

INDIAN OFFICE.

FILES.

**CAUTION!**

Positively no papers to be added to or taken from this file, except by an employee of the Mails and Files Division.

By order of

**E. B. MERITT,**

*Asst. Commissioner.*

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CARRISB

File No.

125

# STATE OF MINNESOTA

## TREASURY DEPARTMENT

ST. PAUL April 11, 1922

Charles H. Burke, Com.,  
Dept. of the Interior,  
Office of Indian Affairs,  
Washington, D. C.

93389-21

FILED BY G. P. F.



Dear Sir:

Your letter of Jan. 22, 1922, addressed to J. A. O'Gordon, chief executive of the soldiers' bonus board, of which I am a member, was referred to me for reply.

In view of the fact that certain litigation is pending to determine the intent of the legislature in connection with alien objectors I have considered it advisable to defer replying to your letter. The litigation is now in the Supreme Court of this state and in view of your recent letter asking for a reply to your first letter I have decided not to await the decision of the court before answering.

There is enclosed herewith copy of our amended soldiers' bonus act. Your particular attention is called to the underscored portions of Sec. 1, relating to those who claimed exemption on account of alienage, and in that connection there is also enclosed herewith copy of the Attorney General's opinion of May 3, 1921, upon the subject of Tribal Indians residents of Minnesota, who claimed exemption on account of alienage. You will note that Sec. 1 of the amended bonus act denies the bonus to those "who at any time during the period of the war with Germany sought to avoid service \* \* \* because of alienage" except those who were exempted by the draft boards and thereafter voluntarily entered the service, or those who were entitled to exemption as aliens of a neutral country.

Tribal Indians were classified as aliens under the provisions of the selective service act. The bonus applicant now under consideration having filed a claim for exemption on account of alienage, which was denied by the local draft board, he cannot come within the provisions of the bonus act for the reason that during the period of the war with Germany he sought exemption on such grounds, was not thereafter exempted from service because of alienage and was not an alien of a neutral country.

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**STATE OF MINNESOTA**  
**TREASURY DEPARTMENT**

**ST. PAUL**

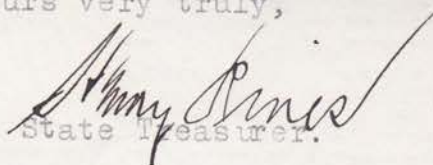
C.H.B. -2

In the questionnaire executed by Mr. Tibbetts while at Carlisle, Pannsylvania he answered the question "Do you claim exemption from military service because you are not a citizen" in the affirmative.

The Bonus Board regrets that it is obliged to disallow claims of this character as it is felt that such claims should be paid, but our bonus act is susceptible to only one construction, or at least that appears to be the opinion of the Attorney General. Should the Supreme Court, when it renders its decision, place a different construction upon the several alienage provisions of the act than that of the Attorney General it is possible that the Bonus Board may be able to modify its position upon these Indian claims.

Should you have occasion to again write relative to the claim of George W. Tibbets you will please communicate direct with this department. A copy of this letter is being sent to Mr. Tibbets, at his present address, 74 Arizona Ave., E., Detroit, Michigan.

Yours very truly,

  
State Treasurer.

HR/F  
Appl. No. 111993



May 3, 1921.

Soldiers' Bonus Board,  
c/o Henry Rines,  
Capitol.

FILED BY G. P. F.



Gentlemen:

You inquire with reference to the bonus status under Chapter 49, Extra Session 1919, as amended by Chapter 471, Laws 1921, of persons claiming to be tribal (non-citizen) Indians, born in the United States, who claims exemption on the grounds of alienage, whose claims were denied by the draft board, who were inducted and who performed honorable service and received honorable discharges.

The original act provides that "the word 'soldier' as used in this act shall not be construed to mean and shall not include any person who, at any time during the period of the war with Germany, sought to avoid service \* \* \* because of alienage."

This provision clearly excludes such claimants from the benefits of the act as it originally read. The amended act, so far as material to this inquiry, limits the application of this general exclusion provision as follows:

"No person shall be deemed to have ought to avoid service on the ground of alienage, who voluntarily entered the military or naval service of the United States after having been exempted from service because of alienage under the provisions of the selective act."

As noted by you in your inquiry, tribal (non-citizen) Indians, under the provisions of the selective service act and the rules and regulations promulgated thereunder, and for the purpose of the act, were considered and treated as aliens.

Under Subdivision (f), Rule 12, Section 79, Selective Service Law, classification rules and principles "a non-citizen Indian, born in the United States, unless he has stated in answer to question 6 of series VII of his questionnaire that he does not claim exemption on the ground of his non-citizenship, in which case he shall be classified as though he were a citizen of the United States, " was to be placed in Class V.

Under Note 1, Subdivision (f) supra, "An Indian is a citizen if (1) he or his father or mother, prior to his birth or before he attains the age of twenty-one, was allotted land prior to May 8, 1906, or, (2), if he was allotted land subsequent to May 8, 1906, and received a patent in fee to his land, or, (3) if he was residing in the old Indian territory on March 3, 1901, or (4) if he lives separate and apart from his tribe and had adopted the habits of civilized life."

