

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.

6-4344

62741, 1917.

CARLISLE

File No.

225

Probate
17160-17
J G McG
Heirship estate
of Samuel Tingley
Carlisle School.

FOR FILE

Mr. John Francis, Jr.,

Supt. Carlisle School.

FEB 20 1918

FILED BY C. P. F.

My dear Mr. Francis:

Further referring to your letter of October 12, 1917, relative to the matter of the determination of distributees to the personal estate of Samuel Tingley and your supplemental report of November 20, 1917, relative thereto, you are advised that, in view of the small amount involved, administration of this estate is believed to be unnecessary and you are accordingly authorized to transfer the amount (\$10.65) to Mrs. Tingley, mother of the decedent.

Very truly yours,

(Signed) E. B. Meritt

Assistant Commissioner.

2-CC-12

JOHN FRANCIS, JR.,
SUPERINTENDENT



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



103360-17
62741-17
(Probate)
J G McG

November
Twentieth,
1 9 1 7.

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

FILED BY G. P. F.

Sir:

The receipt is acknowledged of your letter of November 16, 1917 requesting certain information concerning the balance in the account of Samuel Tingley, deceased, and a former pupil of this school.

In response you are advised that the funds belonging to the decedent now in the possession of this school amount to \$10.65. These funds are a voluntary deposit and the accrued interest thereon. The principal was earned by the decedent while employed in the country under our Outing system.

The trusteeship exercised by the Government over the decedent's property in this case is apparently one of fiduciary responsibility over the funds of a minor rather than the usual trusteeship exercised by the Government.

These funds were not derived from Indian lands and no equitable conversion has thrown the mantle of the Government's trusteeship over them. I am doubtful whether they are trust funds in the usual sense.

Very respectfully,

John Francis, Jr.
Superintendent.

JF/S

JOHN FRANCIS, JR.,
SUPERINTENDENT



DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

November
Seventh,
1917.



Ed-Ind.
96490-17.
J J G

FILED BY G. P. F.

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

Sir:

Replying to Office letter of November 2, 1917, relative to the balance in the account of Samuel Tingley (deceased), a former pupil of this school, I have to advise that the records do not show him as belonging to any certain reservation. I am enclosing herewith a copy of his application for your information.

I trust that the Office will be able to determine, in some way, the heirs of this boy in order that the matter may be finally settled.

Respectfully,

John Francis Jr.
Superintendent.

Encl.
P/S
encl.

103380-17
62741-17
(Probate)
J G McG

REV

W

Mr. John Francis, Jr.,

NOV 16 1917

Supt. Carlisle School.

My dear Mr. Francis:

FILED BY C. P. F

The receipt of your letter of November 7, 1917, relative to balance of the account of Samuel Tingley, deceased and former pupil of the Carlisle School, is acknowledged.

Upon examination of former correspondence in this case, it does not clearly appear whether or not, the fund constituting this balance is trust property under the control of the Office of Indian Affairs.

Should this be the case a report on heirship, accompanied by the testimony of not less than two persons having knowledge of the facts and showing the heirs of this decedent will be necessary under the practice of this Office before an ascertainment of the distributees to his personal estate can be made.

Please advise as early as practicable as to the source from which the estate of decedent arose, and should it be of the nature over which this Office or the Department of the Interior has jurisdiction, submit report on heirship and accompanying testimony, as above indicated.

Pending receipt of the further information requested, action in the case will be held in abeyance.

Very truly yours,

(Signed) E. B. Meritt

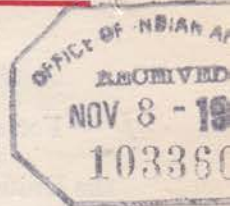
11-DBMC-14

Assistant Commissioner.

INITIALING COPY - FOR FILE

Read Instructions on this Application Blank carefully

C O P Y



BRIEF.

Application of

Mrs. Florence Tingley

FOR THE ENROLLMENT OF

Samuel A. Tingley

IN THE INDIAN SCHOOL AT

Carlisle, Pennsylvania

NAME OF AGENCY FROM WHICH PUPIL CAME:

Portland, Ore.

