

File

INDIAN OFFICE.

FILES.

Relative to the investigation of conditions at CARLISLE.

See also 15788-14--220 relative to athletic funds.
See " 30517-14--160-2--Report of Mrs Elsie Newton
relative to conditions obtaining in girls dormitory, etc.
See also status files of Moses Friedman, S.J. Nori and
E.B. Linnen for other papers relative to Carlisle investigation.

92410-14-251

29816/1914

CARLISLE

150

See 10144/14 Baiter 154
10144-14-154

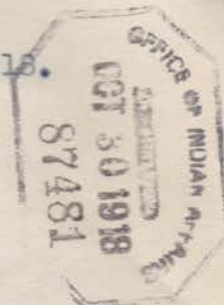


OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

TREASURY DEPARTMENT

WASHINGTON

October 25, 1918.



Commissioner of Indian Affairs.

Sir:

Having served their purpose, I am herewith returning the following papers from your files, pertaining to the accounts of Moses Friedman, former Superintendent and Special Disbursing Agent, Carlisle Indian School, Pennsylvania:

#10144/14, File No. 154, parts 1 to 9 inclusive, and 29816/14 File No. 150.

Respectfully,

David C. Reay
Auditor.

S.W.

File

Finance-Accounts.

108553-1917.

J.W.P.

DEC -7 1917

29816-14
150 The Auditor

for the Interior Department.

My dear Mr. Auditor:

I am in receipt of your letter of November 22, returning reports and accompanying papers relating to the investigation of affairs of the Carlisle Indian School by Chief Inspector E. B. Linnen, with the request that a supplemental examination of the accounts of Superintendent Moses Friedman be made by this Office, if it is still desired that said accounts be reopened and the Superintendent charged with the duplicate and fraudulent payments disclosed by the investigation.

This Office knows of no reason why it should recede from the recommendations contained in its letters of July 21, 1915 and November 5, 1915 for a reopening of the accounts in question except as to payments from the so-called "Athletic Fund". It has been the understanding, however, that no further action by this Office would be required in view of the following paragraph appearing in your letter of August 18, 1915:→

"It appears from Mr. Linnen's report and other evidence published in Part 2 of the "Hearings before the Joint Commission of the Congress of the United States----- to Investigate Indian Affairs", that, in addition to the so-called "athletic fund" which was not brought into the officer's accounts in any form, Mr. Friedman failed to take up and account for certain moneys received from the sale of Government property and made numerous duplicate and fraudulent payments. In regard to the two last-named classes of irregularities it is believed that this office is in possession of sufficient information to enable it to proceed intelligently in

INITIALING COPY - FOR FILE.

the reopening of the accounts
in question?

The purpose of the administrative examination of accounts is understood to be to furnish the Accounting Officers of the Treasury with information from the records of the administrative office which does not appear in the accounts. In the present instance this Office has no further information than that already furnished, which you said on August 18, 1915 was sufficient.

In view of these facts the making of a supplemental examination by this Office would seem to be a useless duplication of work involving an expenditure of time and labor which would not be warranted by the circumstances.

The papers inclosed with your letter of the 20th, ultimo are herewith returned.

Very respectfully,

(Signed) E. B. Meritt

12-HMB-6

Assistant Commissioner.

Finance

H.D.

120961-1915

P. R. S.

DEPARTMENT OF THE INTERIOR

WASHINGTON.

No 1.

10/12/15

Payment of salary
due Mr. Friedman.

NOV 12 1915

FILED BY C. P. F.

EMM

Dear Mr. Wolf:

I am in receipt of your letter of the ninth instant, regarding delay in payment of claim of Moses Friedman (No. 250814) for \$88.33, balance of salary due him as Superintendent of Carlisle Indian School, Pennsylvania, and requesting me to take the matter up with the proper authorities to the end that settlement may be expedited.

In answer, I would say that the claim has been passed by the Indian Office and transmitted to the Auditor for the Interior Department, who advises, informally, that it is being held up pending the final settlement of Mr. Friedman's disbursing accounts. This is the usual procedure when a disbursing officer leaves the service with a balance of salary due him. Moreover, as the matter is no longer under the jurisdiction of this Department, I am unable to do anything towards expediting it.

Regretting my inability to aid you in the premises,

I am

Very truly yours,

(Sgd.) BO SWEENEY.

Wx-11-11

Assistant Secretary

Mr. Simon Wolf,

Woodward Building, Washington, D.C.

To Secretary

NOV 12 1915

For signature

INITIALING COPY FOR FILE

SIMON WOLF
MY COHEN

HAROLD B. CHASE

LAW OFFICES

WOLF & COHEN

WOODWARD BUILDING

WASHINGTON, D.C.

NOV 11 1915

CHIEF CLERK

NOV 10 1915

November 9, 1915.

DEPARTMENT OF THE INTERIOR

DEPT. OF THE INTERIOR
RECEIVED

NOV 10 1915

TO CHIEF CLERK

SECTY'S OFF. MAILS & FILES

FOR SECRETARY'S SIGNATURE

SECTY'S OFF. MAILS & FILES

DEPT. OF THE INTERIOR
RECEIVED

NOV 11 1915

TO INDIAN OFFICE

SECTY'S OFF. MAILS & FILES

D/N

dear Mr. Lane:

NOV 01 1915

I am writing you in order to enlist your

services to expedite the claim of Moses Friedman, who was formerly Superintendent of the Carlisle Indian School, and to whom there is due a balance for services amounting to \$88.33 (Claim No. 250814).

You will doubtless remember this matter, and the fact that since the resignation of Mr. Friedman, the Government has dismissed the only untried indictment against him, he having been previously acquitted of all other charges. In April, 1914, the item above referred to was approved by the Department. I have made through my office, various efforts to have payment made of it, but without success.

Will you be kind enough to take this matter up with the proper authorities, in order that the same may be finally disposed of?

With my very best wishes, and thanking you in advance for your courtesies in this direction, I beg to remain,

Sincerely yours,

Hon. Franklin K. Lane,
Secretary of the Interior,
Washington, D.C.

Simon Wolf

NOV 11 1915
120961

Encl 1
Finance 55

Finance
90161-1915
H.D.

Accounts of
Moses Friedman.

FILED BY C. P. F.

NOV -5 1915

Dear Mr. Auditor:

I am in receipt of your communication of August 18, 1915, concerning the request of this Office that the account of Moses Friedman, former Superintendent of Carlisle Indian School, be reopened and that he be charged with all funds for which he has not properly accounted, as shown by the report of Chief Inspector Linnen, especially as to the "athletic fund."

Upon reconsideration, I recommend that the contemplated action be not taken with respect to the athletic fund in view of the unrevoked instructions contained in Office letter of March 22, 1907, to Mr. Friedman's predecessor (copy enclosed), and the absence of documentary evidence of violation by Mr. Friedman of the terms and conditions of such instructions.

Regarding the allegation that Mr. Friedman failed to account for certain moneys received from the sale of Government property, and made numerous duplicate and fraudulent payments, about which you say your Office has sufficient information to enable it to proceed intelligently in reopening his accounts, I recommend that the requested action be taken.

INITIALING COPY - FOR FILE

Very truly yours,

(Signed) E. B. Meritt

The Auditor for the Interior Dept.

Assistant Commissioner.

Wx-11-1



OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

TREASURY DEPARTMENT

WASHINGTON

August 18, 1915.

The Commissioner of Indian Affairs,
Washington, D. C.

Sir:

I have had under consideration your letter of July 21, 1915, File 74040-15, regarding the accounts of Moses Friedman, former Superintendent of the Carlisle Indian School, wherein you recommend "that the accounts of this Officer be reopened and that he be charged with all funds for which he has not properly accounted, as shown by the report of Chief Inspector Linnen, especially as to the 'athletic fund'".

It appears from Mr. Linnen's report and other evidence published in Part 2 of the "Hearings before the Joint Commission of the Congress of the United States * * * to Investigate Indian Affairs", that, in addition to the so-called "athletic fund" which was not brought into the officer's accounts in any form, Mr. Friedman failed to take up and account for certain moneys received from the sale of Government property and made numerous duplicate and fraudulent payments. In regard to the two last-named classes of irregularities, it is believed that this office is in possession of sufficient information to enable it to proceed intelligently in the reopening of the accounts in



FILED BY C. P. F.

question.

It appears that the "athletic fund" was administered by the "Executive Committee" of the "Carlisle Indian School Athletic Association", an organization incorporated under the laws of the State of Pennsylvania; this executive committee consisting of one Glenn S. Warner, President, Will H. Miller, Secretary and Treasurer, and Moses Friedman. The work of accounting for these funds, it seems, was performed by Mr. Miller and it is noted that Mr. Linnen, in his report as printed in the document referred to above, page 1339, says with reference thereto:

The books and accounts are being properly kept, except they are not quite as full and complete as should be for information.