These claimants might have pursued either one of two courses: (A) stated in answer to question 6 of Series VII of their questionnaires that they did not claim exemption on the ground of non-citizenship; (b) claimed exemption on the ground of non-citizenship, and established the claim by proper proof, in which case the exemption would have been allowed.



They attempted to pursue the latter course, but their claims were not allowed and they were inducted by the board. The board, being composed of public officers, must be presumed to have performed its duties according to law. In effect the board found that the claims of exemption were not true. Which fact of itself may be sufficient to exclude the claimants from the benefits of the law under the further restrictive provisions of the act that "the word 'soldier' as used in this act shall not be construed to mean, and shall not include any person \* \* \* who has been at any time guilty of fraud or violation or evasion of the selective service act or of the rules or regulations of the war department in force thereunder."

In any event the claimants lack two qualifications necessary to bring themselves within the exception to the general restriction provisions: (a) They were not exempted from service because of alienage, and (b) they did not voluntarily enter the military or naval service of the United States after being so exempted; which leaves them subject to the general restriction provisions.

In my opinion these claimants are not entitled to the benefits of the bonus law.

Yours very truly,

Albert F. Pratt  
Assistant Attorney General

STATE OF MINNESOTA

Soldiers' Bonus  
Act

Chapter 471 Laws 1921, amending  
Chapter 49 Laws 1919,  
Special Session

Applications for Soldiers' Bonus under this  
act must be made upon prescribed blanks,  
furnished by The Soldiers' Bonus Board,  
Capitol Building, St. Paul, Minn.

Issued by

The Soldiers' Bonus Board

W. F. RHINOW, Adjutant General, Chairman.

R. P. CHASE, State Auditor, Secretary.

HENRY RHINES, State Treasurer.

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discharge or release from such service; or who may still be in such service under honorable conditions, at the time of making application for the benefits of this act; provided, however, that the word "soldier," as used in this act shall not be construed to mean and shall not include any person who, at any time during the period of the war with Germany, sought to avoid service because of conscientious objections thereto, or because of alienage, or who has been at any time guilty of fraud or violation or evasion of the Selective Service Act or of the rules or regulations of the War Department in force thereunder, or any person in such service during a period of enlistment, re-enlistment, extended enlistment or other service which began after November 10, 1918; provided, that where discharge was given for the purpose of allowing promotion and acceptance of a commission and continuous service was performed thereunder, such subsequent service shall not be deemed to be a period of service beginning after November 10, 1918. Any person who, while in such service, received pay as a civilian employe shall not be entitled to the benefits of this act for the period of such employment. ~~No person shall be deemed to have sought to avoid service on the ground of alienage, who voluntarily entered the military or naval service of the United States after having been exempted from service because of alienage under the provision of the selective service act, no person shall be deemed to have sought to avoid service on the ground of alienage who was entitled to exemption therefrom as an alien of a neutral country, but who performed honorable service in the military or naval service of the United States and was at the time of his discharge from the service a citizen of the United States; or who after receiving an honorable discharge and before the passage of this act has become a citizen of the United States; except as~~

above provided no person who shall have at any time declared his intention of becoming a citizen of the United States and who thereafter sought to avoid service on the ground of alienage shall receive a bonus. No person shall be deemed to have attempted to evade the Selective Service Act who claimed exemption on the ground of marriage, which marriage occurred after being rejected for enlistment or induction into the military or naval service subsequent to April 6, 1917. The terms "alien of a neutral country" shall be construed to mean the subjects or citizens of countries that did not at any time during the war with Germany participate therein either before or after the entry of the United States into such war.

The term "Honorable Discharge" contained in this act shall not be construed to include any person who was in the military service of the United States and who was released from such service on account of alienage, whether such person served in the army or navy, or otherwise.

Sec. 2. That any soldier shall be entitled to receive from the State of Minnesota from a fund hereinafter created and called "The Soldiers' Bonus Fund," the sum of fifteen dollars (\$15.00) for each and every month and fraction thereof of service given by him as such soldier subsequently to April 6, 1917, and prior to July 31, 1920; provided that the amount received hereunder by any such soldier shall not be less than fifty dollars (\$50.00); and provided, that any sums allowed a soldier as and for tuition under the provisions of Chapter 338, General Laws 1919, of the State of Minnesota, before approval of his claim under this act, shall be deducted from said claim, except that if said claim be allowed for less than Two Hundred Dollars (\$200.00), a sum shall be deducted therefrom sufficient to make the total of the claim and the amount previously allowed for tuition

dress. If facts sufficient to establish the status of such applicant as a soldier shall not be provided to the satisfaction of the board for two months thereafter, such application shall be disapproved. Whenever any application is disapproved by said board a statement of the reason for such disapproval shall be filed with the application and notice thereof mailed to the applicant at his last known post-office address. Within three months after such notice of such disapproval the applicant may make application to establish any facts necessary to entitle him to a bonus. If in the opinion of the Bonus Board such facts as adduced might cause the Board to approve such claim it shall set a date within fifteen days thereafter for the presentation of such evidence and may after receiving the same approve the application. Notice of such date or of the fact that such evidence would be insufficient to cause approval of the claim shall be mailed to the applicant at his last known post-office address within three days after the receipt of the petition.

