be useless to do so. So far as I am concerned, I will be very happy to do it if the Indians want this done, but I assure you that it will be impossible to put a bill like this through Congress unless we can get the united support of all the Oklahoma delegation.

I talked to lots of Indians about this while I was home. Some of them said they wanted it, others said they didn't understand it and still others said they thought it was too late to do anything about it, with the new payment coming up. Naturally, I want to do whatever they desire but before we do anything, I think we ought to have a united front on the matter.

Sincerely yours,

CA:m

CARL ALBERT, M. C.
Third District, Oklahoma

**CHOCTAW-CHICKASAW CONFEDERATION
OKLAHOMA COUNTY**

Jan. 10th, 1952.

Honorable Carl Albert,
Washington, D/ C.

Dear Mr. Albert:

Referring to your letter of October 24th;

In this letter you say you have not heard "either from Chief Belvin or Governor Maytubby on the matter (the petition for a referendum) and would like to have their views as to what we should do."

I quote from two letters from Mr. Belvin:
June 16th, 1951: "If you wish to have a referendum election called so that the Choctaw and Chickasaw peopld can vote upon amending the present law, I would be willing to go along with you people in this...."

July 7th, 1951: "As I stated in my last letter to you, I shall be glad to cooperate with you people in this endeavor. In other words, I will join with you in recommending the passage of such a measure...."

I believe this will show you how he stands in the matter. As to Mr. Maytubby, I don't know. Inasmuch as he is one of the persons who put the trouble-making section in the contract it might be a little embarrassing to him to right-about-face, even it is in favor of the Indians.

It is hoped now that Congress has re-convened that you will be able soon to introduce this measure for the Indians.

Please let us hear at your earliest convenience.

Sincerely yours,

Mrs. Myrtle Creason

Mrs. Myrtle Creason, President
Choctaw-Chickasaw Confederation
Oklahoma Co.

1015 W. Park,

Okla. City 6, Okla.

enclosure.

Oklahoma City, Okla.

Jan. 10th, 1952.

Honorable W. G. Stigler,
Washington, D. C.

Dear Mr. Stigler:

This is in reference to the regulations governing the election of a candidate for appointment to the office of Choctaw Chief.

Quite some time ago the Secretary of the Interior advised us (in answer to a letter from us) that this set-up was a permanent thing and that it would be in force for future appointments.

As you know this is the year for the appointment of a new chief.

Assuming that the foregoing information is correct we have written the Secretary's Office requesting that the hundreds of Choctaws living in Oklahoma City and Oklahoma County be given an opportunity to cast their vote without having to make a long trip to the nearest voting place in the Choctaw Nation, which is either McAlester or Atoka. To date we have had no satisfactory answer. If there's anything you can do to assist in this it will be much appreciated.

The two following excerpts have come into our hands and we would like some information if you can give it.

"McAlester, Jan 5: Pittsburg county tribal members Saturday initiated a move seeking the selection of Choctaw Indian principal chief by popular vote ballot.... Reports have reached here, he said, that Belvin's successor may be named by political appointment."

"Wilburton, Jan. 3rd. Election of a new chief for the Choctaw tribe will be the purpose of a called meeting of the Latimer Co. council at 1:30 o'clock Saturday afternoon, Jan 12 at the courthouse. The meeting called at the request of Harry J. W. Belvin, principal chief of the Choctaws, will be given to preparation of a petition to be sent to the Secretary of the Interior, Commissioner of Indian Affairs, and others, asking for an election. If such a request is not granted, a new chief will be appointed, instead of elected as was done in 1948."

These would indicate there is a possibility of a return to the old way of doing. Can you give us any information on this matter? Please let us hear at your earliest convenience.

Very truly yours,

Mrs. Myrtle Creason, President
Choctaw-Chickasaw Confederation
Okla. Co.
1015 W. Park, Okla. City, Okla.

October 24, 1951

Mrs. Myrtle Creason, President
Oklahoma Co. Unit of CCC
1015 West Park
Oklahoma City 6, Oklahoma

Dear Mrs. Creason:

This will acknowledge your letter of the 17th. I have not yet received a reply from the Indian Office on my inquiry regarding the next per capita payment. It was their suggestion that the matter be taken up with them formally. It was also Congressman Stigler's idea that I submit the matter to them.

There has been so much trouble over the coal and asphalt payment, I thought their recent difficulties might induce them to look further into the matter.

Of course, before we should start changing the law on this matter, we would want to have the support of Congressman Stigler, who is himself a Choctaw Indian, and of the Department, if possible, and of other members of the State delegation.

I don't believe I have heard either from Chief Belvin or Governor Maytubby on the matter and would like to have their views as to what we should do about this. Of course, so far as I am personally concerned, I want to do whatever the Indians want but you know and I know that we need all-round cooperation before we hope to get anything like this through Congress; particularly expeditiously enough not to cause such a delay as would react unfavorably among the Indians themselves.

Sincerely yours,

CARL ALBERT, M. C.
Third District, Oklahoma

CA:mn

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CHOCTAW-CHICKASAW CONFEDERATION

OKLAHOMA COUNTY

Oct. 17, 1951

Honorable Carl Albert,
Washington, D. C.

