
REPORT OF THE INDIAN INSPECTOR FOR THE
INDIAN TERRITORY.

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MUSKOGEE, IND. T., *June 30, 1907.*

SIR: In compliance with instructions, I have the honor to submit the ninth annual report of the United States Indian inspector for Indian Territory, covering the fiscal year ended June 30, 1907.

DUTIES OF INSPECTOR.

Section 27 of the act of Congress approved June 28, 1898 (30 Stat. L., 495), provides—

That the Secretary of the Interior is authorized to locate one Indian inspector in the Indian Territory, who may, under his authority and direction, perform any duties required of the Secretary of the Interior by law relating to affairs therein.

The inspector, acting under direction of the Secretary of the Interior, exercises general supervision over the offices of the United States Indian agent, Union Agency, superintendent of schools in Indian Territory and his assistants, and mining trustees, and has charge of the completion of the town-site work, collection of grazing fee for use of unallotted lands, approval of warrants issued by tribal authorities, and other matters under the jurisdiction of the Interior Department outside of the duties devolving directly on the Commissioner to the Five Civilized Tribes.

All correspondence to and from the Department with the above officials passes through the inspector, who is required to submit report and recommendation thereon, such reports to be forwarded to or through the Commissioner of Indian Affairs for his consideration.

The inspector is also required to make frequent special investigations and reports as required, to see that the instructions of the Department are carried out and the various laws enforced, and to keep the Department advised as to matters requiring consideration, and to frequently inspect and report upon matters pertaining to Osage Agency, Okla., and special matters pertaining to the Quapaw Agency, Ind. T.

GENERAL CONDITIONS.

The area of Indian Territory is about 19,000,000 acres and, excepting a small tract in the northeast corner, consisting of the Quapaw Agency, is divided among the Five Civilized Tribes of Indians. The area of the land embraced within each nation and the number of citizens of each tribe, as shown by the citizenship rolls, which have been finally closed, are as follows: Seminoles, 365,851.57 acres, population 3,124; Creek Nation, 3,172,813.16 acres, population 18,698; Cherokee Nation, 4,420,067.73 acres, population 41,785; Choctaw

REPORT OF THE AGENT FOR UNION AGENCY.

MUSKOGEE, IND. T., *July 15, 1907.*

Submitted herewith is the usual statistical and other information covering the operations of the office of the Indian agent at Union Agency for the fiscal year ended June 30, 1907.

The business affairs of the Creek, Cherokee, Choctaw, Chickasaw, and Seminole Indians, both individual and tribal, with which the agent for the Five Civilized Tribes has been required to deal during the period covered by this annual report extend over a wide field, requiring duties of almost every character to carry out the purposes of the Government as contemplated by the enactments of Congress and the instructions given thereunder.

ENROLLMENT.

The rolls as finally completed by the Commissioner to the Five Civilized Tribes show the total number of members thereof to be 101,211, divided into classes as follows:

Total enrollment of Five Civilized Tribes.

	Full bloods.	Part bloods.	Inter-married.	Freedman.	Total.
Choctaws.....	8,319	10,716	1,586	5,994	26,615
Chickasaws.....	1,538	4,146	635	4,670	10,989
Creeks.....	6,812	5,083	6,803	18,698
Cherokees.....	6,601	a 29,975	286	4,923	41,785
Seminoles.....	1,399	739	986	3,124
Total.....	24,669	50,659	2,507	23,376	101,211

* Includes 197 registered Delawares.

The same general scheme of office organization continues, as mentioned in the report for the previous year, and the discussion of the various branches of work follows under the heads of the different office divisions.

ACCOUNTS DIVISION.

The volume of the regular agency account continues to increase, principally by reason of the large amount of oil royalties, belonging to individual Indians, received and disbursed. During the past year 6,481 royalty vouchers and 1,398 regular disbursement vouchers were prepared and paid.