Sec. 4. (a). There is hereby created a "Soldiers' Bonus Board of Review" to consist of three persons to be appointed by the Governor to hold office during his pleasure from July 1st, 1921, to March 1st, 1922, and to sit during such times ordered by the Governor, the members of which shall receive a compensation of \$10.00 per day and necessary personal and traveling expenses during the time they shall be actually engaged in fulfilling their duties as such board members. Such board shall have power to re-examine, hold hearings and approve applications either disapproved or set apart by the Soldiers' Bonus Board because of insufficient facts to establish the status of a soldier or applications which are not approved within sixty days after the filing thereof; provided that before any disapproved claim shall be renewed by

the Board of Review the applicant shall apply for such review. Upon receiving such application for review the Bonus Board shall deliver to a member of the Board of Review, upon receipt thereof, the files in the case. Such Board of Review shall return the same within forty-five days, with a memorandum of any action taken thereon. The said Board of Review shall have full power to determine all questions of facts which determine the status of a soldier. All approvals of claims and determinations of fact by such Bonus Board or Board of Review which establish the status of an applicant to be that of a soldier under the terms of this act shall be final and conclusive. All disapprovals or setting apart of claims because of lack of sufficient proof to establish the status of an applicant shall be subject to review. One member of the said Board of Review may hold hearings and any two may approve a claim. Whenever the number of applications for review in any locality and the circumstances of the cases shall warrant, the Board of Review or a member thereof may hold hearings in any parts of the state. The Bonus Board may with the consent of the Board of Review refer to such Board of Review any applications which would not otherwise be subject to review by such Board.

Sec. 5. The soldiers' bonus board is hereby authorized and empowered to issue and sell certificates of indebtedness to make funds available for the purpose of carrying out the provisions of this act. Said certificates shall draw interest at a rate not to exceed five per cent per annum payable semi-annually, except the interest due in 1920, which shall be paid in one installment; and shall not be sold for less than the par value thereof. The proceeds of the sale of such certificates, from time to time, shall be paid into a fund hereby created, which fund shall be known as "The Soldiers' Bonus Fund." Said cer-



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APR -8 1922

Hon. J. A. Gordon,  
Chief Executive Deputy,  
Minnesota Soldiers' Bonus Board,  
St Paul, Minnesota.

Dear Sir:

Referring to my letter of January 20, relative to the case of George W. Tibbette, I should like to be informed as to what further action has been taken in this Indian's case.

Sincerely yours,

(Signed) Chas. H. Burke

Commissioner.

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J R V

Hon. J. A. Gordon,  
Chief Executive Deputy,  
Minnesota Soldiers' Bonus Board,  
St Paul, Minnesota.

APR -8 1922

Dear Sir:

Referring to my letter of January 20, relative to the case of George W. Tibbette, I should like to be informed as to what further action has been taken in this Indian's case.

Sincerely yours,

*Signed, Chas. H. Burke*

Commissioner.

4 RM 7

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JAN 20 1922

FILED BY C. P. F.

Hon. J. A. Gordon,  
Chief Executive Deputy,  
Minnesota Soldiers' Bonus Board,  
St. Paul, Minnesota.

Dear Sir:

Reference is made to letter from this Office to your Board under date of October 11, 1921, and your reply of October 19th, relative to the application of George W. Tibbetts for a soldier's bonus. His claim was rejected on the ground that he claimed exemption (Application No. 111993).

Upon receipt of your letter, Mr. Tibbetts was informed of the reasons for the rejection of his claim, and a reply has been received from him dated November 16, 1921, which it is believed warrants your re-consideration of his claim. His letter is as follows:

"I received your letter and the statement that I claimed exemption from the military service at the time I filed my Questionnaire on the grounds that I was not a citizen of the United States.

"I remember when I was filling out the questionnaire, the man who was helping us answer the questions, asked me if I was a citizen and I told him I was a ward of the Government, which I was at that time. So he told me to write down that I was a ward of the Government, which I did. But I did not claim exemption on those grounds.

"I did not receive my citizenship papers until some time after I had filled out the questionnaire.

"I voluntary enlisted in the Army, and

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that alone shows I did not claim exemption.

"Trusting this letter will receive your consideration, I am."

Your attention is also invited to his letter of September 26, 1921, as follows:

"I received your letter and the list of questions which I have filled out to the best of my knowledge.

"I do not know of any way that I tried to claim exemption.

"I voluntarily enlisted in the United States Army.

"I enlisted in Carlisle, Penna., March 9, 1918, and went to Waco, Texas, where I was in the 51st Squadron and 4th Regiment.

"I was transferred to Charlotte, North Carolina, on May 26, 1918.

"On the July 25, 1918, I was transferred to the Aviation Repair Depot, Montgomery, Alabama.

"I was sent to Camp Dodge, Iowa, April 2, 1919, to be discharged.

"I have forgotten my serial number, but I think you will find it on my discharge.

"Hoping that this letter will receive your kind consideration."

From the foregoing information including the fact that he voluntarily enlisted for service, it appears that the finding that he claimed exemption to avoid service is erroneous.

