

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.

5-1345

See 35707-15-044

CARLISLE

File No.

220

17294/1914

JOHN FRANCIS, JR.
SUPERINTENDENT



DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

Ed-Sch.
17294-14
27512-18
R H H



April 16, 1918.

Commissioner of Indian Affairs,
Washington, D. C.

Sir:

FILED BY C. P. F.

The receipt is acknowledged of your letter of April 6, 1918, requesting further information regarding the nature of these bonds, whether registered or coupon, when payable, and to whom they are payable at this time.

In response you are advised that these bonds are ordinary coupon bonds with coupons payable to bearer. The four Southern Railway bonds are due April 1, 1956, and interest is payable October 1st and April 1st. The two St. Louis and Southern Railway bonds are due November 1, 1989, and interest is payable May 1st and November 1st.

I am advised that the market value of these bonds is somewhere around fifty or sixty at the present time. Taking these bonds up in my account will mean that a bequest made for the direct benefit of individual Indian boys and girls will be converted into a condition where the students can only be indirectly benefited by it. In other words, if this bequest was held under a separate trusteeship it would be practicable, if deemed advisable, to use the entire interest for the benefit of a poor Indian boy or girl who showed intellectual ability enough to take higher education, while, under the present system, I must deposit the interest as Class IV, and it may be used to purchase feed for the horses, or to pay an employee, or to assist in other instrumentalities for which the Government, in maintaining the school, has assumed full responsibility.

*Recd by me
July 25-18
for action now
because of delay
legislation
File
RHH*

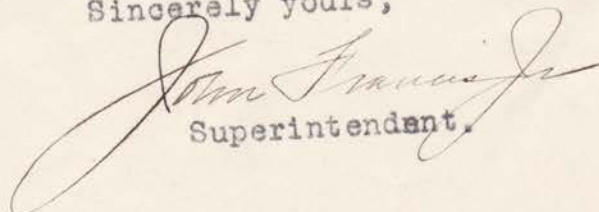
Ed-Sch

I am quite sure that it is against the policy of the Government to leave in the hands of any disbursing agent negotiable paper of this character deposited in a safe deposit box, of which he alone has care. Under the present system, a criminally-disposed Superintendent could easily convert these instruments into cash and convert it to his own use, and, while of course the loss would eventually be discovered, I appreciate that it might be necessary, at least, to have a legal determination of the responsibility of the Superintendent's bondsman for funds in his possession of the character of these bonds.

On the other hand, I feel it would be a great wrong to the Ropes sisters and their intent under the will for the bonds to be formally taken over by the Government. I am quite sure that while it might not be done under the present administration, the time would come long before the bonds are due or railway securities have risen to normal prices when it would be deemed necessary, for safety's sake, that the bonds be converted into cash deposited into the United States treasury with the resulting loss of probably one-half of the bequest.

It seems to me that in the absence of direct authority to take up this bequest there would be no reason why a trusteeship, in accordance with the terms of the will, should not be established again, having a Trust Company, however, as trustee rather than individual trustees who die from time to time. This solution seems to me so simple, the intentions of the testators could be clearly carried out, and the safety of the trust assured. The trust could be so drawn that the manner of its use could be investigated at any time and the Superintendent of this school would be relieved from a burden of responsibility which is unnecessary.

Sincerely yours,


Superintendent.

JF:E

Ed-Sch.
17294-14
27512-18
R H

APR -6 1918

Mr. John Francis, Jr.,

Supt. Carlisle School.

My dear Mr. Francis:

FILED BY C. P. F.

Pending further consideration of the matter of the Ropes' bonds referred to in your letter of the 29th, please advise the nature of these bonds, whether registered or coupon, when payable, and to whom they are payable at this time; also any further facts with regard to them which may occur to you as material.

Very truly yours,

(Signed) E. B. Meritt

4 HCB 4

Assistant Commissioner.

E - Schade:

I am not advised concerning the conditions of this bequest or to whom the bonds are payable. If they are negotiable by the Supt. he must carry them in his accounts. If this is done it will not be necessary to sell the bonds as suggested on page 2 of the Supt. letter. I see no objection, if it can ^{and the Government has no claim on them.} be done, to turning the bonds over to a Trust Co. as trustee and requiring the Supt. to take up an account for the interest as Misc. Accts. Close it.

H. D. Dimech

4/2/18

64917-15

17294-14-220

have collected the interest as directed. While in Washington recently, I discussed this matter with the Chief of Finance Division who advised me that, under a circular of last November covering Liberty Bonds, these bonds must be taken up in my account.

I am apprehensive that if this is done it will promptly be followed by instructions to sell the bonds and deposit the profits as Miscellaneous Deceits, Class 4. This would result in converting a \$6000. investment, bearing interest at the rate of 4%, into a none interest paying cash deposit of between three and four thousand dollars.

There has been no acceptance of this trusteeship by the United States Government, and I understand that there would be no legal right to accept the trust without legislation. The papers in this case have been sent to the Indian Office and I am advised that it was the intention of the donor that the profits should be used for the benefit of the Indian boys and girls of this school, but that there was no intention of making a gift to the United States Government. The intent of the donor can, of course, be determined only from the will, but the bequest being meant for the direct benefit of the boys and girls it would seem that if I could be authorized to make arrangements so that the trust could be legally revived with a Trust Company of Carlisle as trustee, and the interest turned over to me from time to time for the purpose of assisting individual Indian boys and girls, it would be much more proper than for the bonds to be taken by the Government and ordered to be sold at the present market price.

It is important that I have instructions in this matter before filing my next quarterly account, and I will be glad if the Office will advise me at the earliest possible date of the action which I should take in the premises.

Sincerely yours,

JF-E

Superintendent



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL
CARLISLE, PA.



March
Twenty-Ninth,
1 9 1 8

FILED BY C. P. P.

Commissioner of Indian Affairs,
Washington, D. C.

Sir:

When Mr. Lipps turned over this school to me he left in my possession six \$1000. railway bonds by the Ropes' bequest to the Indians of this school.

4 (four) Southern Railway \$1000.00 development and general mortgage 4% gold bonds, series A, due April 1, 1956, interest payable October 1st and April 1st, numbered 6851, 17603, 18973 and 18974.

2 (two) St. Louis & Southern Railway first mortgage \$1000.00 4% gold bond certificates, due November 1, 1989, interest payable May 1st and November 1st, numbered 1856 and 16890.

766
The bonds were formerly held, I understand, by a board of trustees, but at the time Mr. Lipps assumed charge the trustees, greatly insensed at the attitude of the Government in the Friedman case, came into the office in a body and resigned, and forced Mr. Lipps to accept the bonds,

The Office advised Mr. Lipps to hold the bonds and collect the interest from time to time and deposit it as class 4 funds.

Under authority of the Office I arranged to place these bonds in a safe deposit bank down town and

Ed-Schools
41731-1917
A V S

2

FILED BY G. P. F.

30831-17

APR 28 1917

Mr. John Francis, Jr.,

Superintendent, Carlisle School. 17294-14-220

My dear Mr. Francis:

In reply to your letter of April 26, with reference to payment of rental for a safety deposit box, you are advised that payment in advance cannot be authorized for this purpose.

Very truly yours,

Signed C. F. Hauke

Acting Assistant Commissioner.

4-LP-28

INITIALING COPY - FOR FILE

~~E. H. LIPPS~~, SUPERINTENDENT

John Francis, Jr., Sup't

Ed-Schs

30831-17

H F E



DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SCHOOL

CARLISLE, PA.



April 26, 1917.

The Honorable

Commissioner of Indian Affairs,

Washington, D. C.

FILED BY C. P. F.



Sir:-

Referring to Office letter of April 7, 1917, giving me authority to rent a safety deposit box in which to place certain bonds belonging to this school, and advising that the rent should be paid from "Miscellaneous Receipts, Class LV, School", I have to request that I be authorized to pay this rent, which amounts to \$3.00 for one year, in advance.

An early reply will be appreciated.

Yours very truly,

John Francis Jr.
Superintendent.

CVP

Esch

Can't be done.

HS

Ed.-Schools.
Education-
Schools.
30831-1917
H F E

FILED BY G. P. F.

Mr. John Francis, Jr.,

APR -7 1917

Supt. Carlisle Indian School.

My dear Mr. Francis:

The receipt is acknowledged of your letter of March 26, 1917, in regard to the protection from fire or burglary of six railway bonds purchased from the fund of the Ropes Bequest to Carlisle School. In reply you are informed that if it is considered necessary, you may rent a safety deposit box from the bank in order that these bonds may be protected. Payment of the rent should be made from "Miscellaneous Receipts, Class 4, School."

The other plans suggested in your letter are not believed to be advisable.