Date of enrollment.....191.....

Term of enrollment.....**Five**.....(**5**) years

Printed by Carlisle Indians.

Important—Only those students who desire to come to Carlisle because they have a definite purpose in view will be admitted. Applications for enrollment must be submitted in all cases for consideration before transportation can be made available. Time will then be taken to find out the records students have made in the schools previously attended, and to secure recommendations as to their *moral character* and their and their worthiness for further attendance at a Government institution.

Application for Enrollment in a Nonreservation School.

(For a child not enrolled at an Agency.)

For and in consideration of the United States assuming the care, education, and maintenance in the United States Indian School at Carlisle, Pa., of Samuel A. Tingley, boy, I, Florence Tingley (Name of child.) (Sex.) (Parent, guardian, or next of kin.) of Portland P. O., State of Oregon, do hereby voluntarily consent and agree to enrollment in said school for a period of five years, and also obligate and bind myself to abide by all the rules and regulations for Indian schools. (Not less than 3.)

I further say that the said child was born at Astoria, Ore. on Aug. 24, 1896; (Date.) that the father, Oliver Tingley, is not an Indian of the (Name of father.) (Is or was.) (Degree.) Tribe located at _____ Agency; that he left the tribe about _____; (Approximate date.) that the mother, Florence Tingley, is a half Indian of the Chetco (Name.) (Is or was.) (Degree.) -my mother Tribe located xx in Curry Co. Agency, and left the tribe about 1854; that (Approximate date.) the said child was born and reared in the United States, and now actually resides therein; and that he has attended the following schools:

NAME OF SCHOOL—PUBLIC, GOVERNMENT, OR MISSION.	LOCATED AT—	DATE OF ENROLLMENT.	DATE OF DISCHARGE.	CAUSE OF DISCHARGE.	GRADE.
<u>Tailing</u>	<u>Portland, Ore.</u>	<u>Sept. '03</u>	<u>June '05</u>	<u>left city</u>	<u>2 to 4</u>
<u>Gold Beach</u>	<u>Gold Beach, Ore.</u>	<u>" '07</u>	<u>May '09</u>	<u>left city</u>	<u>4 to 7</u>
<u>Y.M.C.A. night school</u>	<u>Portland, Ore.</u>	<u>" '09</u>	<u>May '10</u>	<u>closed</u>	<u>8</u>

This 6 day of September, 1910
Two witnesses:

Harold J. Rounds

J. C. Clark

Florence Tingley

(Parent, guardian, or next of kin.)

404 Tourney Bldg.,

P. O., Portland, Ore.

(NOTE.—Every blank in this application must be properly filled out by the applicant, in his own handwriting, if possible. The signature, whether by mark or otherwise, must be attested by two witnesses.)

AFFIDAVIT.

I, Florence Tingley, do hereby swear that the statements made in the above application are true.

Samuel A. Tingley Florence Tingley
(Signature of applicant.) (Parent, guardian, or next of kin.)

Sworn to and subscribed before me this 6th day of Sept., 1910

Bert G. Mitchell

(NOTE.—This application and affidavit must be executed before some officer authorized to administer oaths by the parent with whom the child is living; if the parents are dead, by the guardian or next of kin.)

Certificate of Physician.

I, O. C. Hollister, a practicing physician of Portland, Ore.

, do hereby certify that I have carefully examined Samuel A. Tingley,
the child named in this application, and find that he is in proper physical condition to attend
school, and is not afflicted with tuberculosis or other disease which would be a menace to the health
of other pupils.

This 8th day of Sept./10, 191

O. C. Hollister, M. D.

Vouchers of Disinterested Persons.

VOUCHER No. 1.

I, J. C. Clark, a Y.M.C.A. Boys Work Director, of
(Business, calling, or profession.)
Portland, Ore., do hereby certify that I am personally acquainted with
Samuel A. Tingley who makes the foregoing application; that I believe his state-
ments therein are true; that I am acquainted with Samuel A. Tingley; that
(Name of child.)
he is known and recognized in the community in which he lives as an Indian; that in my opinion
he can not receive proper and adequate schooling at home for the reason that he must earn
his own living. Day work and night school wastoo much for him
las year.