From information at hand, it appears that he was not a citizen of the United States at the time of his registration, and that he simply stated the facts in filling out his questionnaire, and that he followed the advice of the person who was assisting him answer the questions. As the Indian citizenship question in connection with the draft was somewhat complicated, it is not strange that he should be uncertain as to how to register. As non-citizen Indians were entitled to exemption or deferred classification, his voluntary enlistment and service strongly indicates



that his purpose in registering as a ward of the Government was not for the purpose of avoiding service. He was issued a certificate of competency at a later date, February, 1918, whereupon he became a citizen. It is observed, however, that the Minnesota Bonus Act does not restrict payments to citizens, but makes provision for residents of the State. Tibbetts is an Indian of the White Earth Indian Reservation in Minnesota who was employed at the United States Indian School, Carlisle, Pa., at the time of his registering and enlistment.

In view of the circumstances, it appears an injustice to Tibbetts and other Indians to rule them not entitled to the bonus when they registered the best way they knew how and voluntarily entered the military or naval service notwithstanding they were entitled to exemption. It is therefore respectfully requested that Tibbetts' case be re-considered in the light of the additional information now presented. In this connection, there is inclosed herewith a copy of an opinion dated July 25, 1921, of the Attorney General of the State of New York holding that non-citizen Indians residing on Indian Reservations were entitled to the bonus if otherwise qualified. I would like to be informed of the action taken.

Very truly yours,



Commissioner.

Copy to Geo. W. Tibbetts,  
74 Arizona Ave., E.,  
Detroit, Michigan.



74 Arizona Ave E.  
Detroit, Mich.

Mr. C. B. Merrill

Nov. 16, 1921

Office of Indian Affairs  
Washington D. C.

FILED BY C. P. F.



Dear Sir:

I received your letter  
and the statement, "That I  
claimed exemption from the  
military service at the time  
I filed my Questionnaire on the  
grounds that I was not a  
citizen of the United States."

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I remember when I was  
filling out the Questionnaire.  
The man who was helping

and answer the questions, asked me if I was a citizen, and I told him, I was a ward of the government, which I was at that time. So he told me to write down that, I was a ward of the government. Which I did. But I did not claim exemption on those grounds.

I did not receive my citizenship papers until some time after I had filled out the Questionnaire.

I voluntarily enlisted in the Army, and that alone

~~shows~~ I did not claim exemption.

Trusting this letter will receive your careful consideration, I am

Respectfully yours,

Geo. W. Tibbitts



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FILED BY C. P. M.

Mr. George F. Tibbette,  
74 Arizona Avenue,  
Detroit, Michigan.

Dear Sir:

The Office is in receipt of a letter dated October 19th from the Soldiers' Bonus Board for the State of Minnesota, which reads as follows:

"We have your favor of recent date relative to the bonus application of George W. Tibbets.

This man claimed exemption from the military service at the time he filed his Questionnaire on the grounds that he was not a citizen of the United States.

Our Attorney General has ruled that in cases where Indians claimed exemption as stated above they are not entitled to the bonus from the State of Minnesota."

In view of the above the Office is unable to advise you further regarding your claim for bonus. If you are able to give further statements that would disprove or offset the allegation that you claimed exemption, the Office would be pleased to give your case further consideration.

Very truly yours,



Assistant Commissioner.

*White*  
*11-12-21*  
*[initials]*

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Initialing Copy - For File

State of Minnesota  
The Soldiers' Bonus Board  
Capitol Building  
St. Paul

October 19, 1921



FILED BY C. P. F.

Application No. 111993

E. B. Merett, Assistant Commissioner  
Department of the Interior, Office of Indian Affairs  
Washington, D.C.

Dear Sir:

We have your favor of recent date relative to the bonus application of George W. Tibbets.

This man claimed exemption from the military service at the time he filed his Questionnaire on the grounds that he was not a citizen of the United States.

Our Attorney General has ruled that in cases where Indians claimed exemption as stated above they are not entitled to the bonus from the State of Minnesota.

Yours very truly,

*J. A. O'Gordon*  
J. A. O'GORDON  
Chief Executive Deputy

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Sec. 5. To co-operate with federal authorities.—It shall be the duty of the commissioner to co-operate with and furnish to all federal authorities engaged in similar work all information which he attains from time to time, providing that the furnishing of such information will not materially interfere with the work being carried on by the commissioner.

Sec. 6. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.

#### CHAPTER 48—H. F. No. 86.

*An act to appropriate the sum of fifteen thousand dollars (\$15,000) for the year ending July 1, 1920, and twenty thousand dollars (\$20,000) for the year ending July 1, 1921, to be expended under the direction of the Commissioner of Drainage and Waters.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Appropriations for commissioner of drainage and waters.—There is hereby appropriated from any moneys in the state treasury not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000) to be available during the fiscal year from the passage of this act, and ending 1920, and twenty thousand dollars (\$20,000) to be available during the fiscal year of July 1, 1920, to July 1, 1921, to be expended under the direction and upon the order of the commissioner of drainage and waters as contemplated by the provisions of sections two (2) and three (3), of chapter four hundred seventy-one (471), Laws of 1919.

Sec. 2. This act shall take effect and be in force from and after its passage for approval.

Approved September 22, 1919.