The grand total of moneys handled by the agency during the year aggregated \$3,060,296.02, a total of \$1,631,949.36 having been collected and \$1,989,127.09 disbursed. The total receipts have been smaller for the year just closed than for the previous one, because of the falling off of the tribal collections, especially town-lot payments. Individual Indian money collections have, on the other hand, more than doubled. The disbursement to individual Indians for the fiscal year ended June 30, 1906, was \$339,279.01. The amount for the year

just closed was \$679,347.45, and its rapid increase is better shown by the disbursements for each quarter as mentioned below:

First quarter.....	\$124, 891. 17
Second quarter.....	116, 816. 95
Third quarter.....	171, 714. 78
Fourth quarter.....	265, 924. 55

The general statement showing the items received and disbursed during the fiscal year follows:

Receipts and disbursements during fiscal year ended June 30, 1907.

RECEIPTS.

Choctaw and Chickasaw nations:		
Coal royalty.....	\$237, 385. 03	
Asphalt royalty.....	2, 814. 20	
Condemnation town lots.....	287. 45	
Condemnation of lands for railway purposes.....	7, 411. 71	
Sale of seized timber.....	132. 90	
Quarterly payment right of way St. Louis and San Francisco Rwy. Co.....	3, 000. 00	
Rent of jail at Tishomingo.....	150. 00	
Sale of seized furs.....	7. 65	
Grazing fee.....	12, 064. 50	
Town lots.....	389, 589. 61	
Individual Indian moneys, oil and gas.....	32. 84	
		\$652, 875. 89
Choctaw cattle tax.....		9. 60
Cherokee Nation:		
Oil and gas royalty (individual).....	568, 835. 34	
Coal royalty (individual).....	2, 176. 48	
Limestone and shale royalty (individual).....	2, 060. 00	
Oil lease bonus (individual).....	811. 00	
School revenue (board of teachers and pupils).....	9, 050. 21	
Taxes on pipe lines.....	233. 85	
Improvements former Orphan Asylum lands.....	80. 00	
Sale of property Cherokee Orphan Asylum.....	419. 35	
Sale of stray stock.....	228. 48	
Stone and ballast.....	332. 76	
Ferry charters.....	140. 00	
Grazing fee.....	365. 90	
Town-lot payments.....	146, 582. 23	
		731, 315. 60
Creek Nation:		
Oil and gas royalty (individual).....	181, 256. 93	
Coal royalty (individual).....	12, 921. 56	
Clay and shale royalty (individual).....	300. 00	
Oil lease bonus (individual).....	7, 095. 00	
Taxes on pipe lines.....	34. 76	
Occupation tax.....	133. 13	
Grazing fee.....	12, 802. 65	
Town-lot payments.....	22, 701. 96	
		237, 245. 99
Miscellaneous:		
Sale of town-site maps.....		210. 80
Overpayments, advanced royalty, Creek and Cherokee.....		10, 291. 48
Total actually collected by Indian agent.....		1, 631, 949. 36
Amount received by agent to cover disallowances.....		247. 67
Received by Treasury warrants on requisition.....		1, 379, 852. 73
		3, 012, 049. 76
Balance "Individual Indian moneys" carried over from previous fiscal year.....		.47, 902. 36
Balance "Overpayments, advance royalty, Creek and Cherokee" carried over from previous fiscal year.....		343. 90
Total.....		3, 060, 296. 02

DISBURSEMENTS.