From information secured informally from your office, it is understood that while in detail, Mr. Friedman's method of accounting for these funds did not fully meet administrative requirements, his action in failing to bring them into his official accounts was practically assented to and concurred in by your office inasmuch as the records here fail to show any exception to, or criticism of, his manner of accounting for the funds in question in the administrative examination of his accounts.

In view of the foregoing, it occurs to me that the Government might be estopped from now requiring an accounting in case it could be shown that Mr. Friedman's

methods, in the absence of any adverse criticism, might reasonably be inferred to comply substantially with the requirements of your office.

It is therefore requested that you furnish this office with copies of any correspondence, instructions, or regulations passing between your office and Mr. Friedman or his predecessors in office relative to the accounting for these funds and state with particularity, wherein his methods have failed to measure up to such requirements.

It would also appear necessary, in view of the absence of any documentary evidence in this office establishing the fact or the extent of Mr. Friedman's derelictions, that the Officer's accounts should receive a supplemental examination in your office and that competent evidence establishing the illegality or impropriety of any expenditures made from the fund in question should be furnished this office as a basis for charging and disallowing credits heretofore unquestioned, with a view of ultimately instituting legal proceedings on his bond for the recovery of any balance found due to the United States.

Respectfully,

Osca A. Price

Auditor.

N.

Copy
5-1100

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

REFER IN REPLY TO THE FOLLOWING:
74040-1915.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

July 21, 1915.

My dear Mr. Auditor:

Replying to your letter of July 3, 1915,
concerning the accounts of Moses Friedman, former Super-
intendent of the Carlisle Indian School, you are advised
that this Office desires that the accounts of this Officer
be reopened and that he be charged with all funds for
which he has not properly accounted, as shown by the
report of Chief Inspector Linnen, especially as to the
"athletic fund".

Very truly yours,

(Signed) E. B. Meritt
Assistant Commissioner.

Hon. Oscar A. Price,
Auditor for the Interior Department.

74040-1915

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS
WASHINGTON

JUL 21 1915

My dear Mr. Auditor:

FILED BY G. P. F.

150
Replying to your letter of July 3, 1915,
concerning the accounts of Moses Friedman, former Super-
intendent of the Carlisle Indian School, you are advised
that this Office desires that the accounts of this Officer
be reopened and that he be charged with all funds for
which he has not properly accounted, as shown by the
report of Chief Inspector Linnen, especially as to the
"athletic fund".

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

Hon. Oscar A. Price,

Auditor for the Interior Department.

Initiating copy for file



OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

TREASURY DEPARTMENT

WASHINGTON

July 3, 1915.



The Commissioner
of Indian Affairs.

Sir:

FILED BY C. P. F.

With reference to your letter of June 28, 1915, concerning the accounts of Moses Friedman, former Superintendent of the Carlisle Indian School, this office would be pleased to have the benefit of your recommendation in regard to the reopening of the accounts of this officer, especially as to the "athletic fund" which was handled in apparent violation of the regulations.

Respectfully,

CWF

J. M. Linn
Acting Auditor. *N.*

M. Linn

Insp.
E B L

Hon. P. E. Northup,

Chief of Indian Division,
Auditor's Office for Interior Department,

Washington, D. C.

JUN 28 1915

My dear Mr. Northup:

FILED BY C. P. F.

In conformity with your conversation of yesterday with Chief Inspector Linnen of this Office, I am transmitting herewith the exhibit submitted with Mr. Linnen's Carlisle report, giving the name of the pupil who paid his transportation out of personal funds, and the number of the sub-voucher, amounts, and voucher in the quarterly account in which the same was again paid by government check, as shown in the accounts of former Superintendent Moses Friedman of the Carlisle Indian School.

I am also enclosing ledger sheets of Will H. Miller, financial clerk of the Carlisle Indian School, who kept the accounts, showing the receipt and payment of the individual Indian moneys by him for these tickets which were afterwards vouchered to the government.

Inasmuch as this data will be needed for use in court later, I trust you will see that good care is taken of same so that it may be available for use at the next term of federal court in Pennsylvania.

Very truly yours,

E. J. Morritt

29 ledger slips;
Ex. A accompanying
Insp. Linnen's report

Assistant Commissioner.



OFFICE OF
AUDITOR FOR INTERIOR DEPARTMENT
IN REPLYING QUOTE INITIALS

TREASURY DEPARTMENT

WASHINGTON

June 22, 1915.



The Commissioner
of Indian Affairs.

Sir:

U.S. SCHOOLS

FILED BY C. P. F.
JUN 2 1915

It is understood that an investigation of the affairs of the Indian School, Carlisle, Pa., under the jurisdiction of Moses Friedman, late Superintendent and Special Disbursing Agent, has been made by inspecting officers of the Interior Department and that certain facts were disclosed affecting to some extent the validity of vouchers in the officer's accounts.

This office desires to make a final adjustment of Mr. Friedman's accounts at an early date, and I therefore request that the reports of the officers who conducted the investigation of affairs at Carlisle, with accompanying exhibits, be forwarded to this office for temporary use in the final adjustment of the officer's accounts.

Respectfully,

CWF

CWF

Asen A. Price

Auditor.

*N.
R*

HT H

June 8, 1915.

June 8, 1915.

65472
JUN 1915

Linnen, Chief Inspector,

Muskogee, Oklahoma. FILED BY C. P. F.

You are subpoenaed to appear Williamsport, Pennsylvania,
Friedman cases will be tried Williamsport June fourteenth.
June fourteenth in Mori case.

150

Cato Sells

(Signed) Cato Sells

6-B3H-8

7/16

| CLASS OF SERVICE | SYMBOL |
|------------------|--------|
| Day Message | |
| Day Letter | Blue |
| Night Message | Nite |
| Night Letter | N L |

If none of these three symbols appears after the check (number of words) this is a day message. Otherwise its character is indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM

NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, VICE-PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

| CLASS OF SERVICE | SYMBOL |
|------------------|--------|
| Day Message | |
| Day Letter | Blue |
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222 P23 GOVT

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CATO SELLS COMMISSIONER INDIAN AFFAIRS

1196

WASHINGTON DC

NOTIFY INSPECTOR LINNEN THAT FRIEDMAN CASES WILL BE TRIED WILLIAMSPORT

JUNE FOURTEENTH

ASST US ATTY MCCOURT.

1915 JUN 5 PM 5:48

FILED BY C. P. F.



546 P.

22692-15

Carlisle
2nd A C

C F H

Haskell.

April 30, 1915.

150

Wise, Superintendent,
Lawrence, Kansas.

Your wire Department of Justice. Supply escort for
Susie Wallace, subpoenaed as witness Federal court, Sunbury,
Pennsylvania. Expense of escort to be borne by this Department.

FILED BY C. P. F.

E. B. Merrett

Assistant

XXXXX

Note
Ant. 100 as hypothesized
from Genl. Expenses to
Ind. Service 1915
over expenses as above.
See etc Haskell Ind. 5/1/15
Pie

INITIALING COPY - FOR FILE.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

APR 28 1915

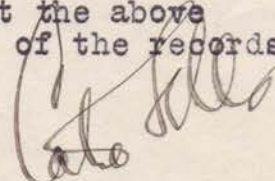
STATEMENT CONCERNING THE PROMOTION
OF MOSES FRIEDMAN AS SUPERINTENDENT
OF THE CARLISLE INDIAN SCHOOL, PENNSYL-
VANIA.

Section 56 of the Indian Office Regulations, 1904,
provides as follows:

"All changes in the force of employees,
whether caused by appointment, promotion,
reduction, suspension *****must be
reported to the Indian Office as soon as
they become effective."

On January 4, 1910, authority was granted for an
increase in the salary of Mr. Friedman from \$2500 to
\$2650 a year, effective March 16, 1910, said increase
being shown on the Superintendent's report of changes
for that month.

I hereby certify that the above
is a true statement of the records
of this Office.


Commissioner.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

APR 28 1915

STATEMENT CONCERNING SICENI J. NORI,
FORMER CHIEF CLERK AT THE CARLISLE IN-
DIAN SCHOOL, PENNSYLVANIA.

Appointed Assistant Clerk at \$660, Sept. 6, 1900.
Promoted to clerk , July 1, 1901.
Promoted to clerk at \$780 , July 1, 1905.
Promoted to clerk at \$900 , Oct. 1, 1905.
Promoted to clerk at \$1200 , July 1, 1907.
Promoted to Chief Clerk at \$1260 , July 1, 1909.
Promoted to Chief Clerk at 1300 , July 1, 1911.
Suspended April 1, 1914.