#### CHAPTER 49\*—H. F. No. 103.

*An act to provide relief and assistance for certain officers, soldiers, sailors, marines, nurses, and the surviving wives of certain deceased officers, soldiers, sailors, marines and nurses, providing for issuance of certificates of indebtedness for the raising of necessary funds therefor, and for the retirement of the same by money raised from a tax levy provided therefor, and the creation of a board to issue such certificates and supervise the expenditure and disbursement of funds, and appropriating \$20,000,000.00 therefor, and making it a misdemeanor for any claimant to transfer or to attempt to transfer his right or claim and for any other person to acquire or to attempt to acquire any interest therein before the issuance of the auditor's warrant therefor.*

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Definition.—That the word "soldier" as used in this act, shall mean any officer, soldier, sailor, marine or nurse who has been or is a part of the military or naval forces of the United States or of any nation associated with the United States in the war with Germany and who was a resident of the state of Minnesota at the time he was commissioned, enlisted, inducted, appointed or mustered into the military or naval service of the United States, and who has been or may be given an honorable or ordinary discharge or release from such service; provided, however, that the word "soldier," as used in this act, shall not be construed to mean, and shall not include any person who, at any time during the period of the war with Germany, sought to avoid service because of conscientious objections thereto, or because of alienage or who has been, at any time, guilty of fraud or violation or evasion of the Selective Service Act or of the rules or regulations of the War Department in force thereunder.

Sec. 2. Bonus to be received by each soldier, etc.—That any such soldier shall be entitled to receive from the state of Minnesota, from a fund hereinafter created and called "The Soldiers Bonus Fund" the sum of fifteen dollars (\$15.00), for each and every month and fraction thereof of service given by him as such soldier subsequently to April 6, 1917, and prior to the date upon which peace shall be agreed upon between the United States and the German Government; provided, that the amount received hereunder by any such soldier shall not be less than fifty dollars (\$50.00); and provided, that any sums received by any such soldier as and for tuition under the provisions chapter 338, General Laws 1919 of the state of Minnesota shall be deducted from the amount which such soldier may receive under the provisions of this act; and provided further, that if any soldier who receives any sum under the provisions of this act shall make application for any sum as and for tuition under any act heretofore enacted, the sum paid to such soldier under the provisions of this act shall be deducted from and charged against the amount to which such soldier would have been entitled as and for tuition if he has not received any sum hereunder.

Sec. 3. Procedure.—That before receiving any sum under the provisions of this act, said soldier shall file with the clerk of the district court of the county in which he resides or resided at the time of induction into service, or with the adjutant gen-



eral, application therefor on forms provided by the adjutant general; provided, that when such application is filed with the clerk of the district court it shall be the duty of the said clerk to transmit said application to the adjutant general forthwith. Such application shall state facts sufficient to establish the status of such applicant as soldier as defined herein, and shall be duly verified.

Sec. 4. **Soldiers' bonus board.**—There is hereby created a board to be known as "The Soldiers' Bonus Board," to consist of the state auditor, the state treasurer, and the adjutant general. It shall be the duty of the said board to examine into such applications and shall make any other examination necessary to establish facts, and approve or disapprove the same. Whenever any such application is approved by said board it shall be the duty of the adjutant general to prepare a voucher and transmit the same to the state auditor; said auditor shall issue a warrant for the amount stated therein, and the state treasurer shall pay such warrant out of said soldiers' bonus fund. No assignment of any right or claim to benefits hereunder made prior to the issuance of the state auditor's warrant herein provided for, shall be valid, and any transfer or attempt to transfer any such right or claim or any part thereof by any beneficiary prior to the issuance of such warrant and the acquiring or attempting to acquire by any other person of any interest in or title to such claim prior to the issuance of such warrant shall be a misdemeanor and punishable as such.

Sec. 5. **\$20,000,000 certificates authorized.**—The soldiers' bonus board is hereby authorized and empowered to issue and sell certificates of indebtedness to make funds available for the purpose of carrying out the provisions of this act. Said certificates shall draw interest at a rate not to exceed five per cent per annum payable semi-annually, except the interest due in 1920, which shall be paid in one installment; and shall not be sold for less than the par value thereof. The proceeds of the sale of such certificates, from time to time, shall be paid into a fund hereby created, which fund shall be known as "The Soldiers' Bonus Fund." Said certificates shall mature not more than twelve (12) years from the date thereof, and be in such form and on such terms and conditions, other than those herein specified, as the said board may determine. Such certificates shall be issued in an aggregate amount not exceeding the sum of twenty million dollars (\$20,000,000.00). Said certificates shall be signed by the members of said board and shall be attested by the state auditor under the seal of his office. The state auditor shall keep a record

showing the number, amount, date of issue and date of maturity of each such certificate and the proceeds of the sale thereof shall be deposited with the state treasurer to the credit of the said soldiers' bonus fund. Redemption of said certificates and payment of the interest thereon shall be made from said fund, and any excess remaining in or accruing to said fund after payment in full of all such certificates shall be credited to the revenue fund.

Sec. 6. **\$20,000,000 appropriated.**—That the said sum of twenty million dollars (\$20,000,000.00), or as much thereof as may be necessary, is hereby appropriated out of the said soldiers' bonus fund for carrying out the provisions of this act.

