

19254

OFFICE OF
Indian Affairs
Rec. MAR 1

1906

Indian School, Carlisle, Pa.,
Feb 28, 1906.

Major.W.A.Mercer,
Supt.

Reports relative to the claim
of Miss M.Burgess to certain
copies of the book Styia written
by her.

File

Letter to Burgess Mel. 6/06

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DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
INDIAN INDUSTRIAL SCHOOL
CARLISLE, PENNA.

J.R.W.
Feb. 28, 1906.

The Honorable,

The Commissioner of Indian Affairs,

Washington, D. C.

Sir:

I am in receipt of Office letter "M 14721/1906" dated the 21st instant from the Acting Commissioner of Indian Affairs stating that a letter had been received from Miss M. Burgess, formerly an employee at this school, asking to have turned over to her some 50 or 75 copies remaining here of a little book, Styia, written by her on the Pueblo Indians. The Acting Commissioner states that Miss Burgess says the expense involved in publishing the book was met from the "Charity Fund" at this school; that enough copies were sold to pay very nearly for the cost of publishing, while hundreds were given away to representative people to help Indian work generally; and that her statement would indicate that she has a good claim on a fair number of her books. The Acting Commissioner inquires whether any reason is known why Miss Burgess's request should not be granted.

Reporting upon this matter, I have to state that Miss Burgess recently made application informally through a friend of hers here at the school to have the remaining copies of the book referred to turned over to her. Prior to the time when this request was preferred I had no knowledge or information in reference to this matter and had no knowledge of the fact that Miss Burgess entertained any claim whatever to such books. In responding to her informal request

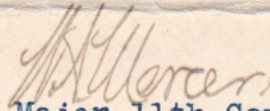
I took the ground that Miss Burgess should make formal application and establish her legal or equitable right, whereupon I would be enabled to take such action as might be warranted in disposing of property now here under my care and jurisdiction. I stated that I had no desire to deprive Miss Burgess of anything to which she might have a right, but on the other hand stated that I had a responsibility in the matter and did not care to turn over any property found at the school to anyone without sufficient explanation and proof of ownership.

Attention is invited to the fact that over a year and a half has elapsed since I took charge here and that it is nearly that long since Miss Burgess severed her connection with the school. It is unfortunate that the matter was not adjusted before the school was turned over to me, especially as my predecessor had full knowledge of the facts and if Miss Burgess entertained a claim to any of the books he would have been in a position to render just and proper decision. Again, it would seem that Miss Burgess would have mentioned the fact of her claim to the books to me at the time of her leaving the school, but nothing was said.

It is evident that Miss Burgess does not propose to make application to me directly for the books but that she prefers to attain her end indirectly. I would suggest that she be advised to prefer her claim directly, ^{to me} accompanied by such statement of the facts as she may have to make tending to establish her right, whereupon I will be in a position to proceed intelligently. As to the status

of the account I know nothing, though it is presumed, without doubt, the cost of publishing the book has been met, and if met, there is no claim one way or the other against Miss Burgess, especially as the Charity Fund has been wiped out and discontinued.

Very respectfully,



Major 11th Cavalry,

Superintendent.

JRW-S