Section 43 of the Indian Office Regulations,
1904, provides as follows:

"All appointments in the classified service
are made by the Commissioner of Indian Affairs -
those to excepted positions (particularly in
the case of Indians) upon the recommendation
of agents or other persons having knowledge of
the qualifications of the applicants*****"

At that time certificates of graduation were accepted
by the Civil Service Commission as sufficient to entitle
Indians to the positions which their certificates showed
them qualified to fill.

In accordance with the above Major R. H. Pratt, who
was in charge of the Carlisle School at that time, sub-
mitted on September 7, 1900, a "descriptive statement
of changes in school employees" showing Mr. Nori's entrance
on duty as assistant clerk at \$660 a year, effective Sept.

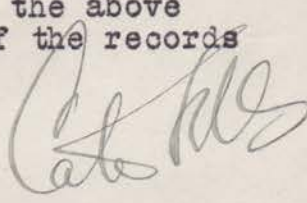
6, 1900. This report was approved by the Commissioner of Indian Affairs on September 15, 1900.

Section 56 of the Regulations also provides as follows:

"All changes in the force of employees, whether caused by appointment, promotion, reduction, suspension *****must be reported to the Indian Office as soon as they become effective."

Mr. Nori's promotions as above shown were made in accordance with the provisions cited, no regular form letters of promotion being issued.

I hereby certify that the above
is a true statement of the records
of this Office.



Commissioner.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

WASHINGTON, APR 28 1915, 191

I, Cato Sells, Commissioner
of Indian Affairs, do hereby certify that the papers hereto attached
are true copies of the originals as the same
appear of record in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my
name, and caused the seal of this Office
to be affixed, on the day and year first
above written.



Commissioner.



REPLY IN REPLY TO THE FOLLOWING:

Education

DEPARTMENT OF THE INTERIOR

Subject:

Appointment of OFFICE OF INDIAN AFFAIRS

Moses Friedman

as Superintendent

at Carlisle.

WASHINGTON, March 7, 1908.

Moses Friedman, Asst. Supt.,
Haskell Institute,
Lawrence, Kansas.

Sir:

You are hereby transferred from the position of Assistant Superintendent of the Haskell Institute, Lawrence, Kansas, at a salary of \$1500 per annum, and appointed Superintendent of the Indian School at Carlisle, Pennsylvania, at a salary of \$2500 per annum; vice Major Wm. A. Mercer, ordered to return to his regiment.

You will be designated a Special Disbursing Agent, and you will be required to give a bond in the sum of \$60,000.

Full instructions with reference to the preparation of your bond and receipting for the property will be given you in another letter.

Very respectfully,

F. E. Leupp,

WAM-M

March 11, 1908,

Approved:

Commissioner.

Jesse E. Wilson,

Assistant Secretary.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON , D. C.

May 14, 1914.

Hon. Cato Sells,

Commissioner of Indian Affairs,

Washington, D. C.

Sir:

I respectfully tender herewith my resignation
as Superintendent of the Carlisle Indian School to be
made effective on a date satisfactory to the Indian
Commissioner.

M. Friedman.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON, May 18, 1914.

Sir:

Your resignation as Superintendent of the Carlisle Indian School tendered on May 14, 1914, is hereby accepted as of February 12, 1914, the day on which you were suspended as such Superintendent.

The acceptance of this resignation does not in any way involve charges affecting yourself and Chief Clerk S. J. Nori, nor does it indicate the future attitude of the Office on any phase of the charges against you.

Respectfully,

Cato Sells,

Commissioner.

Mr. Moses Friedman,
Superintendent, Carlisle Indian School,
Carlisle, Pennsylvania.

Approved: May 18, 1914.

Franklin K. Lane,

Secretary.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON, May 16, 1914.

Honorable Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

Sir:

I respectfully tender my resignation as Chief
Clerk of the Carlisle Indian School, effective at
your pleasure.

Respectfully,

S. J. Nori.

S. J. Nori,
Chief Clerk, Carlisle Indian School.

APPROVED:

May 16, 1914.

Franklin H. Lane,

Secretary.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON, May 18, 1914.

Sir:

Your resignation as Chief Clerk, Carlisle Indian School, tendered on May 14, 1914, is hereby accepted as of the date on which you were suspended.

The action herein taken does not in any way indicate attitude as to criminal charges.

Respectfully,

5-PTH-18

Cato Sells,

Commissioner.

Mr. S. J. Nori,
Chief Clerk, Carlisle Indian School.

APPROVED:

May 18, 1914.

Franklin K. Lane,

Secretary.

REFER IN REPLY TO THE FOLLOWING:

Ed. Emp. DEPARTMENT OF THE INTERIOR
B S G

OFFICE OF INDIAN AFFAIRS

WASHINGTON

JUN 12 1915

EPH

Mr. George W. Barton,

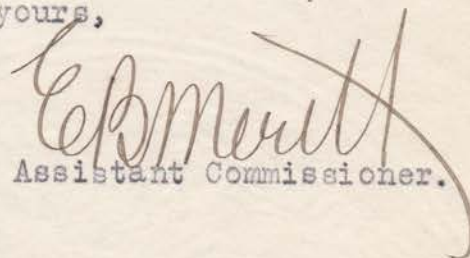
Clerk, Office of Indian Affairs.

My dear Mr. Barton:

Mr. B. S. Garber has been summoned to appear as a witness in the case between the U. S., vs., S. J. Nori, et. al., at Williamsport, Pennsylvania.

The case is set for the afternoon of June 14, and as it is impracticable for Mr. Garber to go, you are hereby designated to go in his stead. It will be necessary to take with you certified copies of the appointment of Moses Friedman as Superintendent and S. J. Nori, as chief clerk at the Carlisle Indian School, and certified copies of any orders separating them from the service or resignations tendered by them.

Very truly yours,


Assistant Commissioner.

6-RSM-12

The President of the United States

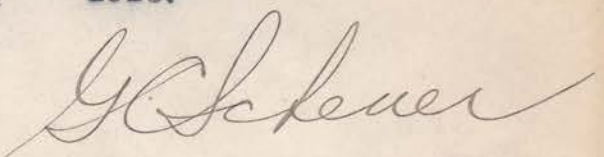
To B. S. Garber, Appointment Clerk, Office of Indian Affairs,
Washington, D. C.,

Greeting:

YOU ARE HEREBY COMMANDED, That laying aside all business and excuses, you be and appear in your own proper persons, before the District Court of the United States for the Middle District of Pennsylvania, at a session to be holden at the U. S. Court House, in the City of Williamsport, Pa., on the fourteenth day of June 2, 1915 at ten o'clock in the afternoon of that day, to give evidence in a certain cause now pending in the said District Court of the United States, between The United States of America vs. S. J. Nori, et al.,

on the part of the United States and that you bring with you, and produce at the time and place aforesaid, ~~certified~~ certified copies of the appointment of Moses Friedman as Superintendent and S. J. Nori, as chief Clerk at Carlisle Indian School, and certified copies of any orders separating them from the service or resignations tendered by them

now in your custody, and all other deeds, evidences and writings which you have in your custody, concerning the premises.
And this you are not to omit, under the penalty each of you of two hundred and fifty dollars.
Witness the Honorable ROBERT WOODROW ARCHBOLD, Judge of the said Court, at Scranton, in said District, this fourth day of June 1915.
in the year of our Lord

(Seal) 
Clerk.

United States District Court,

Middle District of Pennsylvania.

United States

vs.

S. J. Nori, et al.

Subpoena duces tecum.

Copy.



2

DEC 28 1914

My dear Mr. Linnen:

FILED BY C. P. F.

I have your letter concerning the selection of a Department of Justice attorney to handle the Carlisle matter, and regret to advise that there seems to be a disinclination on the part of the Department of Justice to detail Mr. Rush for this work. However, I am assured that one of the Assistant Attorney Generals will be designated and that he will be directed to confer closely with us.

I would much rather have had it otherwise, but I am pleased to be relieved from the responsibility of naming an attorney from the Interior Department to act in this capacity. I think we will be able to get along with this matter very satisfactorily.

With compliments of the season, I am,

Sincerely yours,

(Signed) C. S. Sells

Mr. E. B. Linnen,

Commissioner.

Chief Inspector,

Rosebud, S. Dakota.

File

POSTAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT.

RECEIVED AT

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NIGHT TELEGRAM

DELIVERY No. *11*

The Postal Telegraph-Cable Company (Incorporated) transmits and delivers Night Messages subject to the terms and conditions printed on the back of this blank.

24-17040

DESIGN PATENT NO. 40529

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BR Denver, Colo., Dec. 23 14 *EPm*

Commissioner of Indian Affairs,

Washn, D.C. FILED BY G. P. F. *@44*

Your telegram today have instructed officer Johnson to proceed at once to Carlisle under name of Curry.

Larson.

150
Lxv
10w
45
No telegraphic
reply necessary.
JWS



Ed-L&O
136227-14
F H D

December 23, 1914.

