

Education-
Schools
66147-1913
W H P

Enrollment.

AUG -1 1913

Mr. Grant Hutberg,

4207 8th Avenue,

Rock Island, Illinois.

Sir:

The Office has received the application of Marcellus Eagle Eye for enrollment at the Carlisle Indian School, and the matter has been given careful consideration. In view of the fact, however, that Marcellus has access to the public schools, having lived in a white community all of his life, and as the room at the Carlisle School is needed for pupils who have not access to the public schools, his enrollment is not approved.

Respectfully,

(Signed) C. F. Hauke.

Second Assistant Commissioner.

FOR FILE

FILED BY C. P. E.

66147/1913

CARLISLE

820

1-59244

5-1100

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ADDRESS ONLY THE
COMMISSIONER OF INDIAN AFFAIRS

REFER TO THE FOLLOWING:

Education-Schools
66147-1913
W H P

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

Marcellus Eagle Eye.

WASHINGTON

Mr. Grant Hutberg,

4207--8th Avenue,

Rock Island, Illinois.

OFFICE OF INDIAN AFFAIRS
RECEIVED

JUN 16 1913

JUN 25 1913

OFFICE OF INDIAN AFFAIRS
RECEIVED
JUL 25 1913

FILED BY C. P. F.

Sir:

Replying to that portion of your letter of May 23, 1913 relative to the reenrollment of Marcellus Eagle Eye as a student at the Carlisle Indian School, there are inclosed herewith application blanks which should be filled out and forwarded to the Superintendent of the Carlisle School. If Marcellus is eligible under the Regulations he will be admitted; if not the matter will be referred to this Office for further consideration.

Respectfully,

C. A. Hauke
Acting Commissioner.

6-IMH-13

BRIEF.

FILED BY C. P. F.

APPLICATION OF

Marcellos Eagle Eye

FOR THE ENROLLMENT OF

School

IN THE INDIAN SCHOOL AT

Carlsile Pennsylvania

POST OFFICE ADDRESS OF APPLICANT:

Marcellos Eagle Eye 2601-5 ave

Date of enrollment, *June 26*, 19*13*

Term of enrollment, (*3*) years.

NAME OF COLLECTING AGENT:

Position,



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 Wassilla Pennsylvania, of Marcellos Eagle Eye, Male, I, Jella and Anna of Rock Island P. O., State of Illinois, do hereby voluntarily consent and agree to The enrollment in said school for a period of three years years, and also obligate and bind myself to abide by all the rules and regulations for Indian schools.

I further say that the said child was born at Rock Island Ill on August 12-1894; that the father, Jella Eagle Eye, a 3/4 Indian of the Sioux Tribe located at Pine Ridge Agency; that he left the tribe about 1890; that the mother, Anna, a German Indian of the _____ Tribe located at _____ Agency, and left the tribe about _____; that 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>Lincoln</u>	<u>Rock Island</u>				<u>7</u>

This 26 day of June, 1913

Two witnesses:

John F. Glass
John F. Schneider

Jella Eagle Eye
(Parent, guardian or next of kin.)
P. O., Rock Island Ill

(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, _____, do hereby swear that the statements made in the above application are true.

Marcellos Eagle Eye Jella Eagle Eye
(Signature of applicant.) (Parent, guardian or next of kin.)

Sworn to and subscribed before me this 3d day of July, 1913

Lehas Smith, Notary Public

(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, Eli Bradford, a practicing physician of Rock Island Ill., do hereby certify that I have carefully examined Marcellos Eagle Eye 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 26 day of June, 1903 Eli Bradford, M. D.

VOUCHER OF SOLICITOR FOR SCHOOL.

I hereby certify that I was present and witnessed the execution of the foregoing application made by _____; that its contents were explained or interpreted to _____ by _____; that I believe _____ understood the purport thereof; that I was present at the medical examination of the child named herein; that _____ resides with _____, in or near the town of _____; that the child can not have adequate and proper educational facilities at home for the reason that _____

Dated at _____ this _____ day of _____, 190____ (Official title.)

(NOTE.—This voucher must be executed by the official representative of the nonreservation school to which application is made. Pupils and Indian solicitors will not be accepted.)

VOUCHERS OF DISINTERESTED PERSONS.