In connection with the Ropes Bequest, it may be stated that there appears to be no authority of law for you to use either the principal or interest. It is suggested that you give the entire subject careful consideration and if thought advisable submit your recommendation concerning the ultimate disposition of this bequest.

Very truly yours,

(Signed E. B. Meritt

Assistant Commissioner.

INITIALING COPY - FOR FILE



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

March 26, 1917.

Commissioner of Indian Affairs,
Washington, D.C.

Sir:

On April 1, 1917 I will assume charge, in accordance with your instructions, as Superintendent of the Carlisle Indian School. In going over various matters connected with the institution I have noted the fact that Mr. Lipps has on hand six \$1000.00 railway bonds which were purchased from the fund of the Ropes' bequest to the school, described as follows:

4 (four) Southern Railway \$1000.00 development and general mortgage 4% gold bonds, series A, due April 1, 1956, interest payable October 1st and April 1st, numbered 6851, 17603, 18973 and 18974.

2 (two) St. Louis & Southern Railway first mortgage \$1000.00 4% gold bond certificates, due November 1, 1989, interest payable May 1st and November 1st, numbered 5856 and 16890.

It will be necessary, of course, for me to receipt for these bonds, but I desire to point out to you the fact that they are negotiable instruments and at the present time are carried in the safe of the school, and the interest is taken up, I understand, as class four funds under the instructions of the

FILED BY C. P. P.



Esch
[Signature]

3/26/17

Office. This matter has been the subject of some previous correspondence and the file has been transmitted to your office where it is retained at the present time.

In the management of an institution of this kind it is necessary to keep a fairly large balance of cash in the safe at all times to meet emergencies which places large direct responsibility on the disbursing officer, and I cannot but feel that these bonds, which have a market value of at least \$4000.00, should be cared for in a different manner in view of danger from fire or burglary.

As a business proposition it would not be advisable, on account of the market value and the interest which these bonds are now drawing, to convert them into cash and deposit the proceeds with the Treasury of the United States.

Upon reflection it seems to me that the simplest way in which to handle these bonds would be to place them in the hands of the Depositary of Individual Indian Moneys for this institution, excepting the receipt of the bank therefor, with the understanding that they will collect the interest semi-annually and place it to my credit for the benefit of the Ropes trust.

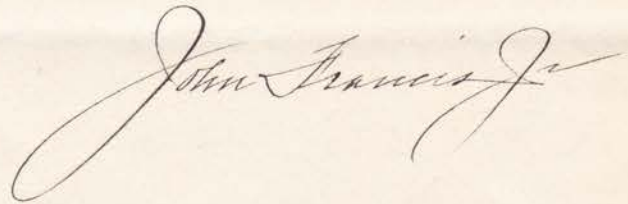
Before taking action, however, I desire the authority of the Office and in this connection I ask that the responsibility of the bank for these bonds, under its bond for the care of Individual Indian Moneys, be considered, or if not protected by that instrument that instructions be given as to whether the bonds of the Ropes bequest may be placed with the bank for safe keeping

3/26/17

without surety bond, or whether an additional surety bond should be procured from the institution.

I ask immediate instructions as to the manner in which these bonds are to be handled.

Very respectfully,

A handwritten signature in cursive script, reading "John Francis Jr.", written in dark ink.

JF:R

Mr. Meritt -

Think the regulation
should be changed so as
to permit children to sign
their checks. The new
Reg. should be changed

C. H.

REFER IN REPLY TO THE FOLLOWING:

Ed-Schools
17294-14
64917-15
R H H

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Mr. O. H. Lipps,

Supervisor in Charge,

Carlisle Indian School.

My dear Mr. Lipps:

I have your letter of June 10 in regard to the Peale and Ropes bequests and requesting return of the papers.

As to the Ropes bequest, this is now held in the form of six bonds. It is not absolutely clear to the Office whether the trusteeship as to these bonds has terminated, but it appears that you are custodian of them as agent for the United States, which is the beneficiary. Certain questions have arisen and are again arising as to acceptance or rejection of gifts to the United States, but regardless of a decision thereof it is quite clear that there is no authority of law conferred upon the Department or yourself to use or expend gifts, whether by will or otherwise, or the income therefrom, until so authorized by Congress.

Therefore the income from the bonds should not be used until appropriate legislation can be procured. So long as the bonds are not converted into cash they can not be accounted for and it is perhaps a question whether you have authority to so convert them into cash. Therefore you are directed to hold them and they need not be converted for deposit at the time that you receive a new appointment and give a new bond.

As to the interest, this should not be used but may be held as a special fund and likewise need not be deposited when you file a new bond. The papers, as you requested, are returned and if anything further occurs the Office will keep you advised.

Very truly yours,

Assistant Commissioner.

6-LP-15.

Ed-Schools
17294-14
64917-15
R H H

Mr. O. H. Lipps,
Supervisor in Charge,
Carlisle Indian School.

My dear Mr. Lipps:

I have your letter of June 10 in regard to the Peale and Ropes bequests and requesting return of the papers.

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INITIALING COPY - FOR FILE.

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As to the interest, this should not be used but may be held as a special fund and likewise need not be deposited when you file a new bond. The papers, as you requested, are returned and if anything further occurs the Office will keep you advised.

Very truly yours,

Assistant Commissioner.

6-LP-15.



Ed-Schools
17294-14
127560-14
R H H

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

June 10, 1915.

E-SCHOOLS
Rec'd
JUN 11 1915

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

Sir:

With my letter of Jan. 5, 1915, I enclosed all the papers relating to the bequests of Anna E. Peale and Mary P. and Eliza O. Ropes. I will thank the Office to return these papers for filing here.

In regard to the Ropes bequest, I have to state that this is held in the form of six \$1000 bonds, the interest of which, by direction of the Office, is being taken up as "Miscellaneous Receipts, Class IV". At the end of this year, on account of the change of my title to that of Superintendent, these funds will necessarily have to be deposited, after which they will become "Indian Moneys, Proceeds of Labor," and so far as I can see are no longer procurable for the use for which they were originally intended, namely, that of assisting worthy pupils and for other charitable purposes. I request that I be permitted to handle all future proceeds from these bonds in a manner similar to that of the Athletic funds, a report of which is sent in with my quarterly accounts, or to place it in the hands of three trustees, in which way it was formerly



✓ 127560-14
2129-15 ✓

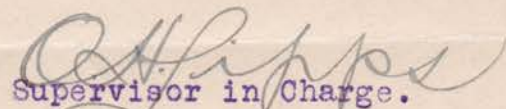
9753-15 ✓

17294-14 = 220

handled and in which way the Peale bequest is being handled.

An early reply to this will be appreciated.

Very respectfully,


Supervisor in Charge.

CVP:LG

Education-Schools
138626-1914
R H H

January 20, 1915.

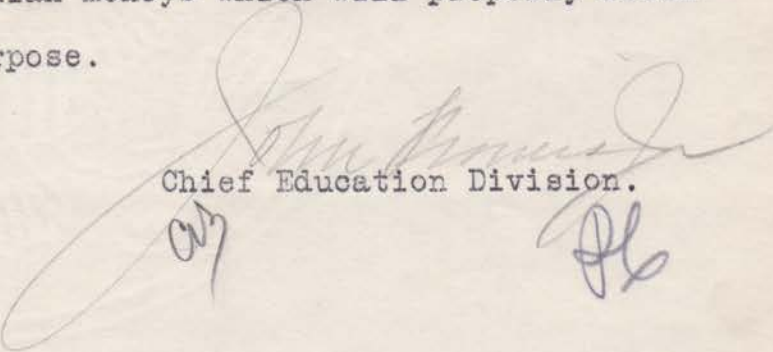
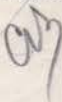

FILED BY G. P. F.

Finance:

Education Division is in accord with the suggestion of Mr. Hauke that an amendment to the Regulations should be approved authorizing the signing of their checks by pupils at the Carlisle School and at any other schools where their funds are similarly deposited. This should be done unless there is some provision of law which is not recalled at the moment.

If not, it is thought your Division should draft an amendment to the regulations governing the handling of individual Indian moneys which will properly accomplish the desired purpose.

1-EO-20


Chief Education Division.
 

INTERIOR DEPARTMENT

June 4, 1915.

Copy for the information
and guidance of Commissioner
of Indian Affairs.

E J Ayers

Chief Clerk.

Office of
Comptroller of the Treasury

TREASURY DEPARTMENT

Washington

June 3, 1915.

The Honorable

The Secretary of the Interior.

Sir:

I have your letter of the 29th ultimo, as follows:

"I am enclosing a letter from the Commissioner of Indian Affairs in which inquiry is made regarding the expenditure of the proceeds from a check for \$500, contributed by Mr. C. E. Mills, a white citizen of the State of Arizona, County of Gila, toward certain road improvements on the San Carlos Indian Reservation.