Larson,

Kittredge Building,
Denver, Colorado.

FILED BY S. P. F.

Your telegram twenty-second. Instruct Officer Johnson take up Carlisle work. Important that this be undertaken for completion before conference. at once/ He may report to Supervisor Lipps under name of Curry.

(POSTAL)

WWW

Carlisle

J

INITIALING COPY - FOR FILE.

POSTAL TELEGRAPH - COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT.

DELIVERY NO.

NIGHT TELEGRAM

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BR DENVER COLO DEC 22-14

COMMISSIONER OF INDIAN AFFAIRS

WASHN DC

NOT VERY CONVENIENT TO SEND OFFICER CARSON TO CARLISLE NOW.

HE IS ONLY OFFICER IN TREATY TERRITORY OTHERS ON LEAVE.

WILL IT NOT BE SATISFACTORY FOR HIM TO GO TO CARLISLE

FROM CONFERENCE AT WASHINGTON

LARSON.

Lrd 10/20

Cum 491

OFF FILED BY S. P. F.



Ed-L&O
F H D

December 23, 1914.

Larson,

Kittredge Building,

Denver, Colorado.

FILED BY G. P. F.

Supervisor Lippe wants officer at Carlisle at once to handle liquor and moral situation. Funds will be adjusted if necessary. Office suggests Carson unless you know reason to contrary. Have him report to Lippe personally under name of Curry.

(POSTAL)

WWW

(Signed) Cato Sello

INITIALING COPY - FOR FILE

Ed-L&O
F H D

December 22, 1914.

Larson,

Kittredge Building,

Denver, Colorado.

FILED BY S. P. H.

Supervisor Lippe wants officer at Carlisle at once to handle liquor and moral situation. Funds will be adjusted if necessary. Office suggests Carson unless you know reason to contrary. Have him report to Lippe personally under name of Curry.

(POSTAL)

WWW

(Signed) ~~Cato~~ Sella

File

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

Blackfeet Agency,

Browning, Montana, Dec 18 1914.



Hon. Cato Sells,

Commissioner of Indian Affairs,

Washington, D. C.

My dear Mr. Commissioner:

FILED BY S. P. F.



I have the honor to enclose herein a letter addressed to me by Honorable S. R. Rush, Special Assistant to the Attorney General, dated Omaha, Nebraska, December 7, which letter fully explains itself.

It appears from said letter that Assistant Attorney General Rush is willing and anxious to assist in the Pennsylvania case, as he also advised me personally, but that the Attorney General's office is loath to name him to assist in this matter.

Having the utmost faith in the competency and effectiveness of Attorney Rush's work, I am specially anxious that he be assigned in this case in the interests of best results for the government. I therefore trust that you will urge that he be named to assist the District Attorney.

Very cordially yours,

E. J. Linen
Chief Inspector.

Encl.

1
ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE.
WASHINGTON, D. C.

Omaha, Nebraska, December 7, 1914.

Hon. E. B. Linnen, Chief Inspector,
707 Summit Ave.,
Minneapolis, Minn.

FILED BY G. P. F.



My dear Mr. Linnen:-

On December 3rd I received a wire from Assistant Attorney General Graham, asking whether my engagements were such as would permit me to take up the Pennsylvania case this month. I wired him that as soon as the Kansas City cases were out of the way I was at liberty to do so, which would be about Wednesday of this week. Today I wired him that the Kansas City cases had been continued until December 22nd. and I could attend to the Pennsylvania case at once, if desired. I received a wire in reply to the effect that my services would not be required. I suppose the United States Attorney has possibly indicated that he can handle it himself, or else the matter has been indefinitely continued.

With kind regards and best wishes, I am

Very truly yours,


Special Assistant to the
Attorney General.

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE,

WASHINGTON, D. C.

Omaha, Nebraska, December, 1st, 1914.

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

FILED BY C. P. F.



My dear Mr. Commissioner:-

I have the honor to advise that en route from Oklahoma to Minneapolis, where I am to appear before the Assistant Attorney General, C. C. Daniels, and give testimony in the White Earth cases, I stopped off at Omaha to see Assistant Attorney General Sylvester R. Rush with relation to the Pennsylvania case. Apparently Mr. Rush has just recently been successful in convicting five prominent persons in the Florida Everglades case at Kansas City, Missouri, and he informs me that he believes his time will permit of his taking up this assignment if tendered to him by the Department of Justice at Washington. It is for this reason that I write you and ask that you again bring this matter prominently to the attention of the Attorney General and request that Attorney Rush be assigned to this case to assist the United States District Attorney for the middle district of Pennsylvania.

I feel very strongly that the services of Assist-

11
ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

DEPARTMENT OF JUSTICE,
WASHINGTON, D. C.

C. Sells -- 2.

ant Attorney General Rush will be of great assistance
in this case and so I will thank you to strenuously in-
sist that he be assigned to this case.

With warm personal regards, I am

Very cordially yours,

E. B. Simmen
Chief Inspector.

105599

SEP 26 1914

My dear Mr. Rupley:

Answering your letter just received concerning the Nori case I have to advise that shortly after I say you last I was informed that the Assistant Attorney General of the Department of Justice, who is handling the Freedman and Nori matters, was out of the city and that he would not return for some time, and for this reason I have not been able to see him, so that I have no more information concerning the Nori case than I had at the time we talked. The Nori case pending in the State court at Carlisle has been continued until the November term.

FILED BY C. P. E.

Sincerely yours,

(Signed) Cato Sells

Commissioner.

File
Hon. Arthur R. Rupley,

House of Representatives.

Ans

INITIALING COPY - FOR FILE.

DUDLEY M. HUGHES, GA., CHAIRMAN.
 WILLIAM W. R. OCKER, MO. JAMES F. BURKE, PA.
 ROBERT L. DOUGHTON, N. C. CALEB POWERS, KY.
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 J. THOMPSON BAKER, N. J. EDMUND PLATT, N. Y.
 JOHN R. CLANCY, N. Y. ALLEN T. TREADWAY, MASS.
 THOMAS C. THACHER, MASS. SIMEON D. FESS, OHIO.
 STEPHEN A. HOXWORTH, ILL. ARTHUR R. RUPLEY, PA.
 JAMES L. FORT, CLERK.

HOUSE OF REPRESENTATIVES.
 COMMITTEE ON EDUCATION,
 WASHINGTON.

September 24, 1941.



Hon. Cato Sells,
 Commissioner of Indian Affairs,
 Washington, D. C.

FILED BY C. P. F.

My dear Sir:

May I inquire relative to the action or disposition of the matter of the Commonwealth of Pennsylvania vs. Nori, in the Quarter Session Court Cumberland County, and whether the Attorney General's Department has reached a conclusion upon the question of the jurisdiction of the U. S. Courts over the charge of embezzlement of Mr. Nori while clerk at the Carlisle Indian School. I will appreciate your early reply,

Yours very truly,

Arthur R. Rupley

WESTERN UNION



TELEGRAM

0655
GEORGE W. E. ATKINS, VICE-PRESIDENT

NEWCOMB CARLTON, PRESIDENT

BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVED AT Wyatt Building, Cor. 14th and F Sts., Washington, D.C. ALWAYS OPEN

13 F 26 COLLECT GOVT

CARLISLE PA SEP 20 1914

COMMISSIONER SELLS

INDIAN OFFICE WASHINGTON DC

ON
ACCOUNT LOCAL TRAINS NOT RUNNING ON SUNDAYS I CANNOT REACH
WASHINGTON UNTIL ONE OCLOCK THIS AFTERNOON

LIPPS SUPERVISOR

928AM



1002
mnd

WESTERN UNION TELEGRAM



0595
GEORGE W. E. ATKINS, VICE-PRESIDENT

NEWCOMB CARLTON, PRESIDENT

134 SEP 19 PM 6 34
BELVIDERE BROOKS, VICE-PRESIDENT

RECEIVED AT Wyatt Building, Cor. 14th and F Sts., Washington, D. C. ALWAYS OPEN

53 P WH 25 COLLECT GOVT FAS

FILED BY C. P. F.

CARLISLE PA SEPT 19 1914

SELLS, COMMISSIONER INDIAN AFFAIRES

WASHN DC

YOUR TELEGRAM. TODAY WILL ARRIVE WASHINGTON SUNDAY MORNING TEN
FORTY AND PROCEED IMMEDIATELY TO INDIAN OFFICE
LIPPS, SUPERVISOR

630P

SEP 21 1914
101178

OFFICE OF INDIAN AFFAIRES
RECEIVED
SEP 21 1914

✓ Just
Esch 9-25
del 21/9/14
10 am

101557

Sept. 19, 1914.

Lipps, Superintendent,
Carlisle Indian School
Carlisle, Pa.

Please come to Washington tonight or tomorrow morning.

FILED BY C. P. F.

