

**Articles From the Brown County Democrat  
Newspaper  
Regarding Townships in Oneida  
December 1895 – April 1916**

**Doxtator Court Cases 1913-1921**

**Oneida Petition - April 1922**

Articles from the Brown County Democrat Newspaper Ranging from Dec. 1895 - April 1916

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December 19, 1895 #1 BCD

Brown County Democrat

### THE INDIANS PROTEST White Men Encroaching on the Reservation

Influential Oneida Indians are trying to induce the department of Indian affairs to make a re-division of the reservation. If they are successful a member of suits will probably be instituted, because the Indians intend to drive all the white farmers and settlers from the reservation, who, as they claim, live without rights on their land.

Cornelius Doxtator, one of the most prominent Oneidas and a former chief, came to Green Bay a few days ago to see Judge Ellis, accompanied by Lyman Paulus, who is also very influential among the tribe. He is well educated, having graduated at the Indian school in Virginia. Paulus made the following statement:

"There are about 1,800 persons living on the reservation, including all Oneidas, Stockbridges, Senecas, Canandians and squatters. Only the Oneidas have a legal right to live there, because they have a treaty with the government. All others are merely squatters, who managed to get upon the reservation and remained there. The first survey of the reservation was taken in the 50's, and at that time every person received 50 acres. The second survey was several years later, and the third and last one was in 1889. The Oneidas has so increased that in 1889 every person received 45 acres and every child 26 acres. Originally the reservation was 12 miles square.

Shortly after the first survey the tribe sold to the government a strip of land on the west side one mile long. Sometime ago we engaged a private surveyor of Green Bay and he found that the reservation has decreased materially. He found that it measured only 7 by 11 miles. The only explanation I can find is that the white settlers how are our neighbors, have encroached upon our domain by secretly and repeatedly extending their fences. We have also good grounds to believe that the government survey was faulty.

Recent developments have shown that in several cases patents to the same pieces of land have been held by two or more members of our tribe. We demand from the government that all squatters be driven from the reservation. We are willing to pay for all improvements made by them, but we claim the land they occupy."

August 27, 1897 #2 BCD

### Oneidas Do Not Want a Change

Superintendent Pierce of the Indian school at the Oneida reservation, in discussing the proposed division of the reservation among the adjacent counties and the withdrawal of the Indians from the control of the United States government stated to a reporter that in his opinion the Indians were not ready for such a move.

"The better class of Indians on the reservation," said he, "do not as a rule, favor taking this step. They realize that they are better off under the present arrangement and they have no taxes to pay for roads or for maintaining county or town governments.

"If given the right, many would at once begin to dispose of their property, either by sale or by mortgage, and within five years many of their farms would pass into the hands of the whites, the Indian being left with nothing, liable to become either a tramp or a pauper to be cared for by the state or country."

Off for Carlisle, Pa.

A party of eighteen Oneida boys and girls, piloted by Miss Isabella Cornelius, left last night on the 12:35 Northwestern for the government Indian school at Carlisle, Pa. The party was composed of the following, the six first on the last year: Nancy Cornelius, Ida Wheelock, Melinda Metoxen, Brigham Cornelius, Sophia Huff, Lilly Huff, Casper Cornelius, Hattie Powless, Josephine Charles, Jemmia Schanadore, Electe Schanadore, Kate Powless, Ophilia Cornelius, Melissa Cornelius, Andrew Doxtator, Solomon Webster, Chas. Hill, and Archie Wheelock.

November 17, 1899 #3 BCD

#### INDIAN ROLL REVISED

Oneidas on Reservation Will receive 50 cents each.

J.E. Loftus, chief clerk of the Green Bay Indian agency, has just completed the enrollment of the Indians on the Oneida reservation. He left for his home in Keshena Tuesday.

Mr. Loftus had been at the Oneida reservation since Saturday and in that time has revised the roll. When seen he stated to a reporter that there had been very few changes in the past year. The Indians number about two thousand. This is the seventh time Mr. Loftus has made a revision of the roll.