VOUCHER NO. 1.

I, Wm C. McCulloch, a Residing at Rock Island of Co. of Rock Island, Ill., do hereby certify that I am personally acquainted with Marcellos Eagle Eye who makes the foregoing application; that I believe his statements therein are true; that I am acquainted with Marcellos Eagle Eye that 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 had to get out and work to help his Parents
This 26 day of June, 1903, Wm C. McCulloch

I, John F. Schneider, a Pharmacist of

(Business, calling, or profession.)

Rock Island, Ill, do hereby certify that I am personally acquainted with

Marcello Eagle Eye, who makes the foregoing application; that I believe his state-

ments therein are true; that I am acquainted with Marcello Eagle Eye; 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 can not receive proper and adequate schooling at home for the reason that

he is not able to furnish finances.

This 2 day of July, 1903 John F. Schneider, Pharm.

CERTIFICATE OF SCHOOL PHYSICIAN.

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

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

This _____ day of _____, 190 _____

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 special 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 nonreservation 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.

5-192a

BRIEF.

Marcellos Eagle Eyle

APPLICATION OF

Cassile Indian School

FOR THE ENROLLMENT OF

3 years

IN THE INDIAN SCHOOL AT

Cassile Pennsylvania

FILED BY C. P. F.

NAME OF AGENCY FROM WHICH PUPIL CAME:

None

Date of enrollment, _____, 191

Term of enrollment, _____ (_____) years.

NAME OF PERSON ARRANGING FOR THE TRANSFER:

Position, _____

APPLICATION FOR ENROLLMENT IN A NONRESERVATION SCHOOL.

(For a child enrolled at an Agency.)

For and in consideration of the Government of the United States assuming the care, education, and maintenance in the United States Indian School at Carroll Pa.

of Marcellos Eagle Eye, Of Indian and German parentage,
Rock Island Ill.; ^{Mr. 10} male; age 18; date of birth August 12th-1894;
(Name of child.) (Sex.)

Sioux Indian and German
(Tribe.)

NAME OF FATHER. (Both Indian and English.)	LIVING OR DEAD.	TRIBE.	BAND.	DEGREE OF INDIAN BLOOD.
<u>Wambli wa.</u>				
<u>Mr. Zella Eagle Eye</u>	<u>Living</u>	<u>Sioux</u>	<u>Red Cloud</u>	<u>Ogalla Sioux</u>
NAME OF MOTHER.				
<u>Mrs. Anna Eagle Eye</u>	<u>Living</u>			
<u>German</u>				

I, Marcellos Eagle Eye, do hereby voluntarily consent and agree to become
(Parent, guardian, or next of kin.)
 enrollment in said school for a period of 3 years, and also obligate myself to abide by
(Not less than 3.)
 all the rules and regulations for Indian schools.

The said child has been enrolled in the following schools:

NAME OF SCHOOL.	DATE OF ENROLLMENT.	DATE OF DISCHARGE.	CAUSE.	GRADE.
1.				
2.				
3.				
4.				

(Parent, guardian, or next of kin.)

P. O. address: _____

Two witnesses: _____

PHYSICIAN'S CERTIFICATE.

I hereby certify that I have this day carefully examined the above-named child herein proposed for transfer and find to be in proper physical condition to attend school, and not afflicted with tuberculosis or any disease which would be a menace to the health of other pupils.

This day of, 191

.....
Physician at *Agency.*

CERTIFICATE OF AGENT OR BONDED SUPERINTENDENT.

I hereby certify that the statements made in the foregoing application and certificate, to the best of my knowledge and belief, are true; that the consent of
(Parent, guardian, or next of kin.)
was voluntary.

(Here state whether the child lives within reach of a public school, whether the State laws permit it to enroll therein, and if it lives near the public school why it can not attend such school.)

.....
.....
.....
.....

I recommend the transfer of the said child.

This day of, 191

.....
Agent or Superintendent.

CERTIFICATE OF SCHOOL PHYSICIAN.

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

.....
.....

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

This day of, 191

.....
School Physician.

SPECIAL NOTE.