9-HKW-19

Cal. Fells

File

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

P. L. A.

Hon. Franklin K. Lane,
Secretary of the Interior,
Washington, D.C.

Gold/PRS
M



FILED BY C. P. F.

My dear Secretary Lane:

I have your courteous acknowledgement of my letter with reference to the charges of former Superintendent Friedman, of the Carlisle Indian School, against Chief Inspector E. B. Linnen, of the Indian Bureau. I want you to be assured that it has been the aim of Mr. Friedman and his friends, and my own firm and steady purpose, not to embarrass the Administration in any way. In fact, his interests have to a certain extent been sacrificed in the past rather than have access to a resort of publicity.

When his enemies were endeavoring to treat him unjustly some of the most powerful newspapers in Philadelphia and New York offered to take up his case, but Mr. Friedman left the matter entirely in the hands of the Indian Commissioner. I know of the attitude of some of these newspapers personally, and have been advised by the Managing Editor of one of the most powerful newspapers in the country that he is convinced Mr. Friedman has been treated unfairly, and the columns of his paper are open at any time to expose the iniquitous methods of the Indian Office.

Even now, Mr. Secretary, the government, is protecting the embezzler **Nori** by withholding the documentary data which Mr. Linnen removed from Carlisle, and sealing the lips of two Indian School clerks, by name Meyer and Miller, who alone possess knowledge of the specific items on which an indictment of Nori must

September 4, 1914.



My dear Doctor:

I am in receipt of your letter of August 21, 1914, in reference to the recent investigation made by Chief Inspector Linnen of conditions at the Carlisle Indian School, which resulted in the resignations of Messrs. Friedman and Nori.

You are advised that Mr. Linnen has made answer to the charges of Mr. Friedman which are now receiving careful attention.

The investigation made by Inspector Linnen of the Carlisle Indian School did not originate with the Department of the Interior or the Indian Bureau, but was made at the request of the Joint Commission of Congress to Investigate Indian Affairs, which Commission expressly requested that Mr. Linnen be detailed for this work, and you will observe from the printed record of the investigation in question, a copy of which has been mailed to you, that members of this Commission personally visited Carlisle and that hearings were had there by them.

I am personally familiar with the situation and know that it is not now and never has been the intention of the Commissioner of Indian Affairs to protect Mr. Nori or anyone else in connection with

as REWRITTEN IN THE
SECRETARY'S OFFICE

File

this affair but that it is his firm purpose to administer even handed justice without fear or favor.

The entire record in the Friedman and Nori cases was transmitted to the Department of Justice for such action as they might consider proper and without suggestion in either case as to procedure from this Department or from the Indian Bureau.

Evidently you are not advised that in his consideration of the Friedman case Commissioner Sells did not in any way take into account the facts in so far as they pertain to the Friedman and Nori controversy, and that his action in connection therewith was wholly independent thereof. This was plainly stated to Mr. Friedman and to those who appeared in his behalf and was well understood by all of them. With this information you will perhaps more clearly understand that the administrative action heretofore taken by this Department concerning Mr. Friedman is not in any way involved in any action that may hereafter be taken either in the Federal or State courts or its results, whatever it may be.

Mr. Friedman's resignation was voluntarily tendered and it was accepted in lieu of dismissal only after much consideration and in view of the urgent appeals made in this behalf by highly respectable citizens who represented that in accepting same the public service would not be injured and that such action would relieve Mr. Friedman of the stigma of dismissal.

It seems that you entertain some thought of possible unfairness in this matter. You are apparently laboring under a misapprehension and are not acquainted with the actual conditions as they exist, otherwise I

feel sure that you would think otherwise, and that you would join those who are more familiar with the situation in upholding our hands in the sincere effort to do only that which is for the betterment of the public service.

The Friedman case is closed, so far as this Department is concerned.

Cordially yours,

William H. Lane

Rev. Isaac Landman,
4841 Pulaski Avenue,
Philadelphia, Pa.

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

Hon. F.K.L. No 2

be based, but who were instructed by Mr. Sells to remain silent. Mr. Friedman is convinced of Nori's guilt, and the testimony at hearing before the justice in Carlisle by Miss Herman who was Nori's assistant for three years just previous to his arrest, is convincing. Miss Herman is in Philadelphia and stands ready to give testimony which is even more damaging to Nori, and shows that he forged names to papers, removed records, altered figures on accounts papers after obtaining the signature of the signing officer, and indulged generally in the practices of a dishonest man. She also will testify of the effort of Mr. Friedman to check Nori at all times, and the latter's constant desire to conduct the affairs in the office in a proper manner. Miss Herman is a woman of unimpeachable character with a propensity for truth telling.

I undersand that Nori's character and reputation in Carlisle are of the worst. He was loose with women and lived beyond his means. Mr. Friedman had previously reported this to the Indian office before Mr. Linnen came to Carlisle, but no action was taken by that office. Nori does not live with his wife, and he took a woman whom he had ruined in the town of Carlisle to two physicians in the locality in a vain endeavor to have them perform an illegal operation on her. Mr. Friedman's counsel have seen the physicians and they corroborate this. The woman actually had a child which died shortly after birth.

This is the kind of a man that the Indian office is

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

Hon. F.K. L. No 3

protecting on the flimsy pretext that the case should be tried before the Federal Court. But when Mr Friedman's counsel offered to turn over this man for such action Mr Linnen refused. It is this man who was called to Washington by the Indian Commissioner and given an opportunity to resign, and the announcement of his resignation coupled with that of an honorable man. This is the kind of man that the Indian office officials have used in a diabolical, but futile effort to besmirch a former official whose whole record is clean, and his character and integrity is beyond reproach, and vouched for by prominent men in all walks of life, and by the unanimous sentiment of the best people in Carlisle, among whom he has lived for six years.

All justice loving persons will join me in saying that Nori should be tried, and that the Indian officials should turn over at once to the District Attorney of Cumberland County the data removed by Linnen, and that the former be notified that restrictions are removed on employees of the Carlisle Indian School who are in a position to testify, or to aid the court authorities.

Nori has able counsel who will protect his interests, and who is learned enough to make every proper legal appeal. But let the high officials in the Government's Indian Office cease this travesty on justice, and their protection of a bad man. It would seem that there is plenty of real work in the Indian Office demanding attention rather than this manifest

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

Hon. F.K.L. No 4.

purpose of protecting a crook.

These tactics of Mr. Linnen are not new, nor have they been permitted in the past without severe condemnation by his supervisors. I undersand that Linnen was severely censured some years ago by the Secretary of the Interior, and, at that time, a stop was put to his misuse of office and vicious tactics.

I send herewith copies of two letters dated January 17th 1907 and January 26, 1907, written by President Theodore Roosevelt to Secretary of the Interior Hitchcock, severely excoriating Mr. Linnen and his methods. I commend these letters to your serious attention. This information has just come to our knowledge. The letters appear in Report No 1335 of House Calender No 356, 62nd Congress, 3rd Session, being a report presented by the Committee on expenditures in the Interior Department, under date of January 16th, 1913, and ordered printed.

President Roosevelt at that time characterized an important report by Mr Linnen as being "simply a bundle of scurrilous allegations, the truth of which there is not so much as an attempt to prove", and " which has a value, however, because it deeply discredits the worth and the judgment of Inspector Linnen". Speaking of that report Mr. Roosevelt called it "a farrago of loose accusation," and said "It casts a grave doubt upon his "(Mr. Linnen's)"discretion, judgment and good faith and makes me feel very much at a loss as to how far I am warranted in proceeding upon any statements he submits". Later after an in-

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

Hon. F.K.L. No 5.

vestigation by the Attorney General's office in which the report of Mr. Linnen is discredited and his vicious practices brought to light, Mr. Roosevelt says "there has been a complete breakdown on the part of the agents of the Interior Department" and that "The showing is particularly bad for Linnen" Also that "I regard the case as much graver against him" (Mr. Linnen) "than it is against District Attorney Burke" who he states he will not reappoint to office although a Republican. Mr. Roosevelt ordered an entirely new investigation, and said it was his opinion, and that of Attorney General Bonaparte, that Mr. Linnen's report was "discredited" .

"It is evident" adds the former President, "that this examination must be undertaken by some man of a very different type from Mr. Linnen and his associates". The entire conduct of Mr Linnen in the Carlisle investigation is analagous to his condemned course in the case commented on by Mr. Roosevelt.

That Senator Warren was entirely exonerated of these unfounded slanders and calumnies of Mr. Linnen's manufacture in 1907 is shown by the former's continuance in the Senate, his reelection to another term and his present status as a U.S. Senator, his term not expiring until 1919.

While Mr. Friedman has no desire to re-enter the Government Service, I feel confident, as do many men of national prominence, that the ordering of another investigation of the Carlisle Indian School would have resulted, as in the case of

RABBI ISAAC LANDMAN
TEMPLE KENESETH ISRAEL
RESIDENCE: 4841 PULASKI AVENUE
PHILADELPHIA

Hon F.K.L. No 6.