"I respectfully request that you render a decision as to whether or not the money can be expended without being made available by Act of Congress."

The burden of repairing and improving roads in an Indian reservation is one which falls upon the Indians in the reservation, who are required to perform, under the supervision of an Indian supervisor, the requisite number of days road work each year (pars. 646, et seq., Regulations of the Indian Office, 1904). Except in special instances Congress does not appropriate money toward the improvement of roads in an Indian Reservation. The contribution in question is therefore in the nature of a donation to the Indians rather than to the United States.

If the donor desires to turn the money over to the Indian agent as his representative to disburse and apply it to the purpose for which it is donated, I see no legal objection to such procedure, provided it has the administrative approval of your Department and can be followed without imposing any obligation upon the United States.

Your submission does not indicate to whose order the check is payable. If it is payable to the United States it should be rejected and returned to the donor. The United States is not the beneficiary of the donation, and should not assume any responsibility in connection with the receipt, custody, or application of the money.

Respectfully,

(SGD) GEO. E. DOWNEY

JDT W

REFER IN REPLY TO THE FOLLOWING:

Education-Schools

138626-14

R H H

5-1100

4
ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Mr. Oscar H. Lipps,

Supervisor in Charge, Carlisle School.

My dear Mr. Lipps:

The Office has your letter of December 28, 1914, in regard to checks drawn against the accounts of minor pupils of the Carlisle School. Although it has heretofore been the practice for minors to sign checks against the accounts standing in the bank in their names, yet it will be impracticable for them to do so hereafter, as the regulations do not so permit. You will hereafter sign pupils names to such checks by yourself as guardian ex-officio, and will also approve the check in the usual manner. Authority for you to so sign as the guardian for all minor pupils enrolled is hereby given.

Very truly yours,

1-HJS-8.

Second Assistant Commissioner.

Education-Schools
138626-14
R H H

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Mr. Oscar H. Lipps,

Supervisor in Charge, Carlisle School.

My dear Mr. Lipps:

The Office has your letter of December 28, 1914, in regard to checks drawn against the accounts of minor pupils of the Carlisle School. Although it has heretofore been the practice for minors to sign checks against the accounts standing in the bank in their names, yet it will be impracticable for them to do so hereafter, as the regulations do not so permit. You will hereafter sign pupils names to such checks by yourself as guardian ex-officio, and will also approve the check in the usual manner. Authority for you to so sign as the guardian for all minor pupils enrolled is hereby given.

Very truly yours,

1-HJS-8.

Second Assistant Commissioner.

INITIALING COPY - FOR FILE

Ed-Schools
138626-1914
R H H

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Mr. O. H. Lipps,

Supervisor in Charge Carlisle School.

My dear Mr. Lipps:

The Office has your letter of December 28, 1914, in regard to checks drawn against the accounts of minor pupils.

Although it has heretofore been the practice for minors to sign checks against the accounts standing in the banks in their names, yet it will be impracticable for them to so sign checks hereafter, even though the checks are approved by you, as the law does not permit this to be done.

It is desired, however, to adopt a plan which will still enable the pupils to draw and sign their own checks if a method can be devised by which they can do this and can then present such checks personally to the bank for payment. If such a system proves possible, the bank account will have to be placed in your name only

and it would be necessary for you to make arrangements with the bank by which the individual checks could be accepted for payment, and at the same time enable you to make a proper accounting for the funds in your cash accounts.

Without further consideration it is not clear to the Office whether this scheme can be worked out in a manner which will be satisfactory from all points of view and which will be acceptable to the Auditor's office. It is necessary, however, that the matter be taken up promptly in order to avoid further objection from the Auditor and therefore please submit a report embodying a plan of operation which will comply with the suggestions given. In other words, it is not desired to depart so far from the past practice as to prevent the pupils from drawing and cashing their own checks as a practicable and valuable lesson in business and banking methods.

In the meantime and until a proper system is devised, you should sign the individual checks of pupils

as guardian ex officio and authority is hereby given
you for this purpose. You should also countersign
them as Supervisor in Charge.

Very truly yours,

Second Assistant Commissioner.

1-LP-26.

Ed-Schools
138626-1914
R H H

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Mr. O. H. Lipps,

Supervisor in Charge Carlisle School.

My dear Mr. Lipps:

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INITIALING COPY - FOR FILE

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In the meantime and until a proper system is devised, you should sign the individual checks of pupils

as guardian ex officio and authority is hereby given
you for this purpose. You should also countersign
them as Supervisor in Charge.

Very truly yours,

Second Assistant Commissioner.

1-LP-26.

Envelope

2129-15

INCLOSURE

~~27867~~

3303

FROM

OFFICE OF INDIAN AFFAIRS,
DEPARTMENT OF THE INTERIOR.

Please return this
file to

U. S. INDIAN SCHOOL,
CARLISLE, PA.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE.

Form 4-115 a.

UNITED STATES LAND (

SCHEDULE of RECEIPTS ISSUED, from _____
19_____, inclusive.

DATE.	RECEIPT NUMBER. (Must be entered consecutively.)	SERIAL NUMBER.	

File 2864

Law Offices of
John Marshall Gest.
100 Chestnut Street.

Telephone

Philadelphia.

Received, *mch 30/06*
Referred to
Answered *Apr 14*
Referred to Files

March 28, 1906

Major W. A. Mercer, U.S.A.

Superintendent, Indian Industrial School

Carlisle, Cumberland Co, Pa.



Dear Sir:

I represent Messrs. Robert Patterson and Lewis H. Redner, Executors of the Will of the late Anna E. Peale of this city, who died on December 7, 1905. In the Fifth Clause of her Will, Miss Peale directed as follows:

"Fifth: I give and bequeath to the United States Indian Industrial School at Carlisle Cumberland County Pennsylvania the sum of Three thousand dollars in trust for the maintenance and education of Indian girls at the Training School at Carlisle Barracks Pennsylvania and I direct that the said sum be paid to Dr. C. R. Agnew of New York City, Captain R. H. Pratt of the United States Army and Bishop William H. Hare, whom I constitute and appoint Trustees to manage and apply the same in such manner as they may deem best for the purpose above mentioned and in case any of the Trustees should fail to serve or from any cause whatever by death incapacity or otherwise be unable to do so, I hereby authorize the remaining trustee or trustees to fill the vacancy by the appointment of such person or persons as they may deem fit or failing any such trustee or trustees willing or able to act then I authorize the proper Court of Cumberland County

Major W. A. Mercer, U.S.A. (2)

aforesaid to appoint the needful number of trustees to carry out the purposes of this trust."

At this writing it is impossible for me to say whether the assets of the estate will be sufficient to pay this legacy in full, but I do not anticipate any great deficiency.

I have, of course, in behalf of the Executors, given notice to the Trustees named in the above paragraph of the Will. Dr. Agnew is deceased, but Bishop Hare and Major Pratt are still living.

Inasmuch as you are Superintendent of the School, which is the beneficiary of this trust fund, I thought it proper to give this notice to you, and shall be pleased to hear from you in reference to it.

Yours very truly

A handwritten signature in blue ink, appearing to read "John D. Smith", with a long, sweeping flourish extending to the right.

Law Office of
John Marshall Gest,
100 Chestnut Street.

to major

Telephone

Philadelphia.

April 18, 1906

John R. Wise, Esq, Acting Superintendent
The Indian Industrial School
Carlisle, Pa.

My dear Sir:

I beg leave to acknowledge receipt of your favor of the 14th instant, acknowledging the receipt of my letter of March 28, addressed to Major Mercer, Superintendent, concerning the bequest contained in the Will of the late Anna E. Peale, of \$3,000 in trust for the maintenance and education of Indian girls etc.

In behalf of the executors of the will, I have given notice of this bequest not only to Major Mercer, but also to the Trustees named in the will. Dr. Agnew is deceased and Bishop Hare's secretary has informed me that my letter was received during the absence of the Bishop from home, therefore I have not heard. ^{from him} General Pratt has acknowledged the receipt of my notice by letter and in person, but I have not been informed whether he intends to act or not.

I shall advise you, as you request, as to what action, if any, is taken by the trustees named in the will.

Yours very truly

John Marshall Gest

Received, *Apr. 19/06*

Referred to

Answered

Referred to Files

Held

Law Offices of
John Marshall Gest,
400 Chestnut Street.

Telephone

Philadelphia.

July 12, 1906

Major W. A. Mercer, Superintendent
Indian Industrial School
Carlisle, Pa

My dear Sir:

Your favor of the 11th instant is received, stating that the Carlisle Indian School being supported by the U. S. Government, is really not in need of the bequest contained in the Will of Miss Anna E. Peale, though it might be used to advantage; but that if the trusteeship and the disbursement of the money cannot be controlled by the present administration, it is doubtful in your mind whether it would be best to receive the bequest.