The object of making this yearly enrollment is for the purpose of apportionment of the annual payment which is made by the government. According to an old treaty made about the year 1848 the United States government is pledged to make an annual appropriation of \$1,000 to the Oneida Indians. This gives each resident on the reservation this year 50 cents.

The money will be given to them during the last week before Christmas. Mr. Loftus also said that he found the condition of the Indians on the reservation to be good this year and he said this was the case at all of the reservations in the Green Bay agency which consists of Oneida, Menominee and Stockbridge Indians.

January 26, 1900 #4 BCD

## THE INDIAN'S FRANCHISE

Decision Rendered That They Have a Right to Vote.

The Indians on the Oneida Reservation will in the future be allowed to vote at general elections. The matter has been finally settled by a test case which came up at Appleton in which a decision was rendered Tuesday by Judge Goodland.

The case was brought by Leslie Wheelock, a well known Oneida, against a man by the name of James Garvey, an election inspector in the town of Freedom. Damages were asked for. It was alleged that a year ago last fall the Indians with the Indian agent, visited the voting precinct at Freedom and offered to vote. The board of inspectors refused them this privilege. Leslie Wheelock, it is claimed, prepared his ballot and offered to take the oath allowing a citizen to cast his ballot and this also was refused.

Acts of congress were passed several years ago which gave the Indians the right of franchise as soon as their lands had been allotted. This has been done and upon this the decision was rendered. The Indians will now be given an opportunity to vote at their nearest precincts at the next general election which will be held next fall.

March 16, 1900 #5 BCD

#### Where Oneidas Vote

Appleton Crescent: The Oneida Indians living on the reservation in the West half of range 19 and in range 18 can vote as follows: Those living in township 24, in Seymour city or town according to their location; town 23, in Osborn; town 23, in Osborn; town 23, in Freedom. If there are any Indians living in the town of 21, they should vote in the town of Kaukauna. Indians living on that portion of the reservation in Brown County must vote in the towns of that county to which they would naturally be attached by geographical division. The Oneida tribe, having ceased to exist as a tribe, and their lands having been divided among them, all those who were born in the United States are now American citizens.

November 2, 1900 #6 BCD

### Oneidas Will Vote

Oneidas That Have Received Allotments have the Right to Vote, but Polling Locations have not been Specified.

Recent court decisions based upon existing laws give member of the Oneida tribe of Indians living on the reservation near this city an undoubted right to vote at general elections. This right is, however, confined to those members of the tribe who have received allotments of land from the government.

In giving them the right to vote without providing polling places on the reservation the government is at fault. By neglecting to do this the Indians are compelled to vote at the polling places nearest their residence, thus making it necessary for them to travel a considerable distance. As a result of this the Indians heretofore refrained from voting as it is distasteful to them to be compelled to go into adjoining town to vote. The government should have provided polling places on the reservations and would have done so had proper attention been paid to the needs and desires of the Indians.

A special effort has been made by the Republicans this fall to not only get out the Oneida vote but, to convince the residents of the reservation that it is to their interest to vote the Republican ticket. An effort has been made to convince them that the maintenance of the Indian schools, the payment of annuities and other privileges enjoyed by them depend upon keeping the Republican Party in power.

Unfortunately for the schemers there are many intelligent people among the Oneidas, many who are able to study the real questions involved and reach their own conclusions. In consequence of this many of them are strong Democrats and the solid Oneida vote that local Republicans are counting on will sorely disappoint them when it is counted. Advocate.



November 30, 1900 #7 BCD

### Will Not Contest Oneida Vote

There won't be a contest in Brown County this year over the question of the right of the Oneida Indians to vote.

George Stenger, the recent Democratic candidate for sheriff, who was defeated by a margin of 64 votes, has concluded that he will not carry the disputed matter into the courts for final settlement. It is practically certain that a contest against so formidable an opponent as Uncle Sam would mean lengthy litigation and consequent large expense and Mr. Stenger reasons that the game is scarcely worth the chase. If the question should be carried to the Supreme Court it is quite likely that a decision could not be obtained until Sheriff elect Burke's term is nearly ended.