Dear Mr. Albert:

Referring to your letter of Oct. 9th, in which you say you think it best to get a legal opinion from the Interior Dept. about how they contemplate paying out the Leased District and Commutation payments, also, that they were unable to tell you in an informal conference whether this would be done under the Oklahoma law or through the blood-line. If you and they will read the two Bills over it will be seen that they both contain this clause: "...or to their lawful heirs or devisees determined in the manner prescribed in Section 4 of the contract ratified by the Act of June 24, 1948 (Public Law 754, Eightieth Congress).....". Because we know what this means is our reason for trying to get this thing straightened out and back into the blood-line before these two items are paid out. You know, I am sure that the Act of June 24, 1948 is the Coal Sale Act. You know what Section 4 says about dead claim payments. We know what it says, but according to interpretation it does not mean that. What I refer to is: "...in conformity with the law applicable at the date of the death of the member.....". Inasmuch as the only law under which any Indian can die (relative to dead claim payments) is the blood-line (Mansfield Digest) law, -the law under which every payment before the coal sale payment, was made, and since there has not been legislation to take our payments from under that law, we would naturally assume - provided we tried to interpret it - that the same law would prevail. Instead, it is given this interpretation: "If the member died before Statehood it will be distributed according to the blood-line: after Statehood, according to the State Law." As you well know no one would put this interpretation on it. But that is the way it has been distributed in the matter of the coal sale. To prevent this same thing happening again is the reason for the Petition.

Assuming that you realize that the way of payment is provided in the two Bills, do you still think you have to have legal advise before you proceed to get the Petition started on its way? I enclose other names received to date. If you could only realize how upset the Indians are over this matter I believe you would use your influence to get the thing righted as soon as possible.

I hope you do find out from the Indian office that Federal money will be used to pay the Leased District funds, the provisions of the Bill to the contrary notwithstanding.

Please keep us advised.

Very truly yours,

Mrs. Myrtle Creason
Mrs. Myrtle Creason, President
Okla. Co. Unit Choctaw-Chickasaw
Confederation.
1015 W. Park.

Leased district

October 9, 1951

Mrs. Myrtle Creason, President
Oklahoma County Unit of CCC
1015 West Park
Oklahoma City 6, Oklahoma

Dear Mrs. Creason:

Thank you for your letter of the 4th and the attached petition. Before going into this matter any further, I think it will be best to get a legal opinion from the Interior Department about how they contemplate paying out the leased district and commutation payments.

They were unable to tell me in an informal conference this afternoon whether this would be done under Oklahoma law or through the blood line. It is quite possible that the change in the method of payment was limited strictly to the coal and asphalt statutes and subsequent contracts, and that it will not have any effect on the distribution of succeeding per capita payments. This is a question which should be answered before any matter of procedure can be decided.

I want to know more about the legal situation before I make any commitments in connection with this proposition.

I have also asked the Solicitor's Office to advise me whether, as the law now stands, the leased district funds will be distributed with appropriated or with tribal funds. The commutation money is in the supplemental bill which will be before the House tomorrow and contains, in addition to the commutation itself, approximately \$35,000 for administrative expenses for distribution purposes. This, of course, is to continue the per capita payment of the coal and asphalt lands and other distributions. It may be that this will not be eligible to be used for the leased district payment, but I personally think that it would be. At any rate, I am trying to find out from the Indian Office.

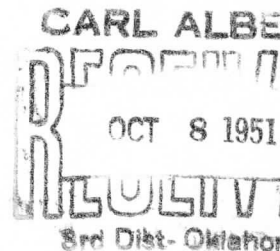
Sincerely yours,

CA:m

CARL ALBERT, M. C.
Third District, Oklahoma

**CHOCTAW-CHICKASAW CONFEDERATION
OKLAHOMA COUNTY**

Oct. 4th, 1951.



Honorable Carl Albert,
Washington, D. C.
Dear Mr. Albert:

Just one month since first presenting the enclosed Petition for Referendum to the People at Tuskahoma I am able to send you a list of 258 names. Several of these are yet out in different communities and as they are received back I will forward the names to you.

We do so much appreciate your offer to introduce this in the Congress and to use your influence toward its passage.

It is ~~accrying~~ ^{ac crying} shame that the Indians are having to go through all this just because they were betrayed by those who wrote the Coal Sale Contract into unintentionally signing away their blood-line inheritance. I have yet to find the first Indian who intentionally did this and who does not want this inheritance back.

When the Indians signed the contract the only thing they had in mind was to sell the coal. Even they had read the last portion of Section 4 they could not possibly have understood it. Since there has never been but one law under which dead claims have been made, and that the blood-line law they ~~were~~ naturally thought the only law under which an Indian could die, (relative to dead claim payments) was this law.

Will you please keep us advised as to when you introduce this; what, if anything we can do to help its passage and the status of it from time to time. We have a large group of Indians here who meet together every month and they will want to keep in touch with this matter. The Indian here came from every part of the two Nations and they all have relatives yet in the home place that look to this group to keep them informed.

Referring to a recent news release: Are you familiar with the fact that the Leased District Bill provides that the Indians be charged with the expense of distribution? But that the Government is to pay the expense of distributing the Commutation Bill money? \$5,000 Federal money is to be appropriated for this last. Now, why is the Bureau trying to hold up the Leased District money with the excuse of "heavy expense of distribution"? It will not cost them a cent, so why tie the two up together? Are they planning to pay both at the expense of the Indians? Will you use your influence to get this Leased District money paid before more of our enrolled Indians die? They are rapidly passing away and should have what is coming to them while yet living.

Inasmuch as the Petition for a Referendum deals with dead claims only there is no reason why it should delay payment of living Indian claims from either of the Bills under discussion, unless some one has a purpose for causing this to happen.

You will note the blank spaces in the Petition to be filled in. After it was written we saw this should not have been set up in this fashion, for the reason that the Government will undoubtedly use the "mail" method of voting, as was done in the coal sale and the Commutation Bill. But we could not change it then. You will please correct this in the proper way.

Thanks again for your assistance, and please let us hear from you.

Very truly yours,

Mrs. Myrtle Creason

Mrs. Myrtle Creason, President
Okla. Co. unit CCC.
1015 W. Park, Okla. City 6, Okla.