Per capita and other Indian payments:		
Chickasaw incompetent fund -----	\$1,600.00	
Choctaw-Chickasaw town lots, 1904 -----	26,360.00	
Payment to loyal Creeks -----	4,275.70	
Payment to the Delawares -----	5,640.25	
Choctaw-Chickasaw town lots, 1906 -----	729,225.00	
		\$767,100.95
Warrant payments:		
Creek -----	55,950.16	
Cherokee -----	24,324.82	
Chickasaw -----	246,969.17	
Choctaw -----	16,129.68	
		343,373.83
Miscellaneous:		
Incidentals, office of Indian inspector for Indian Territory -----	9,198.36	
Removal of intruders -----	22,232.39	
Sale and leasing of Creek and Cherokee lands....	32,870.87	
Cherokee citizenship commission and witnesses..	1,511.80	
Salary and expenses revenue inspection service..	5,489.46	
Public roads -----	27,377.94	
Investigation alleged fraudulent leases.....	9,656.78	
Removal of restrictions -----	15,188.23	
Overpayment advance royalty -----	8,377.48	
Paid royalties due individual Indians -----	679,347.45	
Remittances and patents on town lots.....	12,929.64	
Telephone inspection service.....	922.58	
Salary of agent, employees, office incidentals, and miscellaneous -----	52,923.68	
Exchange -----	625.65	
		878,652.31
Total actual disbursements.....		1,989,127.09
Deposited Indian moneys to the credit of various tribes.....		845,372.28
Deposited on account of sale of town-site maps.....		210.80
Deposited unexpended balances -----		79,036.22
Deposited on account of disallowances.....		247.67
Balance on hand, overpayment advance royalty -----		2,257.90
Balance on hand, "Individual Indian moneys" -----		144,044.06
Total.....		3,060,296.02

Under the act of April 26, 1906, the Secretary of the Interior on November 15, 1906, prescribed regulations governing the issuance and payment of warrants for the expenses of the tribal governments. These regulations became effective January 1, 1907.

Heretofore Creek and Cherokee warrants have all been paid by the Indian agent, and Choctaw and Chickasaw warrants have been issued, circulated, and paid by the tribal authorities, except in some special cases. Under the present regulations these warrants are not to be circulated, but upon their issuance are to be forwarded to the Indian inspector for the Indian Territory for approval. When approved they are to be paid from the tribal funds by the agent.

Under departmental instructions, all outstanding Chickasaw national fund warrants were called in, examined, and reported upon by this office. Warrants to the amount of approximately \$70,000 were found to be regular in every respect, and have been paid. Of those remaining, warrants amounting to about \$18,500 were found to have been once paid by the tribal authorities and fraudulently recirculated, and their payment was therefore refused. Other warrants aggregating \$68,000 were found to have been issued without

proper authority, and to be otherwise irregular, and their payment was also refused by the Department on the ground that the act of Congress only authorized the Secretary of the Interior to pay warrants regularly issued and legal claims.

The total amount of tribal warrants paid and retired during the year is shown by the following statement:

Tribal warrants paid and retired during fiscal year ended June 30, 1907.

Chickasaw warrants	\$246,969.17
Choctaw warrants	16,129.68
Creek warrants	55,950.16
Cherokee warrants	24,324.82

INDIAN PAYMENTS DIVISION.

Choctaw-Chickasaw town-site payment.—The \$35 per capita distribution of the town-site funds belonging to the Choctaw and Chickasaw tribes, provided for by the act of April 28, 1904 (33 Stat. L., 571), which was commenced on June 1, 1906, as mentioned in the last annual report, continued during the year, the field work being closed about December 1, 1906. The members of the two tribes entitled to the payment number 25,695, and in order to pay the Indians as near their homes as possible, the payment was made in 48 different towns throughout the two nations. The following statement shows the names of the points visited and the amounts disbursed at each:

Disbursements for Choctaw-Chickasaw townsite payment.

Town.	Number of Indians paid.	Amount disbursed.	Town.	Number of Indians paid.	Amount disbursed.
Smithville.....	495	\$17,325	Wapanucka.....	337	\$11,795
Idabel.....	1,072	37,520	Tishomingo.....	708	24,780
Garvin.....	310	10,850	Madill.....	465	16,275
Valliant.....	178	6,055	Kingston.....	251	8,785
Port Towson.....	450	15,750	Colbert.....	256	8,960
Hugo.....	978	34,230	Mill Creek.....	150	5,250
Antlers.....	749	26,215	Sulphur.....	307	10,745
Tushkahoma.....	506	17,710	Roff.....	384	13,440
Talihina.....	520	18,200	Ada.....	536	18,760
Wister.....	521	18,235	Stonewall.....	343	12,005
Poteau.....	401	14,035	Mannsville.....	63	2,205
Spiro.....	641	22,435	Ardmore.....	1,171	40,985
Stigler.....	681	23,835	Marietta.....	224	7,840
Kinta.....	510	17,850	Davis.....	313	10,955
Crowder.....	248	8,680	Pauls Valley.....	681	23,885
South McAlester.....	981	34,335	Purecell.....	392	13,720
Calvin.....	377	13,195	Lindsay.....	305	10,675
Hartshorne.....	231	8,085	Chickasha.....	666	23,310
Wilburton.....	192	6,720	Marlow.....	149	5,215
Kiowa.....	407	14,245	Duncan.....	212	7,420
Atoka.....	1,185	41,475	Comanche.....	49	1,715
Caddo.....	577	20,195	Ryan.....	144	5,040
Durant.....	1,003	35,105	Muskogee (by voucher) ...	1,277	44,695
Bennington.....	485	16,975			
Boswell.....	350	12,250			
Coalgate.....	421	14,735	Total.....	23,847	\$834,645