This form must be executed in duplicate when a child is transferred from a reservation to a nonreservation school. The Superintendent of the nonreservation school will retain the original for his files, and the duplicate shall be deposited in the reservation school records. The reservation superintendent should send to the Commissioner of Indian Affairs his certificate as provided by law. All the blanks must be properly filled in every case.

If the information called for on any part of the blank is not known, that fact should be stated. No space should be left unfilled. Whether the parents are living or dead, their names must be given.

The person who signs the blank as consenting to the transfer should indicate his relation to the applicant by marking out the word "parent," "guardian," or "next of kin," leaving unmarked only the title appropriate to the signer.

INDORSEMENTS.

The laws relating to the transfer of Indian children from reservations and schools are as follows:

That hereafter no Indian child shall be sent from any Indian reservation to a school beyond the State or Territory in which said reservation is situated without the voluntary consent of the father or mother of such child if either of them are living, and if neither of them are living without the voluntary consent of the next of kin of such child. Such consent shall be made before the agent of the reservation, and he shall send to the Commissioner of Indian Affairs his certificate that such consent has been voluntarily given before such child shall be removed from such reservation. And it shall be unlawful for any Indian agent or other employee of the Government to induce, or seek to induce, by withholding rations or by other improper means, the parents or next of kin of any Indian to consent to the removal of any Indian child beyond the limits of any reservation. (28 Stats., p. 906.)

Provided, That hereafter no Indian child shall be taken from any school in any State or Territory to a school in any other State against its will or without the written consent of its parents. (29 Stats., p. 348.)

That no Indian pupil under the age of fourteen years shall be transported at Government expense to any Indian school beyond the limits of the State or Territory in which the parents of such child reside or of the adjoining State or Territory. (35 Stat. L., 781.)

The rules provide that—

A pupil who has been regularly enrolled in a nonreservation school must not be taken to any other nonreservation 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.

An Indian boy or girl 18 years old and over may, without the consent of parents or others, personally sign the application form on its being changed to suit the case; but in all cases where the parents are living they should first be consulted.

This form is to be used only in transfers from reservations or Indian schools to nonreservation schools.

Land-Allotments
68147-1913
73294-1913
W A M

Zella and Marcellus
Eagle Eye.

Mr. Grant Hutberg,
4207 Eighth Avenue,
Rock Island, Illinois.

JUL 16 1913

FOR FILE

FILED BY C. P. F.

1913

Sir:

Referring to your letter of May 23, 1913, regard-
ing an alleged allotment to Zella ^{and Marcellus} Eagle Eye on the Pine
Ridge Reservation, South Dakota, the following is quoted
from a report dated June 9, 1913, of the Superintendent in
charge of the reservation:

* * *the rolls of this reservation do not show
any Indians, allotted or unallotted by these
names. It is possible that one or both of these
Indians may be enrolled under other names. How-
ever, I am unable to find anyone who knows any
Indians under the names given.

It is suggested that if you believe that these
Indians can substantiate their claims to rights with the
Ogallala Sioux, that application for enrollment be made to
the tribal council through Superintendent John R. Brennan,
Pine Ridge, South Dakota, who will no doubt render you any
assistance in his power in presenting the applications to
the council.

Respectfully,

(Signed) C. F. Hauke.

CARRISLE

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66147/

66147-13

66147
72823
OFFICE OF THE
COMMISSIONER
JUN 12 1913

Rock Island, Ill., June 10, 1913.

1913

Commissioner of Indian Affairs,
Department of the Interior,
Washington, D. C.

Land-Allotments
66147 - 1913
See W A M

FILED BY C. P. F.

CARLISLE

Sirs:

I have your letter of the 6th
inst. in regard to claim of Marcellus
Eagle Eye.

820

Apparently I did not make myself
plain in my previous letter in regard to
Marcellus' query as to right to be
enrolled as student at Carlisle Indian
School. He has never been enrolled as a
student there. His father, Zella Eagle
Eye, was once a student at Carlisle.
That was the information I intended to
convey in my previous letter.

Yours very truly,

Grant Hallberg

Lal

Land-Allotments

66147-13

W A M

Rights of
Marcellus and
Zella Eagle Eye

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

Pine Ridge Agency, S. D.

June 9, 1913.



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

FILED BY C. P. F.