Sec. 7. **Tax levy authorized.**—That for the purpose of providing funds with which to pay said certificates of indebtedness as they mature and the interest thereon, the state auditor is hereby authorized and directed to levy and collect in the same manner as other state taxes are levied and collected, for the taxable year of 1919, and for each and every succeeding year, for nine (9) years a sum not exceeding two million dollars (\$2,000,000.00) per year and such additional sums as may be needed to meet the interest on such certificates of indebtedness. The sum so levied and collected shall be placed in the said soldiers' bonus fund.

Sec. 8. **Employees authorized.**—That the soldiers' bonus board, the state auditor, the adjutant general, and the state treasurer, are hereby empowered to employ such assistance and to incur such other expense as may be necessary for the administration and the carrying out of the provisions of this act; and the funds necessary for such administration and carrying out of the provisions of this act shall be expended from said soldiers' bonus fund; such assistants as said board may determine shall give bond in such amount as may be fixed by said board, and shall, whenever practicable, be soldiers as defined in section one of this act.

Sec. 9. **Widow to receive compensation in case of death of soldier.**—Where any soldier, as herein defined, is at the time of the taking effect of this act, deceased, and leaves a widow him surviving, then and in that event, such widow, if still single, shall be entitled to and shall be paid, out of the fund by this act created, the amount which such deceased soldier would receive hereunder if living.

Sec. 10. This act shall take effect and be in force from and after its passage.

Approved September 22, 1919.



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OCT 11 1921

Minnesota Bonus Board,  
St. Paul, Minnesota.

Gentlemen:

This Office is in receipt of a letter dated September 11, 1921, in regard to the payment of Minnesota bonus to Geo. W. Tibbets. It seems that his claim was disallowed on account of alienage.

From record in this Office and information received it appears that Geo. W. Tibbets enlisted in the United States Army at Carlisle, Penna., March 9, 1918. He received his allotment from White Earth Reservation, and in February 1918 was issued certificate of competency which makes him a citizen entitled to all the rights and privileges of other citizens.

In view of the facts in the case, the Office would be pleased to have you reconsider his claim.

Respectfully,

*E. B. Merrett*  
Assistant Commissioner.

10 AC 3

*File*  
*MM*

Initialing Copy - For File

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50821-21  
73183-21  
78279-21  
L H D

82

Mr. Geo. W. Tibbets,  
74 Arizona Ave.,  
Detroit, Michigan.

OCT 11 1921

My dear Mr. Tibbets:

Receipt is acknowledged of your letter of September 26, 1921, inclosing information relative to your status as an Indian. From the facts set forth in the case it appears that you are a citizen of the United States and entitled to all privileges of other citizens.

You are also advised that the matter in question has been taken up with the Minnesota Bonus Board with the view of having them reconsider your claim in light of this additional information.

Very truly yours,

*E. P. Merrett*  
Assistant Commissioner.

10 AC 3

Initialing Copy - For File



74 Arizona Ave  
Detroit, Mich.

Sept. 26, 1921

Mr. E. B. Merritt  
Washington, D. C.



Dear Sir:

I received your letter  
and the list of questions,  
which I have filled out  
to the best of my know-  
ledge.

*of* I do not know of  
any way that I tried  
to claim exemption.

I voluntarily entiated

in the United States Army.

I enlisted in Carlisle, Penna.  
March 9, 1918. and went to  
Waco, Texas. where I was in  
the 51st Squadron, 4th Regiment.

I was transferred to Charlotte,  
North Carolina. on May 26, 1918

On the July 25, 1918 I was  
transferred to the Aviation  
Repair Depot, Montgomery,  
Alabama.

I was sent to Camp  
Dodge, Iowa. April 2, 1919.  
to be discharged.

I have forgotten my  
serial number, but I

think you will find it  
on my discharge.

Hoping that this letter  
will receive your kind  
consideration.

Yours Truly,

Geo. W. Tibbette



RECORDED  
SEP 23 1921  
78279

STATUS OF INDIANS

1. Give your full name *Geo. W. Tibbitts* . . . . . Age . . . . .
2. Give date of birth--Year *1894* . . . . . Month *March* . . . . . Day *27th*.
3. Give place of birth *Foster* . . . . . City or reservation *White Earth* . . . . . State *Minnesota*
4. Belonging to the *Ottertail Band* . . . . . Tribe *Chippewas* . . . . . Reservation *White Earth* . . . . .
5. Degree of Indian blood *3/16* . . . . .
6. Allotted? *yes (sold)* . . . . . 7. If so, give allotment number *?* . . . . .
8. Where allotted? *On the White Earth Res.*
9. Name by which allotted? *Geo. Thompson*
10. Date of trust patent? *?*
11. Has fee patent been issued covering your own allotment? *yes* . . . . .  
If so, give date. *?*
12. Has certificate of competency been issued? *yes* . . . . . If so, give date. *Feb. 1918*
13. Were your parents married to each other? *yes*
14. If so, was it a legal marriage, Indian custom marriage, or common law marriage? *Legal Marriage*
15. Your present address? *74 Arizona Ave, Detroit, Michigan*
16. Occupation? *Factory*
17. When did you leave the reservation? *1911*
18. State where you have been and what work you have been doing since leaving the reservation. *School, Army*
19. Have you abandoned tribal life and adopted the habits and customs of civilized life? *yes*
20. To what extent, if any, have you taken part in State, County or City elections? *none*
21. Do you claim to be a citizen? *yes* . . . . . If so, on what grounds?  
*I am a tax payer and self supporting*

