

CA 74-189

EXHIBIT # 25

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FILED

APR 1 1976

FEB 28 1931

My dear Senator:

JAMES F. DAVEY, Clerk

Receipt is acknowledged of your letter of February 13, 1931, with enclosure from Mr. Charles H. Garnett, 506 Hales Building, Oklahoma City, Oklahoma, who desires information with respect to the present status of the tribal governments of the Five Civilized Tribes.

By joint resolution approved March 2, 1906 (34 Stat. L. 822) Congress provided that "the tribal existence and present tribal governments" of the Five Civilized Tribes shall continue in full force and effect for all purposes under existing law until the property of such tribes or the proceeds thereof were distributed among the members of the tribes unless thereafter otherwise provided by law. Later, by the provisions of section 28 of the act approved April 26, 1906 (34 Stat. L. 137) "the tribal existence and present tribal governments" of the Five Civilized Tribes were continued in full force and effect for all purposes authorized by law until otherwise provided by law, but certain limitations were placed upon the tribal governments.

It has been held by the Department that by section 28 of the act of April 26, 1906, supra, the tribal officials then in office were continued, and that it was not contemplated by the act that any further elections should be held in the various tribes constituting the Five Civilized Tribes. No recognized elections of principal chief or other tribal officials by the Indians of those tribes have been held since April 26, 1906. Jurisdiction over their tribal affairs rests in the Secretary of the Interior under existing law and all matters relative to their tribal property or interests should be taken up with the Superintendent of the Five Civilized Tribes Agency, Muskogee, Oklahoma.

Your correspondent's letter dated February 10, 1931, is returned herewith and a copy of this response is enclosed for your convenience.

Sincerely yours,

(Signature) Henry S. ...

Assistant Commissioner.

2WL-24

Hon. Elmer Thomas,

United States Senate.

Inclosure 31707

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