Outagamie county Democrats have been exceedingly anxious to have the vexing question settled once for all. In a recent letter to W.L. Evans, chairman of the Brown county Democrat committee, the chairman of the Outagamie county committee stated that the Democrats of that county would be willing to meet part of the expense of the litigation if Mr. Stenger should decide to fight a test case. The Oneida vote did not affect the chances of the Outagamie county Democratic candidates in the recent election, but the Democrats of that county desire to have the question settled for future campaigns.

December 28, 1900 #8 BCD

TO OPEN UP RESERVATION.  
Congress Will Be Asked to Grant Indians Rights of White Men

An effort is to be made to secure for the inhabitants of the Oneida reservation the right to sell and dispose of their land at this time and not wait until the time when the bill which passed congress some years ago comes due. The matter has been taken up by Chester Cornelius, an Oneida who has been educated in the east and has gone through the law school.

Cornelius lives on the western edge of the reservation near the line of Shawano County. He has been working upon this matter for some time in a quiet way and has visited all of the more intelligent people on the reservation and found that they are about evenly divided in the matter of opening up the reservation.

The thrifty of the population are in favor of the plans as they see no way in which the people can live unless this is done. The timber has about all been cut off the reservation and there is hardly enough left to make fire wood. The small brush has grown up all over the reservation but this is too small for any use whatever. Up to this time the Indians have obtained a small revenue by selling this wood but in the past few years they have sold the standing timber to the white settlers near the reservation at so much an acre and this has taken the wood away very fast.

There is a class of thrifty Indians on the reservation who would get a long without the protection and aid of the government as well as with it but on the other hand there are a large number of the people who would probably sell their land and get out of this part of the country. The land is very fine in some places and good farms could be made if in the hands of white men. The reservation would be divided up among the surrounding counties, Brown getting the largest share.

A petition will be made to have congress pass a bill opening up the reservation and it is Mr. Cornelius' intention to have the matter pushed as rapidly as possible.

1901 #9 BCD

D.A. Wilcox in Outagamie County  
Plans for Voting of Indians

Appleton Crescent: District-Attorney Wilcox goes to Green Bay some day this week, were he and other representatives from Outagamie County will consult with the district attorney and other representatives of Brown County regarding plans for establishing voting precincts for the Indians on the Oneida Reservation. Mr. Wilcox believes that the simplest and most effective plan for the president would be to establish two voting precincts on the reservation, one in Outagamie County and one in Brown County. These precincts to be in charge of resident Indian election officials appointed by the county boards of the respective counties, and the expense of conducting elections to be borne by the respective counties. There is some talk in favor of eventually establishing township government throughout the reservation, but for present this is impossible, as the Indians pay no taxes and could not pay the necessary expenses of such government until they absolutely own their lands and pay taxes on them.

The expense to the counties of establishing polling places and assuming the election expenses until the time arrives when the Indians are given their lands outright and subjected to tax would be very small, and that plan is believed the most feasible for present.

1901 #10 BCD

### Oneidas Have No Place to Vote

A question has again come up as to where and how the Indians of the Oneida reservation will vote this fall. The matter has been overlooked by the members of the county board who, under the provisions of the law, should have named, before the first of the present year, a voting precinct on the Oneida reservation, where the Indians which are in Brown county could cast their ballots. This was not done and it is a question whether it can be done legally at the present time.

Two years ago the Indians voted the polling places in the towns of Howard, Ashwaubenon and Lawrence. Whether any such arrangement can be made for this coming election or not is a question. The county board of Outagamie and the other surrounding counties have fixed the place for the casting of ballots of the Indians.

January 18, 1901 #11 BCD

### To Stop Cutting Oneida Timber

The government is taking steps on an extensive scale to stop the cutting of timber on the Oneida reservation and to recover from well-to-do Oneidas and from the big lumbering firms damages for trespass said to have been committed.