As will be seen from the above, the shares of 23,847 Indians at \$35 per capita have been paid, aggregating \$834,645, of which amount \$729,225 was disbursed in the year just closed. Unpaid shares are being settled by voucher from the agency office as claims are presented.

In addition to the payment of the \$35 share, during the progress of this payment the unpaid shares of the \$40, 1904 payment, both to Mississippi Choctaws and other members, were disbursed, aggregating \$26,360.

Delaware per capita.—Unpaid claims of the per capita of \$102.50 distributed to Delaware Indians during the previous year under the act of April 21, 1904 (33 Stat., 221), were settled in the year just closed, aggregating \$5,640.25, leaving 88 shares yet unpaid.

Chickasaw per capita.—An amount of \$1,600 was disbursed in the settlement of unpaid shares of the original so-called “\$40 incompetent payment” made to enrolled Chickasaws, as provided by section 72 of the act of July 1, 1902 (32 Stat., 641). But \$369.17 remains of this original fund, the appropriation made being practically exhausted. When this amount is disbursed, such members of the Chickasaw tribe who have failed to draw this fund can not be paid unless other provision is made, either by tribal legislation, with the approval of the President, or by Congress.

Loyal Creeks.—There are a few claimants to this fund under the original appropriation of March 3, 1903, unpaid. During the year there was disbursed \$4,275.70.

CASHIER'S OFFICE.

The general statements of receipts for the fiscal year show a grand total of \$1,631,949.36 actually collected by this agency, which was handled by the cashier and his assistants, all of whom are bonded employees.

This money was almost all received through the mail, therefore all agency letters were first opened in the cashier's office, and the cash, drafts, or money orders detached and slips showing the amount remitted turned into the mailing room in lieu of the actual money.

MAILING DIVISION.

The records of this division show 78,534 miscellaneous letters and 2,639 Indian office letters received during the year just closed, besides approximately 25,000 statements, vouchers, etc., which are handled through the mail but are not given regular numbers. The closest estimate of outgoing letters and receipts shows approximately 176,000.

TOWN-SITE DIVISION.

Heretofore for seven years the moneys collected on account of payments due the tribes for lots in the 300 Government town-sites in the Indian Territory have grown larger each fiscal year. This work is now being brought to a close, and the collection of town-lot moneys during the past fiscal year was only a little more than half as large as during the fiscal year 1906. The final payments on most of the lots in the larger towns have practically all been made, 20 towns having been paid out in full.

The following tabulation shows the receipts for town lots for each nation by fiscal years:

Receipts for town lots.

Fiscal year ended June 30—	Creek.	Cherokee.	Choctaw and Chickasaw.	Total.
1900		\$74.02	\$11,139.48	\$11,213.50
1901		10.02	25,090.91	25,100.93
1902	\$80,536.56		157,188.83	237,725.39
1903	211,410.22	21,286.40	337,427.21	570,123.83
1904	106,479.26	73,568.24	374,574.22	554,621.72
1905	105,579.47	139,889.74	541,749.55	786,718.76
1906	149,049.53	244,450.74	581,728.65	975,228.92
1907	22,701.96	146,582.23	389,589.61	558,873.80
Total.....	675,757.00	625,361.39	2,418,488.46	3,719,606.85

Section 13 of the act approved April 26, 1906 (34 Stat., 137), provides:

That the coal and asphalt lands, whether leased or unleased, shall be reserved from sale under this act until the existing leases for coal and asphalt lands shall have expired, or until such time as may be otherwise provided by law.