Senator Warren, in a complete vindication of the former Carlisle Superintendent's administration, and earned praise of his long and meritorious service.

Mr. Linnen's pernicious influence should cease. His continuance in his present position is a menace to courageous efficiency, and his unchecked activities are fraught with evil consequence and continued injustice. It is evident that his perversion of office is but an expression of his character. It is undoubtedly ingrained. He is not likely to change.

With high esteem, I am, honored sir,

Very sincerely yours,

Isaac Landman

Manantour
Aug. 21/14.

LETTER CONCERNING INSPECTOR E. B. LINNEN.

Written by

PRESIDENT THEODORE ROOSEVELT TO SECRETARY OF
THE INTERIOR - E. A. HITCHCOCK.



FILED BY C. P. P.

The White House,
Washington, January 17, 1907.

My Dear Mr. Secretary:

In answer to your letter of November 30 I, on December 4, wrote you, asking certain questions, some of which have not yet been answered. But another circumstance has just come to my notice in connection with your letter which makes it necessary for me to write again. From your letter it seemed that the first action on the part of the Department of Justice would be an investigation of the conduct of the district attorney of Wyoming. I directed that this investigation be undertaken at the earliest moment. Assistant Attorneys General Purdy and Cooley were detailed to undertake it, and your letter and the accompanying exhibits were given them. I understand that they will report shortly. I also sent copies of your letter to Commissioner Richards and Senator Warren, referring them to the Department of Justice for the exhibits. Yesterday, at the request of Senator Warren, I saw him in company with Assistant Attorneys General Purdy and Cooley, and he made various statements in contradiction of some of the important assertions in reference to his action made by Inspector Linnen. In the course of the conversation I was shown one of the 25 inclosures which accompanied your letter, being marked Exhibits "A" to "M", inclusive, and Exhibits 1 to 12, inclusive. This is Exhibit 3. It is headed "Synopsis in brief of Warren's boodling operations," this being the first line of a typewritten statement on the first page which recites such allegations as that 24 years ago - in 1883 - Warren secured a Government homestead "by fraud and perjury": that in 1889 he was accused in a letter to the New York Times of being "colossal land grabber and a corporation tool": that in 1890 a newspaper accused him of securing large sums "in the way of contingent fees, interest and salary" while territorial treasurer, etc. At the foot of the page is a note stating that the above was written and handed to E.B. Linnen, special land inspector, by one Bartlett, of Cheyenne, who had resided there for many years, and who had also furnished the inclosed newspaper clippings. This memorandum was signed by E.B. Linnen. Then follow several pages of newspaper clippings, with headlines, attacking Senator Warren, the headlines being, for instance, "Senator Warren's first graft"; "Senator Warren's 'oil' room to be investigated"; "Public office for private graft, etc." Not a syllable of evidence is advanced in support of these charges, and almost all of them refer to matters not touched upon in your

letter and with which the Department of Justice has not the slightest power to deal.

In short, this Exhibit 3 is simply a bundle of scurrilous allegations, the truth of which there is not so much as an attempt to prove, and which, moreover, have no relation whatever to the case; which offer no material for an investigation by the Department of Justice, and as to which no charge has been made by the Department of the Interior. I am utterly at a loss to understand why such an exhibit should have been forwarded by the DEPARTMENT of the INTERIOR to me, especially in connection with your letter of November 30, I assume that it was not done with your knowledge. It has a value, however, because it deeply discredits the worth and the judgment of Inspector Linnen, upon whose finding so much of your letter of November 30 was based. In closing that letter you say: "Herewith are the facts as related by Inspector Linnen in his report." One of the chief facts about Inspector Linnen is that he should have been willing to forward such a farrago of loose accusation without even so much as an attempt to investigate it, or to find out the truth about it, or to comment on the irrelevancy of the charges. I cast a grave doubt upon his discretion, judgment, and good faith and makes me feel very much at a loss as to how far I am warranted in proceeding upon any statements he submits. This is a matter I shall decide later.

Meanwhile, I should like Inspector Linnen's attention called to the character of this exhibit, and a report requested from him as to why he sent it in, and for what purpose. I should also like to know why such an exhibit was furnished to me as an exhibit with a document which it was evident that I would have to submit, together with the exhibits, to the Department of Justice. Moreover, from certain publications which appeared in the newspapers it seems to me that some person or persons have given hints to the newspapers of what this Exhibit 3 contains, it being falsely alleged that I had ordered an investigation into the facts therein related. I should like the names of all the men in the department who had anything to do with drawing up your letter and with forwarding it and the accompanying exhibits to me. This Exhibit 3 was never looked at in my office, and in the office of the Attorney General has been in the custody of Messrs Purdy and Cooley, and nothing could have come out from either there or here.

Very truly yours,

Hon. E.A. Hitchcock,
Secretary of the Interior.

LETTER CONCERNING INSPECTOR E.B.LINNEN

Written by

PRESIDENT THEODORE ROOSEVELT TO SECRETARY OF
THE INTERIOR - E. A. HITCHCOCK.



The White House,
Washington, January 26, 1907.

My Dear Mr. Secretary:

On January 19 the Attorney General wrote me that, having carefully considered the report of Messrs Purdy and Cooley as to the case of United States District Attorney Burke, of Wyoming, brought up in your letter of November 30 last, he felt that in view of the report Mr. Burke's reappointment has become impossible, he adding "it does not seem to me that his removal is demanded in the public interest. His term expires to-morrow, and I do not think there is any reason why he should not be left temporarily in charge of his office until his successor has been selected.* * * I think it would be advisable to call the attention of the Senators from his State to the fact that he could not be reappointed by reason, not of any moral delinquency, but because he evidently has not been in hearty, zealous sympathy with the enforcement of the laws against parties guilty of illegal inclosure of public lands.

I agreed with the Attorney General and notified the Senators accordingly, I have just received from Assistant to the Attorney General Purdy the letter of January 25, which I herewith forward to you. I have gone over it with the Attorney General and agree with him as to the proper course to be followed in view of what it discloses. Mr. Bonaparte feels as, of course, I do - that there has been a complete breakdown on the part of the agent of the Interior Department in this matter so far as making any case against Senator Warren is concerned. The showing is particularly bad for Linnen. I regard the case as much graver against him than it is against District Attorney Burke. It appears from Mr. Purdy's report that his case has been prepared in the loosest and most inaccurate manner and that his exhibits themselves do not substantiate what he alleges. The special agent in his report to you stated that the Warren Live Stock Co. had 46,000 acres of Government lands unlawfully and illegally inclosed in Wyoming and 1,100 acres similarly inclosed in Colorado. The Attorney General reports that an examination of his reports and the exhibits shows that as to the first allegation 33,000 of the 46,000 acres were in truth and in fact not inclosed, but open to the general public, and that as to the remaining 13,000 acres the fences complained of are in all probability not the fences of the Warren Live Stock Co. or of any of its officers and agents, and that as regards the inclosure in Colorado it appears that in all probability the fence complained of is the fence of some other person or persons.

On page 9 of his report Mr. Purdy explains that the report of the special agent is to a certain extent "materially discredited" by his (the special agent's) own statements, which show that either he or Mr. Hintze, has been guilty of grave mistakes, while two of the exhibits, A and B, materially contradict one another, and according to Mr. Linnen's oral statement to Mr. Purdy neither of these was correct. Mr. Purdy further reports that he desires to call attention to the fact that Special Agent Linnen charges generally that acts of violence have been committed by the agents and employees of the Warren Live Stock Co. for the purpose of frightening off and intimidating settlers, but that the allegations are general and not specific, so that as regards this charge there is nothing for him to investigate. He reports, and Mr. Bonaparte agrees with him, that no suit should be instituted against the Warren Live Stock Co. or its officers or agents upon the report and accompanying plats, as the same were submitted by the Interior Department, because they do not contain sufficient information and data to justify the Department of Justice in directing the institution of such a suit. Mr. Bonaparte thinks - and to me it is evident that he is right - that the whole report of Mr. Linnen as submitted to me by you in your letter of November 30 and as used by you as the basis of that letter is so discredited that no action can be taken upon it and that there must be an entirely new examination of the land in question to determine whether there has been any illegal action whatever. It is evident that this examination must be undertaken by some man of a very different type from Mr. Linnen and his associates. I desire that it be undertaken as soon as the weather conditions in Wyoming will permit. I should hope that this would be by the 1st of April; but if not, as soon thereafter as possible.

Sincerely, yours,

Theodore Roosevelt.

Hon. E. A. Hitchcock,
Secretary of the Interior.