You ask me whether I know of any legal objection to declining to receive it, provided such a course of action should be approved by the Commissioner of Indian Affairs and the Secretary of the Interior.

In reply to your question, I would say that General Pratt, who is the only trustee named in the Will, who is both living and willing to act, would, I think, have to be consulted upon this point. If he should agree with you that the bequest should be declined, I have no doubt the Orphans' Court, under whose direction we act, would recognize this decision.

The question would probably arise as to what should be done

Major W. A. Mercer

-2-

7/12/06

with the money, but with that point I do not suppose you or the trustees would be concerned.

Yours very truly

John M. Galt

Ans'd
JUL 11 1906

Law Offices of
John Marshall Gess.
100 Chestnut Street.

Telephone.

Philadelphia.

July 6, 1906

Major W. A. Mercer

Indian Industrial School

Carlisle, Pa

My dear Sir:

I beg leave to acknowledge the receipt of yours of the 3rd instant, relative to Bishop Hare's declining to act as one of the Trustees under the Will of Anna E. Peale.

The Will provides that "in case any of the Trustees should fail to serve or from any cause whatever by death incapacity or otherwise be unable to do so, I hereby authorize the remaining trustee or trustees to fill the vacancy by the appointment of such person or persons as they may deem fit or failing any such trustee or trustees willing or able to act then I authorize the proper Court of Cumberland County aforesaid to appoint the needful number of trustees to carry out the purposes of this trust."

As Dr. Agnew is dead and Bishop Hare declines to act, it would seem that the nomination of the succeeding trustees belongs to Captain Pratt, ^{now} Brigadier-General.

I would suggest, therefore, that you put yourself in communication with him upon the subject.

I am inclined to think that the executors of the Will have no power or duty in the matter except to see that the persons to whom

Major W. A. Mercer

-2-

they pay over the money are properly qualified as trustees.

I shall be very glad, indeed, to hear from you what action you take in this matter, and to confer with you in regard to it at any time.

Believe me

Yours very truly

John G. Gish

3 EAST 9TH STREET

March 10, 1906

J. M. GE

MAR 12 1906

Mr John Marshall East,

Dear sir -

Your favor of
March 9th was forwarded to
me this morning by my nephew
to whom it was addressed
at - 66 East 55th street.

Doctor Agnew, my husband, died
in 1888 - Captain, now General
R. M. Pratt, Retired lives now
in Denver Colorado. I am enclosing
your communication to him -

His present address is 1414 Logan Avenue
Denver, Colorado. His interest in the
Indian School at Carlisle, though no
longer official, will give him much satisfaction
to hear of Miss Peale's legacy.

Yours very truly

Mrs Cornelius R. Agnew.

Est of
Anna E. Pease

3/12/06

Mrs. Cornelius R Agnew

In re Caroline

Indian School

J. M. G. P.
JUN 25 1906

Siboux Falls, S. Dakota,

June 21, 1906.

To those who have written me

regarding the will of Anna S. Peale, viz.,

John M. Gest, Esq.,

Brig. Gen. F. H. Pratt,

Mr. John R. Wise, Acting Superintendent.

Gentlemen:

It is with great mortification that I am able to take up only at this late date your communications of last spring in regard to the bequest of Anna S. Peale. They came to me among much accumulated mail matter on my return from an eight weeks' sea voyage taken on account of my health and when a severe face malady was so affecting one of my eyes that reading and writing were both almost impossible. Somewhat better now, I begin to grapple with a pile of unanswered letters, among which I find those from you.

It would give me the greatest possible satisfaction to help the cause of Indian education by serving as one of the Trustees under Miss Peale's will; but the state of my health is so uncertain that I feel that, instead of being a help, I might be a hindrance in the execution of the trust, as I have already been, alas, by my delay in answering the letters which I have received regarding it. I ask, therefore, that I may be regarded as suffering from physical "incapacity"- to quote the words of the will, and I hereby give notice that I shall "fail to serve," again quoting the language of the will.

Very truly,
Yours
C. H. Hare

Peale Estate

6/24/02

W.H. Have
will not serve
as trustee

[Handwritten signature]

NOV 22 1902

ABSTRACT FROM ADJUDICATION

The gift of \$3000 to The United States Indian Industrial School at Carlisle, is "in trust for the maintenance and education of Indian girls at The Training School at Carlisle Barracks the said sum to be paid to Dr. C. R. Agnew, . . . Captain R. H. Pratt of the United States Army, and Bishop William H. Hare, . . . Trustees to manage and apply the same in such manner as they may deem best for the purpose above mentioned, and in case any of the trustees should fail to serve, or from any cause whatever, by death or otherwise, be unable to do so . . . the remaining trustee or trustees to fill the vacancy by the appointment of such person or persons as they may deem fit, or failing any such trustee or trustees willing or able to act, then . . . the proper court of Cumberland County to appoint the needful number of trustees to carry out the purposes of this trust."

It was stated by Mr. Gest that of the persons thus named as trustees Dr. C. R. Agnew is dead and Bishop Hare declines to act. Captain Pratt (now General Pratt), who at the date of the will was at the head of the institution, is now living, as further represented at Denver, Colorado, but is willing to accept the trust. It is said that objection has been expressed to his so acting, on the ground, among other things, that he is no longer connected with the school; but his right to act cannot be considered by the Auditing Judge, and if any valid reason exists against his continuance in the position which the testatrix, who seems to have lived after his removal from the post which he had previously filled, has given to him, it must be presented in the regular way to the Court in banc, in a proceeding for his removal from the office of trustee. It is the duty, however, of the "remaining trustees" to fill the vacancy occasioned by the death or refusal to act of the others, "by the appointment of such person or persons" as he may "deem fit"; and in the opinion of the Auditing Judge this appointment should precede the payment of the amount so given.

POSTAL TELEGRAPH



COMMERCIAL CABLES

CLARENCE H. MACKAY, PRESIDENT.

TELEGRAM

REGISTERED TRADE-MARK. DESIGN PATENT NO. 36369.

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John M. Gest
400 Chest Pha

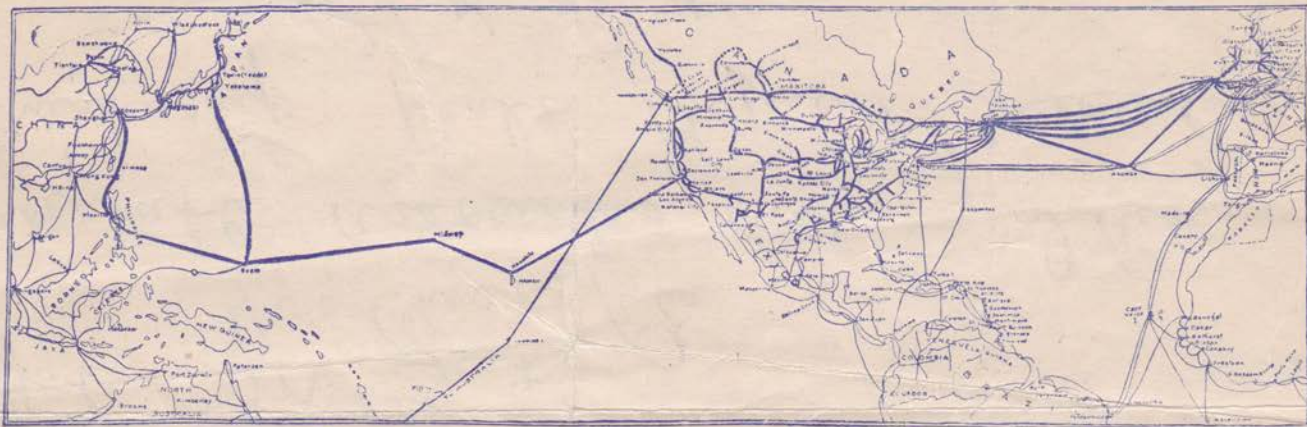
(WHERE ANY REPLY SHOULD BE SENT.)

J. M. GEST

APR 1 - 1907

Acceptable associates declining I. Resign
trusteeship Peale Bequest see letter
R. K. Pratt

POSTAL TELEGRAPH-CABLE COMPANY IN CONNECTION WITH THE COMMERCIAL CABLE COMPANY.



THE GREATEST TELEGRAPH AND CABLE SYSTEM IN THE WORLD. EXTENDS OVER TWO-THIRDS OF THE WAY AROUND THE EARTH.

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Correctness in the transmission of messages to any point on the lines of the Company can be **INSURED** by contract in writing, stating agreed amount of risk, and payment of premium thereon, at the following rates, in addition to the usual charge for repeated messages, viz.: one per cent. for any distance not exceeding 1,000 miles and two per cent. for any greater distance.

No responsibility regarding messages attaches to this Company until the same are presented and accepted at one of its transmitting offices; and if a message is sent to such office by one of this Company's messengers, he acts for that purpose as the agent of the sender.