This 6 day of September 191 0

VOUCHER No. 2.

I, Earl Neece, a Blacksmith of
(Business, calling, or profession.)
Portland, Ore., do hereby certify that I am personally acquainted with
Samuel A. Tingley, who makes the foregoing application; that I believe his state-
ments therein are true; that I am acquainted with Samuel A. Tingley; that
(Name of child.)
he is known and recognized in the community in which he lives as an Indian; and that in my opinion
he cannot receive proper and adequate schooling at home for the reason that In order to earn
his living he has to work by the day and is not strong enough to do so
and attend night school.

This 8 day of September, 191 0

Certificate of School Physician.

I hereby certify that on _____, I made a careful examination
(As soon after arrival as possible.)
of the physical condition of _____, the child named in the fore-
going application, and found _____ to be _____

I therefore recommend that the said child be _____ enrolled in this school.

This _____ day of _____, 191_____

School Physician.

INDORSEMENT.

A child showing one-sixteenth or less Indian blood, whose parents live on an Indian reservation, Indian fashion, who, if debarred from the Government schools, could not obtain an education, may be permitted in the reservation day and boarding schools, but it is preferable that it be not transferred to a nonreservation school, without permission from the Office. Children showing one-eighth or less Indian blood, whose parents do not live on an Indian reservation, whose home is among white people where there are churches and schools, who are presumed to have adopted the white man's manners and customs, and are to all intents and purposes white people, are debarred from enrollment in the Government nonreservation and reservation schools. Superintendents, in all cases where doubt exists as to the degree of Indian blood of a child proposed for transfer, should fully satisfy themselves of the facts by affidavits from reliable persons, which affidavits must be kept on file at the school.

A pupil who has been regularly enrolled in a nonreservation school must not be taken to any other non-reservation school without the consent of both Superintendents and the Commissioner of Indian Affairs, and Superintendents will be held to strict accountability for such pupils taken to their schools.

A pupil dismissed from school for cause must not be enrolled in any other school without the permission of the Commissioner of Indian Affairs. Full facts must be submitted with each request.



Important—Only those students who desire to come to Carlisle because they have a definite purpose in view will be admitted. Applications for enrollment must be submitted in all cases for consideration before transportation can be made available. Time will then be taken to find out the records students have made in the schools previously attended, and to secure recommendations as to their *moral character* and their worthiness for further attendance at a Government institution.

Ed-Ind.
96490-17.
J J G

Mr. John Francis, Jr.,
Supt., Carlisle School.

FILED BY C. P. F.

NOV -2 1917

My dear Mr. Francis:

The receipt is acknowledged of your letter of October 12th having inclosed therewith a letter from Mr. J. C. Simmons, an attorney-at-law of Portland, Oregon, in regard to the balance in the account of Samuel Tingley (deceased) amounting to \$10.50. You are informed that before the determination of the heirs of the decedent the amount cannot be paid to his mother, Mrs. Florence Tingley.

You state in your letter that your records show when the decedent was born, etc.; but you do not state to what reservation he belongs--or rather what superintendent had jurisdiction over him prior to his death. Please inform the Office who had jurisdiction over him if your records anywhere disclose that information. When this information is received the Office may proceed to order a hearing to determine the heirs to the estate of the decedent.

Very truly yours,

(Signed) E. B. Meritt

10-HH-23.

Assistant Commissioner.

INITIALING COPY - FOR FILE



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SCHOOL

CARLISLE, PA.

October
Twelfth,
1917.



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

FILED BY C. P. F.

Sir:

I am enclosing herewith, for the attention of the Office, a letter received from J. C. Simmons, an Attorney of Portland, Ore., in regard to the balance in the account of Samuel Tingley amounting to \$10.50. Samuel is a deceased pupil of this school.

From the records in this office it appears that Samuel was born August 24, 1896 and died about August 1914, being 18 years of age. Mr. Simmons writes in behalf of Samuel's mother, Mrs. Florence Tingley, who, he advises, is in need of this money.