OFFICE OF INDIAN AFFAIRS
RECEIVED
AUG 25 1914

Memorandum of papers relating to the charges made by E. B. Linnen, an inspector of the Indian Service, against Moses Friedman, formerly Superintendent of the Carlisle Indian School, and S. J. Nori, formerly chief clerk of that Institution.

1. Report, dated Feb. 24, 1914, with exhibits, made by Mr. Linnen as to matters connected with the School.
2. Report, dated March 23, 1914, with exhibits, made by Mr. Linnen, relative to the accounts of the School. *for*
3. Letter addressed March 3, 1914, by the Commissioner of Indian Affairs to Moses Friedman, preferring charges against him growing out of the two reports mentioned above.
4. Answer, dated March 23, 1914, of Moses Friedman.
5. Supplemental answer, received May 19, 1914, made by Moses Friedman.
6. Communications and petitions favorable to Friedman.
7. Testimony given Feb. 6, 1914, and following days at Carlisle, Pa., before the Joint Commission appointed by the Senate and House to investigate Indian affairs, two vols.
8. Testimony given by S. J. Nori March 25, 1914, in the Senate Office Building at Washington, one vol.
9. Charges preferred against Nori and his answer thereto.
10. Memo. prepared by Mr. Linnen showing provisions of law and the regulations of the Indian Office governing the handling of money of Indian pupils.
- In District* 11. Pamphlet containing Rules for the Indian School Service, 1904.
12. Pamphlet of Regulations of the Indian Office effective April 1, 1904.
13. Pamphlet of Rules for the Indian School Service, 1913.

Part of dept. of Justice
File no 171178-11.

14. Letter of E. B. Linnen of Aug. 17, 1914, enclosing a copy of the provisions of law and the regulations of the Indian Office as to the handling of money of Indian pupils.

15. Letter of C. R. Wanner of the Indian Office, inclosing copy of pamphlet of 1904 of Indian Office Rules and Regulations, and also a copy of certain decisions of the Comptroller of the Treasury as to the accountability of Indian Agents for moneys deposited with them by Indian pupils.

16. Copy of complaint made by Moses Friedman before Warren G. Hughes, a justice of the peace at Carlisle, Pa., charging S. J. Nori with having embezzled the funds of students and with having destroyed certain papers relating thereto.

17. Memo. prepared in Department upon the questions of whether the State prosecution against Nori can be removed to the federal court and whether there is a federal statute under which Nori may be prosecuted.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

To Mr. Gills

Personally

Accordance with
our understanding
Wm

FILED BY C. P. P.

Department of Justice,

DIVISION OF MAIL AND FILES,

WASHINGTON.

RECEIVED
AUG 25 1914
MAIL ROOM OFFICE

Mr. Homer Smith:
This belongs to a letter
which may not have
list that should have accompanied
letter of August 21st.

reached you yet
it belongs in 20.
but I am sending it
so I am over
at work

Notes & Files

I am not familiar
with this memo. but
apparently it shows
what papers were sent
by Mr Lennen to the
Dept of Justice in the
Nori Case. To keep track
of papers I think this
should go into the
Friedman - Nori file.

Aug 26/14

JHJ

August 17, 1914.

89415

1914

Hon. Charles Warren,
Assistant Attorney General,
Department of Justice,
Washington, D. C.

FILED BY C. P. F.

My dear Mr. Warren:

In conformity with your verbal request, I take pleasure in giving you the following data and information concerning the Carlisle Indian School report.

My report was intended to convey to this Department certain information with relation to the rendering of false accounts, deposits of moneys, etc., which are so thoroughly understood to this Department that I did not set out as fully as I might and should have matters which might not be fully understood by others. I therefore have the honor to advise you as follows:

It might be inferred from my report and affidavits, which were submitted, that moneys deposited by parents, guardians, or pupils, to pay for their private transportation during vacation periods to their

File

homes and return to the Carlisle School, were deposited direct with Financial Clerk Will H. Miller. Such is not the case. These moneys, and all moneys so deposited for these individual pupils, whether received from their Indian Agent or Superintendent, their parents or guardian, or moneys which might have been earned by the pupil, were in each and every instance received by the Superintendent, Moses Friedman, and by him turned over to the Financial Clerk, Will H. Miller, so that Superintendent Moses Friedman had personal knowledge of all funds received from any source whatever, as the same all came through his hands, and in many instances these moneys, transmitted for these pupils, were in the form of checks or drafts, made direct to M. Friedman, who endorsed the same and then these funds were placed in the bank to the credit of the pupil.

Permission for pupils to return to their homes during vacation periods, when their expenses were borne out of their funds which had been derived from their parents, guardian, Agent, or from their own earnings, was always granted by Superintendent M. Friedman, who knew that they were to go home on their own private funds by the payment of their individual railroad fares, and that such transportation was not to be vouchered against the

Government, because if he did not talk with the individual pupil in each case, such permission was granted for the pupil to go home by Superintendent M. Friedman to Mr. Harvey Meyer, a clerk at said school who acted as Assistant Superintendent. In every case he consulted with Mr. Friedman and advised with him with relation to permitting these certain pupils to go home during the vacation period, by the payment of their own railroad fares. He arranged for these pupils' transportation, consulted with the Financial Clerk, Will H. Miller, as to the moneys to pay for their tickets, and informed the Chief Clerk, S. J. Nori, that this was transportation to be paid for privately and not vouchered to the Government because the pupils' time at said school had not expired and the Government was not liable for said transportation.

This was also fully explained to and understood by Superintendent Moses Friedman, who had the enrollment of the pupils, and who knew when their time had expired and when the Government should pay their transportation home.

Mr. S. J. Nori, Chief Clerk, personally kept the books and made up the accounts and vouchers for Supt.

Moses Friedman, who was the bonded officer. He made these accounts and vouchers up at the request of and under the instructions of Supt. Moses Friedman, and prepared these Government vouchers for the pupils who had paid their own transportation at the request of and under the instructions of Supt. Moses Friedman, and embraced same in his quarterly accounts with his full knowledge and under his instructions.

The moneys of individual pupils, which were turned over by Financial Clerk Will H. Miller to Chief Clerk S. J. Nori, to pay for the railroad transportation of the pupils, were generally paid in cash by said Miller to said Nori, and frequently these moneys of individual pupils, due for private transportation which Chief Clerk Nori had purchased with the full knowledge that the pupils' money was to be turned over to him for same, were allowed to accumulate for a month, or possibly several months, and were then turned over to him in a lump sum by Financial Clerk Miller to pay for the railway tickets of the various students. Thus, it is shown that the full knowledge of these transactions as to the money in the first instance going through the hands of the Superintendent, by him turned over to Financial Clerk Miller, the arrangement for the tickets by the clerk, or Assistant Superintendent, Harvey Meyer

after permission had been granted by the Superintendent, the turning over of the moneys by Miller to Chief Clerk S. J. Nori who had purchased the tickets, the knowledge that these were pupils who would again return to the school and whose transportation was not to be vouchered against the Government, was well known to Superintendent M. Friedman, Chief Clerk S. J. Nori, Financial Clerk Will H. Miller, and Clerk or Assistant Superintendent Harvey Meyer.

The Government books and records at said school show all of these transactions fully and clearly, and Financial Clerk Will H. Miller and Clerk Harvey Meyer will testify positively, clearly and fully as to these facts. The same will also be admitted fully by Chief Clerk S. J. Nori.

If the statute of limitations had not run, it could be shown that about \$500 of Government moneys, received from the sale of Government property, was appropriated by Moses Friedman for his own personal use and benefit, \$270 of which was paid by the Quartermaster, Mr. August Kensler, to various persons for furniture for M. Friedman, and the remainder in money which Quartermaster Kensler turned over to Chief Clerk S. J. Nori, who in turn swears he turned this money over to Supt.


M. Friedman. This is corroborative evidence which will be sworn to by Mr. August Kensler, and this and other corroborative evidence will make a strong showing on intent.

In certain instances set out in my report, railroad transportation used by Moses Friedman had been paid for out of the Carlisle Athletic Association funds, and after using mileage so paid for out of these funds he again vouchered it to the Government and collected for same, thus making and presenting further false and fraudulent accounts.

The evidence will also show that certain vouchers were presented for tickets for certain students to read to places other than their homes, and for tickets which were never purchased for certain students and no transportation used, and that in making up these vouchers and presenting these false accounts Mr. Nori did so at the request of and under the instructions of Superintendent M. Friedman.

I will cheerfully furnish any further information or data which I possess at any time that I may be called upon in connection with this or any other matter within my knowledge.

Very respectfully,


Chief Inspector.

84601

August 4, 1914.

FILED BY C. P. F.

My dear Mr. Attorney General:

Herewith find copy of letter from
J. W. Wetzel of Carlisle, Pennsylvania, to me
concerning the Nori case, about which I talked
to you over the telephone on yesterday.

