

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.*

6-4345

42861-1915

CARLISLE

File No.

820

DEPARTMENT OF THE INTERIOR,  
WASHINGTON.

April 13, 1915.



Returned to Commissioner Sells,  
noted by the Secretary, with thanks.

H. A. Meyer,  
Private Secretary.  
Per *L.G.*



*File*  
FILED BY G. P. F.

*2*

DEPARTMENT OF THE INTERIOR  
 OFFICE COMMISSIONER OF INDIAN AFFAIRS  
 WASHINGTON

APR 12 1915



My dear Mr. Secretary:

FILED BY C. P. F.

I received your note on Saturday, in which you enclosed a letter from three little Indian girls to your Nancy, and I wish you would tell Miss Nancy for me that I heartily share in her sympathetic response to their appeal and wish I might find a way to comply, both because of their letter to her, and Miss Nancy's interest in them.



As I stated in my formal official answer to you, I have found what seems to be a legal inhibition. However, I have written to the Superintendent of their school making inquiry as to whether they have available individual Indian moneys which can be used for this purpose, and if the answer is such as to justify, I shall take pleasure in arranging such use of same as the facts warrant.

Sincerely yours,

Commissioner.

Hon. Franklin K. Lane,  
 Secretary of the Interior.

## DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

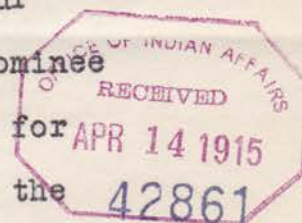
APR 10 1915

FILES BY G. P. F.



My dear Mr. Secretary:

The receipt is acknowledged of your letter of April 9, 1915, submitting an appeal, addressed to your daughter by Relia, Roland and Roy Oshkosh, three Menominee Indian children now enrolled at the Carlisle School, for permission to use a part of their pro rata shares of the tribal trust funds in visiting their home during vacations.



I find that these three children were enrolled at Carlisle on October 10, 1914. Roland is 14 years of age and Roy and Relia are 16 years of age. Relia is reported to have one-half Indian blood and the boys are given as having three-fourths Indian blood.

I appreciate, with you, the natural desire of these children to return home to their parents during their vacations and I would gladly recommend that they be permitted to use their shares of their tribal funds, or any of their individual Indian moneys, for that purpose if it could properly be done and the children were possessed of sufficient property to give them a reasonable start in life after completing their education.

As regards the use of the pro rata shares of the tribal trust funds of these children, the Act of March 3, 1907 (34 Stat., 1321), provides for the payment of pro rate shares of tribal trust funds, under Section 1, to Indians who are competent to manage their own affairs, and, under Section 2, to those who are either blind, crippled, decrepit or helpless from old age, disease or accident, the funds of the latter class to be deposited and expended under supervision.

The regulations prescribed by the Department provide that the shares of minor Indians will be paid to natural guardians or persons having care or custody of such minors only when the minors are blind, crippled, or helpless from disease or accident, and unless the three children in question come within these requirements there is no authority of law for withdrawing their shares from the Treasury and permitting the use thereof as requested.

While the Menominee Indians have large trust funds to their credit, as suggested in the letter of the children, there is no legal authority for segregating them at this time, other than referred to above.

Section 233 of the Indian School Regulations provides as follows:

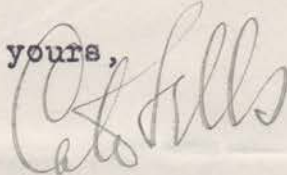
"233. No promise is to be made to any parent or other person that pupils enrolled in a non-reservation school will be returned home during the vacation periods, and in no case will a pupil be returned during this time at Government expense without special permission from the Commissioner of Indian Affairs. Full data and reasons must accompany any request made for this permission. If the superintendent is of opinion, however, that it is for the best interests of a pupil that he return home during a vacation period and the pupil deposits money to pay expenses to his home and back to school, the superintendent may himself grant permission."

The fund available for the payment of transportation of Indian pupils is "Indian School Transportation." This fund has been apportioned among the various schools and is so far depleted that the present balance on the books of the Office is only \$597.93, while Superintendents from quite a number of schools, including Carlisle, are asking for more money in order to meet actual needs, such as returning those pupils who are entitled to and must return by reason of completion of their terms of enrollment.

There remains, however, a chance that these children may have individual Indian moneys to their credit at Carlisle or at the Menominee reservation. I am, therefore, asking the Supervisor at Carlisle and the Superintendent

at Menominee to submit immediate reports with regard to the matter, upon the receipt of which I will take pleasure in advising you further.

Very truly yours,

A handwritten signature in cursive script, appearing to read "C. H. Pillsbury".

Commissioner.

Honorable Franklin K. Lane,  
Secretary of the Interior.