- 22. Give name of your father. *Roscoe Tibbitts* . . . . . Age . . . . .
- 23. Tribe . . . *White* . . . . . Reservation . . . *none* . . . . .
- 24. His degree of Indian blood. . . *none* . . . . .
- 25. Is, or was he a citizen of the United States? *yes.*
- 26. If citizenship is claimed, on what grounds does he claim citizenship? *He was born and raised in the United States*
- 27. Allotment No. *None* . . . . . Where allotted? . . . . .
- 28. Give date of his trust patent. . . . .
- 29. Give date of fee patent. . . . .
- 30. Has certificate of competency been issued to him? . . . . .

If so, give date. . . . .

- 31. Is your father living or dead? . . *Dead* . . . . . If dead, give date. . . *1910*
- 32. If living, give present address. . . . .

----- 0 0 0 -----

- 33. Name of your mother. *Mrs. Kate Wakefield*
- 34. Degree of Indian blood. *3/8*
- 35. Tribe. *Chippewa* . . . . . Reservation. *White Earth* . . . . .
- 36. Allotment No. . . . . Where allotted? . . . . .
- 37. Date of trust patent . . . . . Date of fee patent. . . . .
- 38. If not married to father of Indian under consideration, was she a citizen? *yes.*
- 39. In that case, to whom, if any one, was she married at time said child was born?
- 40. If citizenship is claimed, on what grounds does she claim citizenship?

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\*Status of Indians -- page 3

\*41. Did you serve in the Army or Navy in the recent war with Germany? *yes.*

42. If so, give your army or navy Serial Number..... *1188276 (LHD)*

43. If in Army, give name or number of company, regiment, division, etc., with which you served.....  
*880 Aero Squadron*

44. If in Navy, give similar appropriate information.....

45. State where you were located .....  
*Waco Texas      Montgomery Ala.*  
*Charlotte N.C.      Camp Roddy Iowa.*

46. Where did you register for military service under the U. S. registration laws?

*Carlisle Penna., June 5, 1917*

I, *Geo. W. Tibbetts*, solemnly swear that the foregoing information and answers are true to the best of my knowledge and belief.

*Geo. W. Tibbetts*  
( Signature )

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50821-21

Mr. George W. Tibbitts,

74 Arizona Ave.,

Detroit, Michigan.

OCT -1 1921

My dear Mr. Tibbitts:

There is transmitted herewith your Honorable Discharge from the United States Army. As a photostat copy has been made of your discharge for our permanent files, the original is therefore no longer necessary.

Very truly yours,



Assistant Commissioner.

9 AC 28

Initialing Copy - For File



74 Arizona Ave  
Detroit, Mich.

Sept. 3, 1921.

Mr. C. P. Merritt  
Washington D. C.

Dear Sir:

I received the affidavit  
you sent me, and wish to  
thank you for the same.

I am enclosing the letter  
the Soldiers' Bonus Board of  
Minnesota sent back to me.

I wish to ask your help in  
this matter, as I need the  
money, and I think I deserve  
it, as I enlisted and had a  
good record while in the Army.

I am enclosing my discharge  
paper.

Hoping that this letter

is



225

will receive your kind  
attention.

I thank you.

Yours truly,

Geo. W. Tibbitts



# Honorable Discharge from The United States Army



FILED BY C. P. F.

MINNESOTA SOLDIER'S BONUS BOARD.  
True copy made by me on 17 day of Aug. 1919 for purpose of securing Soldier's Bonus grant under Chapter 41 Extra Legislative Session 1919, State of Minnesota.

*Edward*

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That *George N. Tibbetts*  
# *1188276* Corp., *Caual Co. 5-163rd. Dept. Brig.*  
Last assigned to *880th Aero Squadron, H. R. S. Montgomery, Ala.*  
THE UNITED STATES ARMY, as a TESTIMONIAL OF HONEST AND FAITH-

FUL SERVICE, is hereby HONORABLY DISCHARGED from the military service of  
*Hon. Disch. Cer. #17 Md. 1919 4nd Jule, C. O. T. R. D.*  
the UNITED STATES by reason of *Montgomery, Ala, dtd. 3/30/19*

Said *George N. Tibbetts* was born  
in *Foston*, in the State of *Minnesota*

When enlisted he was *24* years of age and by occupation a  
*Physical Director*. He had *Brown* eyes, *S. Brown* hair,  
*Medium* complexion, and was *5* feet *8 1/4* inches in height.

Given under my hand at *Camp Dodge, Ia* on this  
*2nd* day of *April*, one thousand nine hundred and *Nineteen*

*William E. Pa. Lee*  
*Major Infantry U.S.A.*  
*Commanding*

# ENLISTMENT RECORD.

Name: George W. Tibbetta Grade: Corporal  
 Enlisted, or Inducted, Mar. 9<sup>th</sup>, 1918, at Carlisle, Pennsylvania  
 Serving in First enlistment period at date of discharge.  
 Prior service: None

Noncommissioned officer: fr. Potts Cpl. S.O. #11 Jan. 1st. 1919  
 Marksmanship, gunner qualification or rating: None  
 Horsemanship: Not Mounted  
 Battles, engagements, skirmishes, expeditions: None

Knowledge of any vocation: Physical Director

Wounds received in service: None

Physical condition when discharged: Good

Triple  
 Typhoid prophylaxis completed: April 19<sup>th</sup> 1919.