Seventeen Oneidas have been arrested by the United States marshal on the charge of cutting about \$50,000 worth of government timber. Suits involving an equal sum are to be brought against prominent mill owners in the northern part of the states.

All of the Indians arrested were arraigned in court last week before Judge Senman of Milwaukee and all pleaded not guilty. They were allowed to return to their home on the reservation without bail, upon the agreement to be in court in response to a notice of trial.

February 15, 1901 #12 BCD

GOVERNMENT OF INDIANS  
Two Plans Concerning Oneidas Before Legislature

The question of the manner in which the Indians on the Oneida reservation shall vote and administer their local affairs is likely to be settled by the present legislature. District Attorney Wilcox of Appleton is the author of a bill already before the legislature providing for township government on the reservation, and District Attorney Cady of Green Bay has prepared one providing merely for two voting precincts on the reservation, one in Brown and in Outagamie County. There will be a contest between the supporters of the two bills in the legislature. The Wilcox bill provides a way for the settlement of all questions of expense, appointment of election officers and other details which will arise out of the voting of Indians, and the township plan is an inevitable necessity in the near future if not at once. It is argued that its establishment from the beginning will simplify matters and avoid future difficulty. Its opponents argue that it entails unnecessary expense and is regarded with suspicion by the Indians, who want to vote and assume other privileges of citizens, but are both to assume the accompanying responsibilities.

Senator Hagemeister will champion the measure drafted by Attorney Cady and will fight the one of which Attorney Wilcox is the sponsor.

Superintendent Hart of the government schools on the reservation is decidedly opposed to the bill establishing township government among the Oneidas.

The bill drafted by Attorney Cady was indorsed and authorized at a mass meeting of representative Oneidas on the reservation recently. On the other hand the proposition of township government was put forward at the same meeting by Attorney Wilcox and was almost unanimously voted down.

FOR BENEFIT OF ONEIDAS

What the Bills Introduced at Madison Provide For

As stated in a previous issue of the Democrat, two bills are now before the state legislature, relating to the establishment of voting precincts on the Oneida reservation, one prepared by District Attorney Wilcox of Outagamie county and introduced by Assemblyman Hodgins; the other prepared by District Attorney Cady of Brown county and introduced by Senator Hagemeister.

The following abstracts from a letter, written on the subject by District Attorney Wilcox, will throw some light on the character and extent of the proposed legislation:

The bill as drafted by District Attorney Cady and introduced by Senator Hagemeister, and the one prepared by myself assisted by ex-District Attorney Bottensek and introduced by Assemblyman Hodgins, providing simply for the establishment of election districts, are very similar and both aim at one common end, i.e., to make it possible for electors resident on the Oneida reservation boundaries and to provide them with adequate machinery therefore. They differ in the following respects:

1. The Hagemeister bill is general in its terms and affects all reservations within the State wherein there are resident electors. The Hodgins bill affects only the Oneida Reservation.

2. Again, the Hagemeister bill leaves the establishment of election districts on the several reservations affected by the act, with the County Boards of counties within whose boundaries such reservation, or some portion of it, is located. By the Hodgins bill, that part of the Oneida Reservation within the limits of Brown County, by the terms of the act itself, is made and declared to be an election district, and all that part of the Oneida Reservation within the limits of Outagamie county, likewise by the act becomes an election district.

3. Again, the Hagemeister bill provides that, after the County Board may have so established an election district, the election officers are to be appointed by the Chairman of the County Board subject to the approval of the Board of Supervisors. The Hodgins bill provides that the County Clerks of the respective counties of Brown and Outagamie shall on or before the 1<sup>st</sup> day of August, 1901, appoint from the list of persons recommended by petition of the electors, as in the act provided for, the usual election officers or election board.