Please be referred to Office letter of August 13, 1917 (File 62741-17) wherein I was advised that in the absence of a determination of the heirship in this case the Office is without authority to approve the signing of the check by me transferring the amount to Mrs. Tingley. I trust that the Office will be able to determine the heirship at an early date in order that Mrs. Tingley may get the benefit of this money and our books be relieved of same. Some interest has recently been added to this amount making the balance now as \$10.65.

Yours very truly,

John Francis Jr.
Superintendent.

Encl

P/S
encl.

J. C. SIMMONS
ATTORNEY AT LAW
WILCOX BUILDING
PORTLAND, OREGON

October 3rd. 1917.



Department of the Interior,
United States Indian School,
Carlise,
Pa.

FILED BY C. P. F.

Mr. John Francis Jr., Superintendent,

Dear Sir:- I am writing you against relative to the balance of account of Samuel Tingley, who was a student at your School, but is now deceased.

The mother Mrs. Florence Tingley, residing in this City, informed me that before her son entered the school there was an appointment made of a guardian which she signed the necessary papers to place her son in school.

Of course the mother being the natural guardian I should think there would be no necessity of further action in the matter. Notice the contents of your letter August 17th. wherein you request the name of the Superintendent ~~FREE~~ who had jurisdiction of Samuel Tingley before his death, and in reply to this the mother stated that she can not say, only that her son left her control and entered your school.

I wish there was some way of arranging this affairs so the mother could get the benefit of this money. We can send you affidavits from the mother and other setting forth the facts in the case, if this would be necessary. Please let me hear from you.

Yours very truly,

A handwritten signature in cursive script, appearing to read "J. C. Simmons".

Ed-Ind.
62741-17.
C H S

AUG 13 1917

Mr. John Francis, Jr.,

Supt., Carlisle Indian School.

FILED BY C. P. F.

My dear Mr. Francis:

The Office has received your correspondence relative to the balance on deposit with you, in the name of Samuel Tingley, a former pupil at Carlisle, requesting that you be authorized to sign his check, as ex-officio guardian transferring the balance in his account to his mother.

In the absence of the determination of heirship in this case, the Office is without authority to approve payment to Mrs. Tingley of the amount now standing to the credit of her son, though, if you care to do so, you may, under paragraph 16 transfer this balance to the Superintendent under whose jurisdiction Samuel Tingley, before his death, belonged, to be held until the heirship questions are settled.

The check and other correspondence forwarded with your letter of June 27, 1917, are herewith returned.

Very truly yours,

(Signed) E. B. Meritt

8-LM-7

Assistant Commissioner.

INITIALING COPY - FOR FILE



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

July 18, 1917.

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

FILED BY C. P. F.



Sir:

On June 27, 1917 I wrote you as follows:

"I enclose herewith the correspondence relative to the balance on deposit here in the name of Samuel Tingley, a former pupil of this school, and respectfully request that I be authorized to sign his check as ex-officio guardian transferring the balance in his account here to his mother, which is \$10.50

According to our records Samuel was born August 24, 1896, which would make him a minor. It appears that he died about three years ago and that his mother is in need of the money. I will, therefore, thank the Office to accomodate me with an early reply."

in regard
Please advise me thereto at your earliest convenience.

Very respectfully,

John Francis Jr.
Superintendent.

P S

End

JOHN FRANCIS, JR.,
SUPERINTENDENT



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



June 27, 1917.

The Honorable

Commissioner of Indian Affairs,
Washington, D. C.

FILED BY C. P. F.

Sir:-

I enclose herewith the correspondence relative to the balance on deposit here in the name of Samuel Tingley, a former pupil of this school, and respectfully request that I be authorized to sign his check as ex-officio guardian transferring the balance in his account here to his mother, which is ~~about~~ \$10.50.

According to our records Samuel was born August 24, 1896, which would make him a minor. It appears that he died about three years ago and that his mother is in need of the money, I will, therefore, thank the Office to accomodate me with an early reply.

Very respectfully,

Emp
CVP

John Francis Jr.
Superintendent.

6/29