Sir:-

Referring to Office letter of June 6, 1913, relative to rights to allotment on this reservation of Zella Eagle Eye and Marcellus Eagle Eye, beg to advise that the rolls of this reservation do not show any Indians, allotted or unallotted, by these names. It is possible that one or both of these Indians may be enrolled under other names. However, I am unable to find anyone who knows any Indians under the names given.

Very respectfully,

John R. Brown
Superintendent.

AML.

Lal

Education-Schools
66147-1913
W H P

Marcellus Eagle Eye.

Mr. Grant Hutberg,
4207--8th Avenue,
Rock Island, Illinois.

FOR FILE

Sir:

FILED BY C. P. F.

Replying to that portion of your letter of May 23, 1913 relative to the reenrollment of Marcellus Eagle Eye as a student at the Carlisle Indian School, there are inclosed herewith application blanks which should be filled out and forwarded to the Superintendent of the Carlisle School. If Marcellus is eligible under the Regulations he will be admitted; if not the matter will be referred to this Office for further consideration.

Respectfully,

(Signed) C. F. Hauke.

6-IMH-13

Acting Commissioner.

Land-Allotments
66147-1913
W A M

Claim of
Marcellus
Eagle Eye.

FOR FILE JUN -6 1913

Mr. Grant Hutberg,

4207 8th Ave.,

Rock Island, Illinois.

FILED BY C. P. F.

Sir:

The Office has received your letter of May 23, 1913, regarding Marcellus and Zella Eagle Eye.

The index of the Pine Ridge allottees does not include the name of Zella Eagle Eye as an allottee on the Pine Ridge Reservation. This matter will be taken for investigation in the field, as will also the right of Marcellus Eagle Eye to be allotted as a Sioux belonging on the Pine Ridge Reservation.

The question of the right of Marcellus to be re-enrolled as a student at the Carlisle Indian School will form the subject of another letter.

Respectfully,

(Signed) C. F. Hauke.

6-JM-3

Second Assistant Commissioner.

Land-Allotments

66147-13
W A M

Rights of
Marcellus and
Zella Eagle Eye.

Mr. John R. Brennan,
Supt., Pine Ridge School.

Sir:

Inquiry has been made of this Office whether or not Zella Eagle Eye, who, it is said, is an Ogalala Sioux Indian of the Pine Ridge Agency, South Dakota, has received an allotment on the Pine Ridge Reservation.

The index of the Pine Ridge allotments does not include the name of Zella Eagle Eye, but you are requested to report what the records show at the agency. You are requested further to report what your records show as to the right of Marcellus Eagle Eye, who is alleged to have been born in Rock Island, Illinois, August 12, 1894, and to be a son of Zella Eagle Eye, to be allotted on the Pine Ridge Reservation.

Respectfully,

(Signed.) C. F. Hauke.

6-GDA-4

Second Assistant Commissioner.

JUN -6 1913
FILED BY C. P. F.
FOR FILE!

DEPT. OF THE INTERIOR
RECEIVED
MAY 26 1913
TO INDIAN OFFICE
BEO'S OFF. MAILS & FILES

Rock Island, Ill., May 23, 1913.

Department of the Interior,
Washington, D. C.

FILED BY C. P. F.

OFFICE OF
MAY 27 1913
66147

Gentlemen:

Marcellus Eagle Eye, born in Rock Island, Ill., Aug. 12th, 1894, a son of Zella Eagle Eye, an Ogallala Sioux Indian of the Pine River Agency, South Dakota, a former student at Carlisle, has requested me to ask your Department whether or not he would be entitled to an allotment of land in the Pine River Agency.

I understand that Marcellus Eagle Eye's grandmother on his father's side is a full-blooded Sioux living at the Pine River Agency. I further understand that Marcellus' father, Zella Eagle Eye, in August, 1893, made application for an allotment. Was that allowed him at that time? If so, as being made prior to Marcellus' birth, would that shut him off from any right to an allotment as part Sioux?

Furthermore, Marcellus Eagle Eye wishes to know if he could be accepted as a student at the Carlisle Indian School.

Trusting I may have a reply at your early convenience, I am, Sirs,

Yours very truly,

Grant Huxbury

*Lal + a
Erb*

4207-8 av.
Rock Island, Ill.