4. Again, in connection with this same provision, the Hagemeister bill provides that this method of securing an election board is to be a continuing method, i.e. each successive election board is to be named in the same way, while the Hodgins bill, after providing these people with the necessary election officers to start with, gives them the power to elect, with the aid of this election machinery appointed by the County Clerk, the successors in office to such election board. At the general election to be held in 1902, and at each succeeding general election thereafter, the electors shall elect their election officers for a two year term commencing on the 1<sup>st</sup> day of January next after such election.

5. The Hagemeister bill provides that the County Board shall provide the necessary polling booths, while the Hodgins bill leaves this responsibility with the people of the election district.

6. Further than as above suggested the two acts are quite alike except that the Hodgins bill provides that the election districts and the electors therein shall have the same right to hold caucuses primary elections and be represented at conventions preliminary to elections, at which such electors are entitled to vote, as have the electors and districts in regularly organized towns while the Hagemeister bill applies, in terms only, to elections and the conducting thereof.

## Reservation Voting Precincts

In our news columns we publish a short comparison between the two bills now before the legislature, relating to the establishment of voting precincts on the Oneida reservation, that is the Hagemeister bill and the Hodgins bill. A careful perusal leads us to believe that the latter bill, prepared by District Attorney Wilcox of Outagamie County, would be preferable under the existing conditions and circumstances.

1. The Hodgins bill affects the Oneida reservation only, while the Hagemeister bill is general in its terms. We do not know what the conditions are on the other reservations, but we believe it is better to make the bill applicable to the Oneida reservation only, where the conditions are better known, and let those interested in other reservations introduce such legislation as they may deem best suited for their localities.

2. We believe it would be unwise to leave the establishment of election districts on the reservation to the county board; their establishment by the legislature will be more prompt and more satisfactory.

3. As regards the appointment of the election officers, we believe that the provisions of the Hodgins bill in this particular will meet with more general approval. The county clerk will take more pains in the selection of these officers and will be better able to provide for the Oneida people a well qualified election board than the county board, as not one out of twenty supervisors would have the necessary information at hand to vote intelligently on the appointments of the chairman.

4. If the Oneidas are considered able to vote for national, state and county officers; if the boards appointed by either act are to be given the privilege of filling any vacancy that may occur, then certainly they are able and should be privileged to choose their own election officers after once having been provided with the means by which such election can be legally made.

5. We believe that the Oneidas are sufficiently interested that they will be only too willing to provide suitable voting places without any assistance from the county.

6. Since the proposed bills give the Oneidas the right to vote for candidates for all state and county officers, they should also have a voice in the naming of these candidates and be entitled to the privileges of any other elector.

In addition to the bills above referred to, a bill has been introduced by Assemblyman Hodgins, as prepared by District Attorney Wilcox and Mr. Bottensek, which, if the same is passed, will provide the means or method by which the Oneida Reservation may be organized in to towns, one in Brown County and one in Outagamie. Mr. Wilcox, in speaking of this bill, says:

"The terms of this act are entirely independent of and have no connection with or bearing upon either the Hagemeister or Hodgins bill mentioned above. The introduction and passage of this act in no way interferes with the passage of the Hagemeister bill and was not intended and will not in any way defeat the purposes of the Hagemeister bill even though both should be passed.



The whole matter of organizing the reservation into towns is left to the discretion of the Oneida people themselves and, by the terms of the act, cannot be accomplished except by a majority vote of the qualified electors resident within the district proposed to be organized as a town and which said electors must also be the owner of allotments of land on the reservation and with the particular district, so proposed to be organized. I do not believe that there is any many who has interests of the Oneida people in mind, who proposes to place himself on record as opposing an act which simply people, who are electors and entitled to all the rights and privileges of any other citizen, may by a majority vote in just and legal manner secure for themselves and for the district in which they live the benefit of a township form of government. Deprive them of the means to become so organized and the time will never come when they cease to be government wards.