Sincerely yours,

8-AR-4

Commissioner.

Mon. Chas. Warren,
Assistant Attorney General,
Washington, D. C.

File

INITIALING COPY - FOR FILE.

LAW OFFICES OF
WETZEL & HAMBLETON
20 S. HANOVER STREET
CARLISLE, PA.

J. W. WETZEL, CONRAD HAMBLETON.



August 3, 1914.

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D. C.

Dear Sir:-

FILED BY C. P. F.

The case of the Commonwealth of Pennsylvania vs. S. J. Nori, late chief clerk at the Carlisle Indian School for embezzlement, etc., on oath of M. Friedman, late Superintendent, will come up for trial on September 14th, 1914, in the Quarter Sessions of Cumberland County, at Carlisle.

In view of the fact that at an interview between Mr. Friedman and myself with you at your office, 8th May last, you expressed the desire to handle this case, and we expressed our willingness to have the case transferred to the United States District Court if you so desired.

I write therefore to say, that if you still so desire to assume the duty of the prosecution of the case, kindly indicate your pleasure in the matter, if not, we should know promptly so that we can make the necessary preparation for trial here.

Of course you understand that my interest in the case is, that of associate counsel with the County District Attorney, representing the prosecutor.

Yours very truly,

A handwritten signature in cursive script, appearing to read "J. W. Wetzel".



June 4, 1914.

George Bridges, Esq.,
248 South Hanover Street,
Carlisle, Pa.

FILED BY C. F. F.

My dear Mr. Bridges:

Referring to your letter of May 30, 1914, with relation to Mr. Wetzel, who now refuses to withdraw the case against Nori, I have to state that this matter will be taken up personally with Commissioner Sells upon his return, about the 15th of this month, inasmuch as Mr. Wetzel conferred directly with Commissioner Sells about this matter.

I am glad to know that Supervisor Lippe and the new employees are doing nicely at the School, and I hope to see you and my other friends up there before many moons.

From my viewpoint there would seem to be no good reason why Mr. Nori could not leave there and accept employment elsewhere, if he so desires, and I feel that you can rest assured that the matter will be properly handled and the case finally disposed of, and that you will suffer no inconvenience or loss by reason of being on his bond.

* 2 *

With warm personal regards to yourself and
Mrs. Bridges and your daughter, I am,
Very sincerely yours,

Chief Inspector.

Mr. E.B.Linnen, Chief Inspector,
United States Indian Service,
Washington, D.C.



Sir:

I presume you have learned before this time that my case has again been postponed until the September term of court to be held here under the jurisdiction of the state court. Mr. George Bridges, through your good influence has again affixed his signature as bondsman.

Of course we know not, at least I have no knowledge as to the reason of this continuance, but as the time now until September is quite sometime, I am writing for certain information in order to know just what best to do in this matter..

I have two children and a housekeeper to support and am with limited funds to provide for them without some employment, and if it is possible I shall try to secure same where-ever I can, and it may possibly^{be} out of the state. I do not feel inclined to secure any work in the town of Carlisle on account of the notoriety that this case has aroused. I do not, however, desire to secure employment if the department intends to bring up their side of the case, and if in case it does, that I may be required to appear.

I will therefore appreciate very much if you can

give me any information with regards to this matter which you may deem proper to impart, in order that I may properly act on this matter with reference to securing some employment.

Thanking you for your very kind consideration of the foregoing and also your kind attention in my case.

Very respectfully,

A. M. M.

TELEGRAPH POLES
SAWED LUMBER*For Comr Sells*

OFFICE OF

GEO. BRIDGES
248 SOUTH HANOVER STREETHARDWOOD LOGS
POSTS
CORD WOOD

CARLISLE, PA., May 30th. 1914.

*ans June 4/14**Carlisle*
E. B. Linnen, Esq.,
Washington, D.C.MY Dear Mr. Linnen--- *FILED BY C. P. F.*Your letter relative to the release
of Mr. Nori has been received.We demanded of Mr. Wetzel that he
fulfill his promise to Mr. Sells and enter a Nolle prosequere
in the Nori case, but Mr. Wetzel states that his promise
was only made provided Mr. Sells would prosecute Nori in
the Federal Courts, now Wetzel refuses to withdraw the
case against Nori, what shall we do in this matter?I enclose a clipping, taken from our town paper,
"The Sentinel" of to-days issue.I understand that Mr. Sells expects to be here
shortly, will you be with him?Mr. Lipps seems to be getting along with his work
very well, the towns people take very kindly to him.

Faithfully yours.

*Geo. Bridges**file*

65897

ADDRESS REPLY TO
"THE ATTORNEY GENERAL"
AND REFER TO
INITIALS AND NUMBER

E. M. U.

171178-6

DEPARTMENT OF JUSTICE,

WASHINGTON, D. C.

May 21, 1914.



File CPW
The Honorable,

FILED BY C. P. F.

The Secretary of the Interior.

Sir:-

I have the honor to acknowledge your letter of the 19th instant, inclosing a letter and papers in the matter of Superintendent Friedman and Chief Clerk Nori of the Indian School at Carlisle, Pa. After consideration of the file, I shall advise you of the action of this Department with reference thereto.

Respectfully,

For the Attorney General,

Assistant Attorney General.

*I nsg
undated*

May 18, 1914.

My dear Mr. Secretary:

FILED BY C. P. F.

I am handing you herewith the entire record in the cases against Superintendent Friedman and Chief Clerk Heri of the Indian School at Carlisle, Pa., with the recommendation that same be transmitted to the Department of Justice for such action as it may find proper to institute.

In case action is taken thereon and the Department of the Interior is so notified, this Office will render such assistance as may be desired.

Superintendent Friedman and Chief Clerk Heri have tendered their resignations, which have been accepted, with the statement that this action does not in any way indicate the future attitude of the Office on any phase of the charges against them.

Very respectfully,

(Signed) Cato Sells.

Commissioner.

File
5-PTH-18
Hon. Franklin K. Lane,
Secretary of the Interior.

APPROVED:

(SIGNED) FRANKLIN K. LANE.

Secretary.

11
May 18, 1914.

FILED BY C. P. F.

Sir:

Your resignation as Chief Clerk,
Carlisle Indian School, tendered on May 14, 1914,
is hereby accepted as of the date on which you were
suspended.

The action herein taken does not in
any way indicate attitude as to criminal charges.

Respectfully,

S-PTH-18

(Signed) Cato Sells.
Commissioner.

Mr. S. J. Nori,
Chief Clerk, Carlisle Indian School.

APPROVED:

(SIGNED) FRANKLIN K. LANE

Secretary.

(C O P Y)

May 18, 1914.

Sir:

FILED BY C. P. F.

Your resignation as Chief Clerk,
Carlisle Indian School, tendered on May 14, 1914,
is hereby accepted as of the date on which you were
suspended.

The action herein taken does not in
any way indicate attitude as to criminal charges.

Respectfully,

(SIGNED) CATO SELLS

Commissioner.

Mr. S. J. Nori,

Chief Clerk, Carlisle Indian School.

APPROVED:

(SIGNED) FRANKLIN K. LANE

SECRETARY.

DEPARTMENT OF THE INTERIOR
Office of Indian Affairs

May 18, 1914.

FILED BY C. T. B.

The papers in the Friedman case, and also in the Nori case, have been transmitted to the Department of Justice for such action as it may find proper to institute.

(Copy)

May 18, 1914.

Sir:

FILED BY C. P. F.

Your resignation as Superintendent of the Carlisle Indian School tendered on May 14, 1914, is hereby accepted as of February 12, 1914, the day on which you were suspended as such Superintendent.

The acceptance of this resignation does not in any way involve charges affecting yourself and Chief Clerk S. J. Nori, nor does it indicate the future attitude of the Office on any phase of the charges against you.

Respectfully,

(Signed) Cato Sells.

Commissioner.

Mr. Moses Friedman,
Superintendent, Carlisle Indian School,
Carlisle, Pa.

Approved ;

(Signed) Franklin K. Lane,

Secretary.

97105
14

May 4, 1914.

Hon. Joe T. Robinson,

Chairman, Joint Commission
to Investigate Indian Affairs,

United States Senate.

FILED BY C. P. F.

My dear Senator:

There is enclosed herewith, for the information of the Joint Commission to Investigate Indian Affairs, Indian Office file No. 63212-1911, which file includes the report of Charles F. Peirce on the student body of the Carlisle Indian School, dated February 20, 1911 (24771-3-1911). There is also included in this file report of Supervisor H. B. Peairs, dated March 27, 1911, commenting on the report of Charles F. Peirce, above referred to.

When this file has served your purpose, please return same to this Office.

Very truly yours,

E. B. Meritt

Assistant Commissioner.

File

{ Left in Sen. Robinsons
office by JHC.

INITIALING COPY - FOR FILE.