Messages will be delivered free within the established free delivery limits of the terminal office. For delivery at a greater distance a special charge will be made to cover the cost of such delivery.

This Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

This is an **UNREPEATED** Message and is delivered by request of the sender under the conditions named above. Errors can be guarded against only by repeating a message back to the sending station for comparison.

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CLARENCE H. MACKAY, PRESIDENT.

JOHN O. STEVENS, S. Y.

WILLIAM H. BAKER, V. P. AND GEN'L MANAGER.

NO OTHER SERVICE EQUALS THE "POSTAL'S"

Dec 26
Dec 26
Dec 26
Received
Referred to
Answered
Referred to Files
Telephone

Law Offices of
John Marshall Gest,
100 Chestnut Street.

Philadelphia.

December 24, 1906

Major W. A. Mercer, Superintendent
Indian Industrial School
Carlisle, Pa

Dear Sir:

I beg leave to acknowledge the receipt of yours of the 22nd instant, relative to the legacy of \$3000. bequeathed by the Will of Anna E. Peale, deceased, to the United States Indian Industrial School of Carlisle. I think you correctly understand the paragraph of the Will containing the bequest.

It seems to me that the appointment of new trustees is a matter which must be settled by the proper court of Cumberland County, in accordance with the directions of the Will, and that any question as to the payment of the legacy, in view of the disagreement which has arisen between the School authorities and General Pratt, must be determined by the Orphans' Court of this county, to which the Executors are responsible, and before which their account must be audited.

I consider that under these circumstances it is highly desirable that you should advise with counsel in order that the interests of the School may be properly protected.

Yours very truly

John Marshall Gest

Law Office of
John Marshall Gest,
400 Chestnut Street.

Telephone

Philadelphia.

April 5, 1907

Major W. A. Mercer

Indian Industrial School

Carlisle, Pa

My dear Sir:

Since the audit of the Account of the Executors of Anna E. Peale, General Pratt has informed me that he does not intend to serve as Trustee of the bequest of \$3000 for the Indian School. As Dr. Agnew is deceased and Bishop Hare has declined to act, there are now no Trustees living and willing to take the bequest.

I give you this information in order that you may take such action as you may deem appropriate.

Please let me know what you do, or if you conclude to do nothing, please inform me, and oblige

Yours very truly

John Marshall Gest
Sally for Executors

Received, April 6/07

Referred to _____

Answered _____

Referred to Files _____

Law Office of
John Marshall Gest

400 Chestnut Street.

Philadelphia.

Received Feb. 2, 1907
Referred to Am. Leg.
Answered
Filed Feb 8/07

Telephone

February 1, 1907

Major W. A. Mercer, Superintendent
Indian Industrial School
Carlisle, Pa

Dear Sir:

Messrs. Lewis H. Redner and Robert Patterson, Executors of the Will of Anna E. Peale, deceased, have filed their account which will be called for audit in the Orphans' Court on the first Monday of March next.

By her Will Miss Peale bequeathed to the Indian Industrial School at Carlisle, the sum of \$3,000.

The account as filed, shows a balance for distribution of \$26,190.51 and of income \$1134.51, total \$27,325.02. Included in the balance is a mortgage of \$1800 on premises No. 323 North 42nd St., which is not due. The Executors hope to be able to receive the full amount of this mortgage, but it does not seem very well secured.

The legacies bequeathed by the Will aggregate \$27,300., but it appears that there may be some deficit in the payment of your legacy, should the mortgage not be realized in full, or should interest be allowed on certain of the legacies.

Yours very truly

John Marshall Gest

Law Office of
John Marshall Gest,
100 Chestnut Street.

Telephone

Philadelphia, March 14, 1907

Major W. A. Mercer,
Indian Industrial School
Carlisle, Pa

My dear Sir:

The account of the Executors of Anna E. Peale, was audited before Judge Penrose on March 8th, and the adjudication has now been filed. I enclose a copy of that portion of the adjudication relative to the bequest of \$3000. to the Indian Industrial School at Carlisle.

The adjudication will be confirmed absolutely (unless exceptions are filed before) on March 30th.

I suggest that you govern yourself accordingly, taking advice of counsel if you deem it necessary.

Yours very truly

John Marshall Gest

enc

Received, March 15/07

Referred to -----

Answered -----

Referred to Files -----

Law Offices of
John Marshall Gest,
100 Chestnut Street.

Telephone

Philadelphia, April 10, 1907

Major W. A. Mercer
Indian Industrial School
Carlisle, Pa

Received, *Apr. 11/07*

Referred to -----

Answered -----

Referred to Files -----

Dear Sir;

Yours of the 8th instant received, in reference to the bequest of \$3000 for the benefit of the Indian School, under the Will of Miss Anna E. Peale.

Complying with your request, I enclose you a letter from Mrs. Cornelius R. Agnew to me, dated No. 3 East Ninth St, New York, March 10, 1906, stating that Dr. Agnew died in 1888; also letter of Bishop W. H. Hare to me, dated Sioux Falls, S.D., June 1, 1906, declining to serve as Trustee; also telegram from General R. H. Pratt, dated Denver, Colorado, March 30, 1907, also declining to act.

You ask me to send you a properly authenticated copy of the Will etc. I do not feel called upon to pay the expense of these papers, nor do I think that the Executors of the Will are properly chargeable with it.

I would respectfully suggest to you that it will certainly be necessary for you to employ counsel in Carlisle to make the necessary application to the Court there, and I think that you would save a great deal of time, trouble and very likely expense if you would forthwith put this matter in the hands of an attorney. If you de-

Major W. A. Mercer

2

sire me to send you a certified copy of the Will, and will undertake to refund the costs, I shall be very glad to do so. I suppose the cost would be between \$5. and \$10.

I hope that you will understand that while I am very glad to give you whatever information may be requisite, the Executors as such, have nothing to do in this matter, but to hold the money until trustees are properly qualified to receive it.

I am

Yours very truly

A handwritten signature in dark ink, appearing to read "John M. Hest", written in a cursive style.

enc

This file to be
returned to the
Carlisle School
AHL

REFER IN REPLY TO THE FOLLOWING:

ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRSEd-Schools DEPARTMENT OF THE INTERIOR
89555-14
A V S

OFFICE OF INDIAN AFFAIRS

WASHINGTON

Charity Fund.

SEP 17 1914

Mr. Oscar H. Lipps,
Supervisor in Charge,
Carlisle School.

My dear Mr. Lipps:

The Office has received your letter of August 17, enclosing papers pertaining to a bequest made about May, 1908, to the Carlisle School by Mary P. Ropes and her sister, Eliza O. Ropes, of Salem, Massachusetts, and asking to be advised as to how you should account for the bonds and the check left by the trustees with you.

Inasmuch as there is no United States statute prohibiting the Government from accepting bequests of this kind, and it is now too late to take up the question in this particular case, you should account for the bonds and the check for \$179.40 under Miscellaneous Receipts, Class 4. ^{Charity} The enclosures to your letter are herewith returned.

Very truly yours,

E. B. Merrill
Assistant Commissioner.

9-HAS-5

August 17, 1914.

"Charity Fund",
Carlisle School.

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

Sir:

I inclose herewith the files of this office relating to one of the so-called "charity funds" of this school. The file does not appear complete but it contains all the record we have been able to locate in this office. It appears that about May, 1908, that Mary P. Ropes and her sister, Eliza O. Ropes, both of Salem, Mass., died leaving a bequest to the Carlisle school in the sum of \$5,000; that this was an ordinary bequest without restrictions; that the money was paid to former Superintendent Friedman and turned over by him to a board of volunteer trustees. Mr. Wetzel and Mr. Ray, members of this board of trustees, came to my office a few weeks ago and left with me the railroad bonds enumerated in the inclosed statement and their check for \$179.40 which are now being held in the office safe at the school.

Please advise me how I should account for the bonds and the \$179.40. Is there not a U.S. statute prohibiting the Government from accepting donations of this kind?

Respectfully,

ACCOUNT OF J. W. WETZEL AND J. M. RHEY, TRUSTEES OF
LEGACIES TO CARLISLE INDIAN SCHOOL BY MARY ROPES AND SISTER AND
CAROLINE M. MARTIN.

-----ooo00ooo-----

DR.