As regards the bill for the organization of the reservation into towns, we believe it will meet with the approval of all who are familiar with the conditions. No attempt is made to force anything upon the Oneidas they do not want they can accept it or reject it as they choose and their pleasure, but many are of the opinion that the sooner a similar organization is effected the better it will be for all concerned, as it will prompt them to a keener interest in matters of government and thereby help them to be better citizens."

July 5, 1901 #15 BCD

TO ENFORCE TIMBER LAWS  
Supt. Hart of Oneida Reservation Receives Instructions

Supt. J.C. Hart, of Oneida reservation has received certain instructions concerning the sale of timber and leasing of lands on the reservation, which are of general interest. The instructions will inaugurate a new policy at the reservation. Concerning them, Mr. Hart says:

"In July, 1900, the Oneida reservation was placed in my charge as superintendent of the Oneida boarding school and since that time all complaints have been referred to me for report. For some time the law concerning the sale of timber strictly enforced, and the sales of standing timber have been so great that the attention of the Indian office was called to the matter by some of the Indians concerned and I have been directed to see that the law is strictly enforced. I am directed also to forbid all sales of timber unless the consent of the Indian office is first obtained. It is the desire of the office that land should be cleared as rapidly as possible and put under cultivation, but all persons who desire to buy wood from Indians of this reservation or who may be offered such wood, should satisfy themselves that, such sale is authorized. No standing timber can be sold.

"All leases of Indians lands must be submitted to the Indian office for approval and any one wishing to lease such land should make application to the superintendent at Oneida."

December 13, 1901 #17 BCD

#### LAND ALLOTMENTS A BAR

#### Oneidas Not to Share in Money from Sale of Kansas Lands

The Indians of the Oneida reservation have received a set back to their hopes. It now looks as though the money which different members of the Oneida tribe on the reservation expected will never be paid to them, and in consequence there is considerable feeling aroused among the Indians, and their disappointment is keen.

Superintendent Hart has received a communication from the secretary of the interior in which he makes the statement that all Oneidas who have received allotments of land from the government will be obliged to forego the privilege of sharing in a division of the money representing the value of the Kansas lands, for which they have waited so long.

Some three months ago Superintendent Hart was asked by the Indian department to secure a list of the heads of families which had claim to a portion of money to be divided, and send this in to the department by the first of December. It has seemed all along and still seems clear that the department acted in good faith, believing, as it seem to now, that the Indians ought to share in the division. Now, however, comes the statement that all persons who have received allotments are debarred from further grants.

This shuts out all the Oneida Indians as all have had land allotted to them. The only thing left for them to do is to follow the suggestion of the department and file a protest, which will be done immediately.

The amount to be divided is about \$150,000 and it is understood, that there are about 3,400 Indians who have claims. The money in question is that obtained from the government on a judgment for Kansas lands granted to the Indians by treaty and afterwards sold by the government.

October 17, 1902 #18 BCD

## MONEY FOR THE REDSKINS Oneida Indians Will Get \$300,000 from the Government

Assistant Attorney General C.E. Buell on Monday morning received a telegram from Washington, saying that the Secretary of the Interior has reversed his former ruling now holding that the Wisconsin Oneida Indians located near this city are entitled to participate in the judgment rendered in the case of the New York Indians against the United States government.

By the present ruling of the Secretary of the Interior, the Oneida Indians will receive \$300,000. The former ruling of the Secretary of the Interior was to the effect that the Oneida Indians were not entitled to participate in this judgment, they having taken land in allotment.

In 1838 the New York Indians comprising what was known as the Six Nations, and including the Oneida Indians, made a treaty with the government by which they surrendered all their lands in Northern Wisconsin (500,000 acres), reserving only the present Oneida reservation near this city. All of the New York Indians, including those in move west of the Missouri river, in to what is now Kansas, and were to receive from the government 2,000,000 acres of land including the land upon which the city of Topeka is now located.

Only a few of the Indians ever removed to Kansas and the Kansas lands were also afterwards surveyed and disposed of by the government.

The New York Indians filed a claim in the court of claims at Washington to recover the value of the Kansas lands. The case was twice taken to the United States Supreme Court, which sustained the claim.