There are twenty-one of the Government town sites within the segregated coal area. The Department has held that until the matter is further considered and passed upon by Congress, no money can be accepted on sales of lots within these town sites, if the sale has not actually been consummated by the payment of the first installment of the purchase price. As it was not believed that Congress intended that this provision should apply to town lots, it was recommended at the last session that the matter be remedied, which recommendation it is believed should be renewed.

TOWN-LOT DEED DIVISION.

As rapidly as possible after a full payment is made for any lot, steps are taken looking to the issuance of a patent executed under the authority of the proper tribe by the principal chief or other tribal executive. In the Creek and Cherokee nations these deeds are forwarded by the Indian inspector for the approval of the Secretary of the Interior. In the Choctaw and Chickasaw nations such approval is not required.

All of these deeds are made of public record in the office of the Commissioner to the Five Civilized Tribes and are then delivered by mail by the Indian agent. The record of deeds and patents prepared and delivered for the fiscal year follows:

Nation.	Prepared.	Delivered.*
Choctaw-Chickasaw	6,744	9,349
Cherokee	1,563	1,923
Creek	1,685	844
Total.....	9,982	12,116

* Includes some prepared in the previous year.

Pending the investigation and action upon the complaint of the Creek national council with reference to the alleged fraudulent scheduling of town lots, the delivery of deeds to lots in the Creek Nation has been withheld.

INTRUDER DIVISION.

Your office sees but little of the results accomplished by this division, as few appeals are taken, but the placing of allottees in possession of their lands and the investigation of complaints in reference to agricultural leases obtained by fraud form one of the most complicated and difficult problems of the entire agency.

Placing allottees in possession.—Under the provisions of the various agreements with the Indians of the Five Civilized Tribes the Indian agent at Union Agency is required, upon the issuance of allotment certificate and the application of the allottee, to place any Indian in the unrestricted possession of his land and to remove all objectionable persons.

Upon receipt of a complaint the defendant or person complained of is notified either to remove from the allotment or show cause within ten days why he should not remove. In many cases formal answers are filed, possession being claimed through some lease or other arrangement with the Indian, and many hearings are necessary. These are held in various parts of the Territory, at points most convenient for the allottees, and where the issues are controverted or the jurisdiction of the office questioned formal judgments or decisions are rendered. If the case is decided in favor of the complainant, the defendant is notified and given a limited time to remove from the allotment, and if he fails to do so, and there is no appeal, action is taken through the Indian police force to place the allottee in possession. As a general rule the decisions of the office have been accepted as final, there having been during the past year but eight appeals, in all of which cases, upon review by your office and the Department, the original judgment of this office has been sustained.

There has been a very material decrease in the number of written complaints, the total for the year being 1,002, not including 216 carried over from last year. More effective work, however, has been done by the field men this year, many cases having been taken up and satisfactorily disposed of and adjusted without formal hearings. During the year 2,077 complaints were thus handled. Also 875 formal cases were heard and disposed of in the fiscal year, making a total of 2,952 cases investigated.

The field force has also performed a vast amount of work making investigations at the request and for the assistance of the United States courts as to the status of the allotments of minor citizens with reference to their timber and agricultural leases, persons in possession, etc. It is believed that a conservative estimate of the amount saved minor allottees in this class of work in the making of leases and the securing of proper rental value for their lands will aggregate \$40,000 or \$50,000.

Considerable difficulty has been experienced in placing Cherokee allottees in possession of their land long held by rejected freedmen who have been denied citizenship, every obstacle having been placed in the way of this office by suits in the courts and otherwise. A temporary injunction was granted by Hon. Joseph A. Gill, judge of the northern district, but application was immediately made that it be dissolved, and upon a hearing, the court refused to make the injunction permanent. In this matter many people and a large area of