Paratyphoid prophylaxis completed: Not Recorded

Married or single: Single

Character: Excellent

Remarks: Recently disch. Co. 5-16 3rd. D. B. Enl. 3/9/19 assign.  
to 880<sup>th</sup> Pers. Squadron Camp Green, N. C. Trfd. to Montgomery  
Alabama 7/24/18 Trfd. to Co. 5 Mar. 30/19.  
No A. H. O. S.

Signature of soldier: George W. Tibbetta

CAMP DODGE, IOWA

APR 2 1919

Paid in Full Including

Bonus. \$ 126.23

Thomas R. McDermott  
 Ind. St. Inf. U.S.A.

Commanding Comdet. Co. 5.

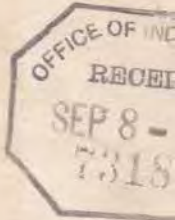
A. A. Padmore



THE SOLDIERS' BONUS BOARD  
STATE OF MINNESOTA

NOTICE OF DISAPPROVAL

(ALIEN OBJECTOR)



Application No. 111993 AEG RGS

To Gen. W. Tibbetts

Last known postoffice address: 74  
62 Arizona Ave.,

Detroit, Michigan.

Notice is hereby given that your application for Minnesota Soldiers' Bonus under provisions of Chapter 49, Extra Session Laws 1919, as amended by Chapter 471, Laws 1921, has been disapproved for the reason that from the records presented to this Board it appears that you claimed exemption from service under the provision of the Selective Service Act because of alienage, and because your case does not come within the excepting provisions of Section 1, Chapter 471, Laws 1921 (amended Soldiers' Bonus Act), which authorizes payment of bonus to certain classes of alien objectors. (See note below).

(If disallowed for additional reasons, same are stated here:)

Dated St. Paul, Minnesota, August 22, 1921.

THE SOLDIERS' BONUS BOARD,

By J. A. Olson  
CHIEF EXECUTIVE DEPUTY

NOTE—Section 4, said Chapter 471, Laws 1921, provides that "Within three months after \* \* \* \* notice of \* \* \* disapproval the applicant may make application to establish any facts necessary to entitle him to a bonus. If in the opinion of the Bonus Board such facts as adduced might cause the Board to approve such claim it shall set a date within fifteen days thereafter for the presentation of such evidence and may after receiving the same approve the application. Notice of such date or of the fact that such evidence would be insufficient to cause approval of the claim shall be mailed to the applicant at his last known postoffice address within three days after the receipt of the petition."

Ed-Sch.

E A C



Mr. George Tibbetts,  
74 Arizona Ave.,  
Detroit, Mich.

My friend:

Your letter of June 1, 1921, addressed to Mrs. Wallace Denny of Carlisle, Pennsylvania, was referred to me by Mrs. Emily Robitaille, of this Office.

In response to your request, I take pleasure in sending you the inclosed certification relative to the facts concerning your life history as shown in your Carlisle record.

Your friend,

A handwritten signature in cursive script that reads "E. B. Merrett".

6 MHP 15

Assistant Commissioner.

Initialing Copy - For File



JUN 18 1921

To Whom it May Concern:

This is to certify that the records of the Indian Office show that George Tibbetts, now of Detroit, Michigan, was a duly enrolled and allotted member of the Ottetail band of the Chippewa Tribe of Indians within the White Earth Reservation, Minnesota, and resided there and was subject to the jurisdiction thereof. He was born in 1894; his mother is Mrs. Katie Wakefield, and his step-father George W. Wakefield of Lengby, Minnesota. It also shows that he was a pupil in Pipestone Indian School from 1904 to 1907, and in Vermillion Lake Indian School from 1909 to 1911; that he was graduated from the Carlisle Indian School, Carlisle, Pennsylvania, in the class of 1917, and was an employee in the same school until his enlistment, in the early part of 1918 in the Aviation Section, Signal Corps, of the Army.

*E. B. Meritt*

Assistant Commissioner.

INITIALING COPY - FOR FILE.

June 1, 1921.  
74 Arizona Ave.  
Detroit, Mich.



Dear Friends:-

I don't know if you  
are alive or not. I have  
not heard from you for so  
long. We are getting along  
fine so far.

I am writing to ask you  
to give me an affidavit to  
show that I was going to  
school out in Pennsylvania  
at the time I enlisted in



I hope to hear from  
you real soon.

I am your old friend  
Geo. W. Tibbitts

558 S. Hanover St.  
Carlisle, Pa. June 10, 1921.

My dear Emily,-

The enclosed letter speaks for/ itself. Can you officially, send the affidavit he requires ? You know George personally, know that he belongs in Minnesota and that he owns land there.

I think this going to him from the office will have more effect than from poor little me who is no longer connected with the Department. Will you please help him ?

Very truly

*Nellie R. Denny*

George enlisted in the Aviation Corps from the Indian School  
sometime during the spring of 1918.



*Esch*