1911						
Nov. 14	To bal. from M. Friedman, Trustee,					\$1310.00
" "	" coupons So. Ry. Co. Apr. - Oct. 1910, \$20.					
	Oct. 1910 - Oct. 1911, \$160.00					180.00
1912						
May 3	" bal. of Ropes Legacy,					331.64
" 18	" Helen E. Pickard, returned loan in part,					46.96
Oct. 30	" legacy, Miss Caroline M. Martin, Dover, N.H. of \$2000. less coll. ind. tax of 5%					1900.00
" "	" coupons So. Ry. Co. Oct. 1911 - Oct. 1912,					160.00
1913						
Apr. 13	" " " Oct. 1912 - Apr. 1913,					80.00
" 17	" Int. on Caroline M. Martin, legacy for 1 yr.					100.00
Oct. 3	" coupons So. Ry. Co. Apr. 1913 - Oct. 1913,					80.00
" "	" " St. Louis & So. W. Ry. Nov. 1912 - May, 1913,					40.00
1914						
Feb. 24	" " " May 1913, - Nov. 1913,					40.00
Mar. 26	" " So. Ry. Co. due 1st Apr. 1914,					80.00
" "	" " St. Lo. & So. W. Ry. Co. due 1st May, 1914					40.00
						<u>\$4388.60</u>

Carlisle, Pa., July 27, 1914.

This is to certify that I have this day examined a statement rendered by Messrs. J. W. Wetzel and J. M. Rhey, Trustees of legacies to Carlisle Indian School, by Mary Ropes and sister, and Caroline M. Martin, showing receipts by said trustees of moneys belonging to said trusts, amounting to \$4388.60 and disbursements amounting to the same, covering the period from November 14, 1911, to this date, and that they have exhibited proper vouchers for these disbursements.

D. K. Adreon
Special Indian Agent.

Received July 27, 1914, of J. W. Wetzel and J. M. Rhey, Esquires, Trustees, of the Carlisle Indian School, Independent Trust Fund, their check on the Carlisle Trust Company for \$179.40 and six railroad bonds

1913	Dec. 31	"	M. I. Kear, Stout & Co.,	\$1000.00	1800.20
1914	Mar. 2	"	Carlisle Trust Co., (5) 28.10%	80.00	

CR.

1911				
Nov. 14	By Merchants Nat. Bank, note for gate,		\$ 491.47	
" "	" C.V.R.R.Co., freight,		57.12	
1912				
Jan. 12	" Phila. Press	::	6.00	
" 24	" Geo. W. Bouden,	::	10.00	
Feb. 8	" Washington Post Co.	:: Literature Y.M.C.A.	7.70	
" "	" H. W. Wilson Co.,	::	6.00	
" "	" N.Y.Herald Co.,	::	9.20	
" "	" Mutual Subscription Agency,		43.00	
Mar. 9	" J. Wanamaker, games for Y.M.C.A.		54.06	
Apr. 3	" Carlisle Deposit Bank, safety box,		5.00	
" 13	" M. I. Kast, architect for porch,		85.00	
" "	" C. M. Lilley & Co.,		30.00	
" "	" Potts Mfg. Co.,		45.00	
May 3	" G. M. Phillips, c/o Helen Pickard, loan, West Chester Normal School,		71.50	
Aug. 15	" M. I. Kast, architect,		40.00	
Sept. 6	" Meneely Bell Co., dining room bell,		240.00	
" "	" University of Penna. - John Farr, study architecture,		115.00	
" "	" Carlisle Trust Co., safety box, bal. due, Merchants Bank,		1.75	
Oct. 8	" M. Friedman, - Bertram Bluesky, loan,		20.00	
Nov. 6	" Carlisle Trust Co., (2) St. Louis & So. Western Railway Co., \$1000. bonds 4's		1800.50	
Dec. 11	" M. I. Kast, architect,		225.00	
1913				
Jan. 16	" University of Penna., - John Farr,		105.00	
" 20	" M. Friedman, c/o Bertram Bluesky, loan,		15.00	
Mar. 29	" " " John Farr,		25.00	
" 31	" R. P. Hobson, lecture at commencement 1913,		100.00	
Apr. 26	" Sylvester Long, loan,		10.00	
Sept.	" Fred. Cardin, car fare to Ohio,		15.00	
" "	" Dana Musical Institute, - Fred. Cardin,		70.00	
Oct. 15	" University of Penna., - John Farr,		105.00	
Nov. 28	" Dana Musical Institute, - Fred. Cardin,		70.00	
Dec. 9	" Bertram Bluesky, loan,		25.00	
" 24	" Great Northern Ry. railway fare 3 girls,		35.22	
1914				
Mar. 18	" Trustees Annie Peale fund, error in Merchants Nat. Bank. in charging int. on note of M. Friedman, Trust. Ropes Fund, 16th May, 1910,		32.39	
Apr. 10	" Dana's Musical Institute (Cardin)		70.00	
May 14	" " " " "		70.00	
" 26	" O. H. Lipps, Supt. in charge, sundry matters of transportation,		92.04	
July 9	" Carlisle Dep. Bank, Deposit box,		6.25	
	Balance in hands of Trustees,		179.40	
			<u>\$4388.60</u>	

Securities in hands of trustees in addition to the
above cash balance of
Four (4) \$1000. bonds, Nos. 6851 - 17603 - 18973 - 18974
Southern Railway Company 4's

Two (2) \$1000. bonds, Nos. 5856 - 16890, St. Louis & So.
Western Railway Company 4's

ACCOUNTS OF M. FRIEDMAN, TRUSTEE OF BEQUEST TO CARLISLE INDIAN
SCHOOL BY MARY ROPES AND SISTER.

DR.

1908									
May 19,	To amt. from Richardson, Extr. of Ropes,								\$1250.00
1909									
May 24,	" " " " " " "								1500.00
June 21,	" " " " " " "								1164.03
Oct. 22,	To interest on deposit,								37.50
1910									
April 4,	To coupons Southern Ry. bonds, April, 1909 - April, 1910,								180.00
" "	" proceeds of note to meet Gateway bills,								144.75
Oct. 29,	" coupons Southern Ry. bonds, April, 1910 - Oct., 1910 (3)								60.00
1911.									
Jan. 26,	To proceeds of note to meet accounts,								95.80
April 8,	" " " " " " "								100.00
May 11,	To cash,								136.56
Nov. 11,	To amt. from Richardson Extr. of Ropes,								1250.00
									<u>\$5898.64</u>

CR.

1909									
May 24,	By 2 \$1000 Southern Ry. 4% bonds,								\$1668.61
June 26,	" " " " " " "								1681.22
Dec. 1,	By S.B.Dobbs, brick for gateway,								39.50
" 7,	By C.V.R.R.Co. freight on brick for gateway,								38.00
1910									
Jan. 7,	By Lloyd, Garrett & Co., electric supplies for gateway,								120.00
" 21,	" John Black, a/c gateway,								500.00
April 5,	" M. I. Kast, architect for gateway,								100.00
" "	" C. Day Rudy Co., lights for gateway,								4.75
" "	" John Black, a/c gateway,								300.00
May 12,	" " bal. a/c gateway,								111.00
" "	" J. P. Bixler & Sons, hardware for gateway								25.56
	" balance in cash transferred Nov. 14, 1911,								
	to J.W.Wetzel and J.M.Rhey, Trustees,								
									<u>1310.00</u>
									<u>5898.64</u>

Carlisle, Pa., July 27, 1914.

I have this day examined the above account and certify that
M. Friedman has exhibited proper vouchers for all the disbursements
therein set forth, amounting to \$5898.64.

D. K. Adreon
Special Indian Agent.

ACCOUNTS OF M. FRIEDMAN, TRUSTEE OF BEQUEST TO CARLISLE INDIAN
SCHOOL BY MARY ROPES AND SISTER.

DR.

308							
May 19, 1909	To amt. from Richardson, Extr. of Ropes,						\$1250.00
May 24,	" " " " " " "						1500.00
June 21,	" " " " " " "						1164.03
Oct. 22, 1910	To interest on deposit,						37.50
April 4,	To coupons Southern Ry. bonds, April, 1909 - April, 1910,						160.00
" " "	" proceeds of note to meet Gateway bills,						144.75
Oct. 29, 1911.	" coupons Southern Ry. bonds, April, 1910 - Oct., 1910 (3)						60.00
Jan. 26,	To proceeds of note to meet accounts,						95.80
April 8,	" " " " " " "						100.00
May 11,	To cash,						136.56
Nov. 11,	To amt. from Richardson Extr. of Ropes,						1250.00
							<u>\$5898.64</u>

CR.

1909							
May 24,	By 2 \$1000 Southern Ry. 4% bonds,					\$1668.61	
June 26,	" " " " " " "					1681.22	
Dec. 1,	By S.B.Dobbs, brick for gateway,					39.50	
" 7,	By C.V.R.R.Co. freight on brick for gateway,					38.00	
1910							
Jan. 7,	By Lloyd, Garrett & Co., electric supplies for gateway,					120.00	
" 21,	" John Black, a/c gateway,					500.00	
April 5,	" M. I. Kast, architect for gateway,					100.00	
" " "	" C. Day Rudy Co., lights for gateway,					4.75	
" " "	" John Black, a/c gateway,					300.00	
May 12,	" " " bal. a/c gateway,					111.00	
" " "	" J. P. Bixler & Sons, hardware for gateway					25.56	
	" balance in cash transferred Nov. 14, 1911, to J.W.Wetzel and J.M.Rhey, Trustees,					1310.00	5898.64

Carlisle, Pa., July 27, 1914.

