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Department of the Interior

Office of Indian Affairs Washington, [letterhead]

July 20th 1883

Refer in reply to the following

L 12,581- 1883

Mrs, Jane K Jones,

Box 34

 Ottawa, Kansas

Madam:

I am in receipt of your communication, dated July 9, 1883, I which you refer to your share of the funds in the hands of the trustees of the Ottawa Indians, arising from the sale of the lands belonging to the Ottawa University, which funds certain lawyers in Paola are trying to secure for small consideration, against which you solemnly protest, and ask what

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is necessary for you to do in order to get your share of said funds.

You also say that you are informed that the Ottawas are about to have their land sectionized and divided in severalty.

In reply I have to state that it appears form the report of the U.S. District Attorney, that when the question of the settlement of the accounts of the trustees, (March, 10, 1883), was presented to the Judge of the District Court for the District of Kansas, the District Attorney raised the question of the citizenship of the Ottawa Indians by

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protesting against the recognition of Mr. W.R. Wagstaff and Mr. Oakman, as Attorneys for said Indians, under the contracts presented to the Court, signed by more than two thirds of the said Indians appointing those gentlemen as their special Attorneys to look after this fund, and that Judge Foster, after hearing arguments and examining the matter held that these Indians are citizens of the United States and entitled to all the rights and privileges attending such citizenship, and hence had the inclusive right of making con-

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tracts with Messrs, Wagstaff and Oakman, and that he should recognize them as such Attorneys.

The accounts of said trustees were carefully examined and the amount found to be due the Indians was $7,280.88, but the Judge did not make any order for the transfer of the fund.

The U.S. Court having rendered this decision , I know of no way in which the employment of Attorneys can be prevented.

You should make application to the trustees for your pro rata share of the funds in their possession; should they refuse

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 to pay you, an appeal to the District Court would seem to be your only recourse, as the funds are not under the control of this Department.

I am not aware that there is any proposal for sectionizing the land of the Ottawas and dividing them in severalty, or that there is any authority for such a step, although a bill for that purpose was introduced in the last Congress. It failed to become a law however.

 Very respectfully,

 E.L. Stevens

 Acting Commissioner

Allen