I have this day examined the above account and certify that M. Friedman has exhibited proper vouchers for all the disbursements therein set forth, amounting to \$5898.64.

D. K. Anderson
Special Indian Agent.

May 22, 1908.

Hon. Francis E. Leupp,

Commissioner of Indian Affairs,

U.S. Indian Warehouse, St. Louis, Mo.

My dear Mr. Leupp:-

OFFICE OF INDIAN AFFAIRS
RECEIVED
AUG 19 1912
89555


Some time ago, a bequest was made to the school of \$5000 by Miss Mary Ropes, deceased. A check for \$1250 as part payment of the bequest has reached me from the administrator of the estate. I placed this money on deposit in the National Bank and had Mr. Miller, who is financial clerk, enter it on a separate ledger as the Mary Ropes bequest. My idea in putting it in the bank was as a safeguard and so that the money might draw interest, but I do not desire to have it in my possession or subject to my check. I thought that it would be a good idea to get the names of desirable men who would act as a Board of Trustees, and who, because of their knowledge of the conditions here and the work of the school, could do this intelligently.

After I had ascertained the names of such men, I thought of writing back to the administrator of the estate asking him to appoint them as Trustees and turn this \$1250, with the interest, together with the rest of the \$5000, over to them. I could, of course, take this up in my accounts, but it would be subject to the same restrictions as our other Government

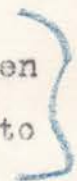
-2- Hon. F.E.L.

funds.

There are a number of miscellaneous matters that come up in a school of this kind such as the education of worthy young men and young women in advanced schools, the payment for which is not contemplated by our appropriation. Quite often we might desire to carry on some special line of work which is not provided for, and I thought that this fund would best serve for such purposes.



This is an ordinary bequest and no limitations have been placed upon the use of the money. It is simply bequeathed to the school.



I am writing you for suggestions. I suppose it would be best to have trustees appointed who are near the school so that there would not be much unnecessary delay in coming to conclusions.

Would you kindly give me your advice on this matter?

Very sincerely yours,

Superintendent.

Charles W. Richardson

COUNSELLOR AT LAW
SALEM, MASS.

Apr. 15, 1908.

United States Indian Service,
Indian Industrial School,
Carlisle, Pa.



Gentlemen:-

Please find enclosed check for \$1250 as a part of the legacy given to you under the will of Mary P. Ropes, late of Salem, Massachusetts, deceased.

Kindly sign the enclosed receipt and return to me and much oblige

Yours very truly,

Chas. W. Richardson

(encs.)

G.E.A.

Received, APR 17 1908

Referred to _____

Answered April 17/08

Referred to Files _____

April 17, 1908.

Mr. Chas. W. Richardson,
Counsellor-at-Law,
Salem, Mass.



Dear Sir:-

I have this day received check on the Nawnkeag National Bank of Salem, Mass., for \$1250 as part of the legacy given this school under the will of Mary P. Ropes, late of Salem, Mass.

On behalf of the school, I thank you for this nice little present.

Yours very truly,

MF/EPW

Superintendent.

Enc.

1269

April 17th, 1909.

Mr. Chas. W. Richardson,
Salem, Mass.

Dear Sir:

OFFICE OF THE
RECEIVED
AUG 19 1914
89555

Replying to your letter of the 15th instant, active to the \$1500.00 that is to be forwarded me by the executors of the Eliza O. Ropes will, this is to inform you that it will be satisfactory to send the same to me by check.

Very truly yours,

HKM.

Superintendent.

Chas. W. Richardson
Counsellor at Law
Salem, Mass.

Apr. 15, 1909.

Carlisle Indian School,

Carlisle, Pa.

Gentlemen:-

The executors of the will of Eliza O. Ropes are about to send you \$1500 of the legacy of \$2500 given you under said will.

It will be all right for us to send it to you by check, will it not?

Very truly yours,

G.E.A.

Chas. W. Richardson

1269

May 1st, 1909

Mr. Charles W. Richardson,
Salem, Mass.

OFFICE OF INDIAN AFFAIRS
RECEIVED
AUG 19 1914
89555

Dear Sir,

It gives me pleasure to acknowledge receipt of your letter of the 22nd, enclosing check of \$1500.00 from the estate of Eliza O. Ropes. I enclose herewith receipt for the same.

Very respectfully,

W.H.M.

Superintendent,

Chas. W. Richardson
Counsellor at Law
Salem, Mass.

Apr. 22, 1909.

United States Indian School,
Carlisle, Pa.

Gentlemen:-

Please find enclosed my check for \$1500 as a part
of the legacy given to the Carlisle Indian School under the
will of Eliza O. Ropes, late of Salem, Massachusetts, deceased.

Kindly have the enclosed receipt signed and returned
to me, and much oblige

Yours very truly,

Chas. W. Richardson

(encs)

G.E.A.

1269

June 9th, 1909.

Mr. Chas. W. Richardson,
Salem, Massachusetts.

Dear Sir:



This is to acknowledge receipt of your check for the balance of the legacy due this school, given under the will of Eliza O. Ropes, late of Salem, Mass., for which please accept my thanks. I am enclosing you my receipt herewith.

Your explanation concerning the balance of the amount due under the will of Mary P. Ropes has also been noted and we shall await further advice from you.

Yours very truly,

HKM.

Superintendent.

Chas. W. Richardson
Counsellor at Law
Salem, Mass.

June 8, 1909.

U. S. Indian Industrial School,
Carlisle, Pa.

M. Friedman, Esq., Supt.,

Dear Sir:-

Please find enclosed check for \$1164.03 being the balance of the legacy due the Indian Industrial School at Carlisle, given under the will of Eliza O. Ropes, late of Salem, Massachusetts, deceased.

You will remember that a check for \$1500 was sent Apr. 22, 1909 and this is the balance of the legacy and interest on the same up to date, the legacy being \$2500. Interest is reckoned on these legacies by our Massachusetts Law, to begin one year from the date of the death of the testatrix. She died Apr. 10, 1907. I have enclosed a receipt which kindly sign and return to me.

In regard to the balance of the legacy due under the will of Mary P. Ropes, a sister of Eliza O. Ropes, in as much as there was some deficit in the estate, certain questions of Law have arisen which will probably not be settled for some time, so that you may not expect it for quite a while.

Very truly yours,

Chas. W. Richardson

G.E.A.

(enc)

Ed-Schools
9753-1915
R H H

Mr. Oscar H. Lipps,

FEB 25 1915

Supervisor in Charge Carlisle School.

My dear Mr. Lipps:

FILED BY C. P. F.

Your letter of January 25, concerning the bequest of Anna E. Peale, is at hand.

This bequest is in trust and so far as the funds or interest thereon remain in the hands of the trustees, no accounting therefor need be made by you as Superintendent, even though you are one of the three trustees. This money is not in your hands as Superintendent, nor is the United States entitled thereto until it has been paid to its agent in his official capacity.

Moreover, it would be practicable for the trustees to apply the income in any manner consistent with the original terms and directions of the trust. Whether the trust contemplated the use of the income for the benefit of the Indian girls mentioned, to assist them in taking a course in the West Chester Normal School, is a question, of course, for the trustees, with the approval of the court, to determine.

INITIALING COPY - FOR FILE

In your letter you say "this legacy is for the benefit of furthering the education of Indian girls at the Carlisle School."

If, however, the income should be paid to you as Superintendent by the trustees, for you to disburse, you would then be obliged to take up such moneys and account therefor in the usual manner. The directions herein given will apply to other benefactions, if any, held in trust in the same manner.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

2-LP-23.



Ed. Schools
2129-1915
R H H

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

Bequests.

January 25, 1915.



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

Dear Sir:

FILED BY C. P. F.

Replying to Office letter of January 23rd, relative to the bequests to Carlisle of Anna E. Peale and Mary P. and Eliza O. Ropes, I have to advise that the names of the trustees of the Anna Peale legacy are as follows: Mr. John Lindner, Carlisle, Pa., John D. DeHuff, Principal Teacher, Carlisle Indian School, and O. H. Lipps, Supervisor in Charge.

Mr. DeHuff and myself were appointed only a few days ago by the Court to fill the places made vacant by the resignation of Mr. Friedman and Mr. Wetzell. It was at the urgent request of Mr. Lindner, who is an old trustee of this legacy, that Mr. DeHuff and myself accepted the appointment as trustees to act with him. The balance now to the credit of our account as trustees is \$292.61. The principal, amounting to \$2900 is invested in first mortgage on property in the town of Carlisle valued at \$6000. It draws interest at 5%, payable semi-annually. It is regarded as a first class investment for this section of the country.

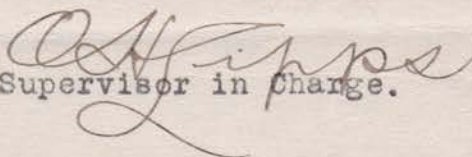
This legacy is for the benefit of furthering the educa-

tion of Indian girls at the Carlisle school. Heretofore, it has been used for various purposes. My plan, which meets with the approval of the other trustees, is to use the income from this investment as a revolving fund to assist Indian girls in continuing their education after graduation here.

I have applications from six girls, who will graduate this year, who desire to attend the West Chester Normal School, at West Chester, Pa., next year. West Chester is in our girls' outing district, and we will have no trouble in placing them in good homes there where they may earn their board. However, the tuition will be about \$75.00 per year. I propose to assist two or three girls by loaning them sufficient funds to pay their tuition, with the understanding that it is to be paid back within five years. The money thus received will be again loaned to other students for the same purpose.

Very respectfully,

OHL:SR


Supervisor in Charge.

Ed-Schools
2129-1915
R H H

Bequests.

127560-14

JAN 23 1915

Mr. O. H. Lipps,
Supervisor in Charge Carlisle School.

My dear Mr. Lipps:

FILED BY C. P. F.

Your letter of January 5, enclosing correspondence relative to the bequests to Carlisle of Anna E. Peale and Mary P. and Eliza O. Ropes, is at hand.

As to the Peale bequest, this appears to have been in trust but the names of the present trustees do not appear. Please advise their names and addresses. Are the funds now in their possession and if so do you know the exact amount thereof? Are said funds invested and how?

Very truly yours,

(Signed) C. E. Hauke

Second Assistant Commissioner.

1-LP-14.



DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

Jan. 5, 1915.

Ed-
Schools.
17294-14
127560-14
R H H

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

Sir:

FILED BY C. P. F.



Replying to Office letter of Dec. 22, 1914, I have the honor to enclose herewith all the papers that I can find concerning the bequests of Anna. E. Peale and Mary P. and Eliza O. Ropes. I know of no other bequests that have been given this school. I have not made a thorough search of the old files as this would take a great deal of time as the files were not arranged in a manner to enable one to locate any certain papers. I trust that these papers will give the desired information and I request that they be returned after they have accomplished their purpose.

Very respectfully,

O. H. Lipps
Supervisor in Charge.

CVP:LG

Esch

Ed-
Schools.
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R H H

DEC 22 1914

17294/1914

CARLISLE

220

Mr. O. H. Lipps,

Supervisor in Charge Carlisle School.

FILED BY C. P. F.

My dear Mr. Lipps:

Regarding the matter of gifts, devises, and bequests to the Carlisle School, you say in your letter of the 28th ultimo that a full report of these matters was embodied in Inspector Linnen's recent report. This report is now in the possession of the Department of Justice. Unless without considerable trouble or inconvenience you can furnish a history of these matters, the Office will be unable to take decisive action concerning the property or funds in question until later when the report of Mr. Linnen shall become available.

Very truly yours,

(Signed) C. F. Houke

Second Assistant Commissioner.

12-LP-18.

INITIALING COPY - FOR FILE



Ed. Schools
17294-14
R H H
89555-14

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL
CARLISLE, PA.

November 28, 1914.



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

Sir:

FILED BY C. P. F.

69725-
53-661-
2876-14-152

File with 29876-14

I am in receipt of Office letter dated November 12, 1914, requesting definite information as to all legacies, devises and gifts, which have been made to the Carlisle School or which have been made to any parties for the benefit of the Carlisle School. In regard to this, I have to state that I am informed that all of this data that could be found was collected and turned over to Mr. Linnen, when he was here. I would, therefore, suggest that the Office inquire of Mr. Linnen concerning same. The only information that I have been able to find, without making a long and thorough search, is some receipts regarding the Anna Peale legacy. I have in my possession six bonds, which were turned over to me by the Trustees, Messrs. Wetzel and Rhey, Attorneys of this city, which were bought from the Mary P. and Elizabeth O. Ropes legacy, amounting to \$5,000. The only papers that I have regarding same are papers received from Chas. W. Richardson, Counsel at Law, Salem, Massachusetts, with which were enclosed checks for various amounts.

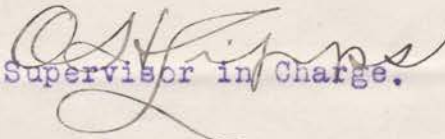
Earl

The Commissioner of Indian Affairs -2-

Trusting that Mr. Linnen can supply the Office with more information than I have at hand, I remain,

Very respectfully,

CVP:SR


Supervisor in Charge.

Ed-Schools
17294-14
R H H

2

NOV 12 1914

Mr. Oscar H. Lipps,
Supervisor in Charge,
Carlisle School.

My dear Mr. Lipps:

FILED BY C. P. F.

The Office desires definite information as to all legacies, devises and gifts which have been made to the Carlisle School or which have been made to any parties for the benefit of the Carlisle School.

Will you please report regarding these several gifts and bequests, giving the facts in regard to each, which should include copies of whatever instrument effectuated such gift or bequest in the first instance, whatever court or other records are material, copies of any decrees naming trustees, and such facts as pertain to the trusteeship in each case. The record of each case in unbroken sequence is desired, together with the present status of the matter, and your own judgment will dictate such material facts as are not particularly suggested.

If, however, any of the facts in question have already been furnished the Office in definite form, please refer, if you can, to the correspondence in question.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner

INITIALING COPY - FOR FILE

11-HAS-10

11-1-18

17294/1914

CARLISLE

220

Education-Schools
17294-1914
17296-1914
R H H

MAR -3 1914

17294/1914

FILED BY G. P. Ea

Mr. Moses Friedman,

Through Supervisor in Charge, Carlisle School.

Sir:

This is to acknowledge receipt of your letters of February 16, 1914, regarding legacies and trust funds. These letters will be considered in connection with matters relative to Carlisle funds.

Respectfully,

(Signed) E. B. Meritt

2-EO-26

~~Second~~ Assistant Commissioner.

CARLISLE

220



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL
CARLISLE, PA.

February 16, 1914.



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

Sir:

FILED BY C. P. F.

In further reference to your letter of February twelfth, I desire to say that there are some funds on hand here in the nature of legacies, which are handled by trustees and used for assisting Indians in obtaining a higher education, as well as for the aid of the school. These funds if taken up on the Government account would probably not be available for the use of individual Indians, as above mentioned. After consultation with the trustees, however, I desire to inform you of their existence and to say that I shall be guided by the wishes of your Office after the matter has had careful consideration. The trustees have kept careful account of all expenditures.

Very respectfully,

MF:SR

COPY



DEPARTMENT OF THE INTERIOR

Warehouse for Indian Supplies

San Francisco, Cal., June 10, 1908.

FILED BY A. P. F.

My Dear Mr. Friedman:

Referring to your inquiry some time ago about the inheritance by Carlisle of a fund, whose disposal is giving you some concern, I would say that I think well of your idea of having trustees appointed to take charge of the money. Mr. Slater, with whom I have had some correspondence, suggests that a Trust Company would be better than individuals, and I rather agree with him. You might find yourself a good deal hampered by individual trustees, if they happened to be "difficult" persons, or non-progressive, or "faddy."

The advantage of a trustee or trustees, as you intimate, would be the sparing of your taking up the fund in your accounts; it would be better not to do that if you can avoid it, on account of the restrictions which would be inevitable. In any event, I think I would have the principal invested and use only the interest. The income may not amount to a very large sum yearly, but it can be put to some excellent uses in the line you suggest, of a little temporary aid to ambitious young Indians who wish to carry their education further, &c., But if I used it that way I should do so in the form of loans or promissory notes, duly impressing upon each borrower the actuality and obligation of his debt, and

thereby beginning his education in financial responsibility.

I wish I could spare the time to go into this matter more at length, but I am pretty hard rushed all the while I am out on these trips, and have to burn the midnight oil in order to keep up with my absolutely necessary correspondence. Call upon the Office freely for any advice and assistance you need.

Sincerely yours,

Signed - F. E. Leupp

Commissioner.

M. Friedman, Esq.,
Supt. U. S. Indian School,
Carlisle, Pa.

M. FRIEDMAN, A. M., Litt. D.,
SUPERINTENDENT



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL
CARLISLE, PA.

February 16, 1914.



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

Sir:

Since writing my letter this morning, I have found a letter relating to the fund, a copy of which is being herewith enclosed. This relates to the matter of the legacies.

Very respectfully,

M. Friedman

Flk