A year ago the Secretary of the Interior made a ruling that the Oneida Indians were not entitled to participate in the judgment. This is the decision which has just been reversed.

1902 #19 BCD

## ONEIDA INDIAN PROTEST

### Do Not Want Government as Custodian of Their Funds

The Oneida Indians have started a vigorous campaign against a recent ruling of the department of the interior which makes the government the custodian of the funds derived from the sale of inherited Indian lands. Superintendent J.C. Hart of the Oneida reservation is now in Washington to secure the rescinding of the order, it possible, in so far as it concerns the Indians living near this city. In a telegram to Attorney C.P. Cornelius yesterday Superintendent Hart said the order had already been signed by Secretary Hitchcock, but that there was still hope that it will not be issued. According to the order it is proposed to deposit the money received from the sale of lands in United States depositories to the credit of the heirs and to allow the money to be drawn only in the form of annuities.

Speaking of this matter C.P. Cornelius, the Indian Attorney, said:

"The time has gone by when the government finds it necessary to care for the funds of the Oneida Indians. The ultimate end of the government, which of course means the people, is to qualify the Indians as rapidly as possible through the means of education for self support. Any attempt to deviate from that course means the perpetuation of the present obnoxious reservation system.

The trouble with the reservation system is that it has taken away every responsibility from the Indians. When you do that you don't develop manhood.

People argue that if the Indians are allowed full possession and control of their money, they, or many of them, will waste their funds and soon be reduced to poverty. In regard to spending his money, however, would the Indian differ radically from the majority of white persons?

The Oneidas have been declared citizens and as such are entitled to undisturbed ownership of their lands and the control of the money derived from sales. Throw the Oneidas on their own resources, even though some must suffer for a time and let them survive or perish according to their fitness."

December 12, 1902 #20 BCD

## WILL PETITION FOR LAW FOR TOWNSHIP RIGHTS

A report from Appleton states that District Attorney Wilcox of Outagamie County has drawn up a petition to the next legislature, which if passed by that body will affect Brown County as well. It is nothing less than a request that the resident Indians on the Oneida reservation be granted unreserved township rights and hereafter be compelled to pay personal property taxes.

When seen on the matter District Attorney Cady stated that he had little to say on the subject, except that it was a hobby of Attorney Wilcox. He said he had not investigated the law, to see whether the step would be constitutional or not, but that the idea was not a new one. He said the question was raised at the mass meeting of business men held at the reservation some years ago, at which time it was championed by Mr. Wilcox, who was present.

Should the next legislature enact a measure along the line, it would affect Indians included in Brown County as well as those in Outagamie County, unless the power to establish the township is left with the county boards, when it would be optional with each one. One advantage which would be greatly appreciated on the reservation, as explained by Superintendent Hart, is the fact that township roads could be laid out through the reservation. Should the law be enacted, a precedent of 400 years standing would be set aside, as no Indians have ever been taxed.

February 13, 1903 #21 BCD

LANDS TO BE OPENED  
Part of Oneida Reservation to Be Offered for Sale

A portion of the lands on the Oneida reservation is to be opened to the public for purchase and settlement. This will be the result of the listing for sale of the inherited Indian lands, and many interesting questions are involved.

Recently an advertisement appeared over the name of J. C. Hart, superintendent of the Oneida Reservation, stating that certain inherited Indian lands would be listed by him and that during the next 90 days after the listing, sealed proposals for the parcels of land would be received. This advertisement is the result of the enactment of a law allowing the adult heir of deceased Indians to whom lands had been allotted to sell these lands with the consent of the secretary of the interior.

According to Mr. Hart there are about 150 of these separate tracts of land, which are now held by the adult heirs of deceased Indians to whom the tracts were originally allotted. These will be listed and a list kept at the agency. The lands will be appraised though the appraised value is not to be made public, and during a period of 90 days sealed bids containing a certified check for at least one fourth of the value of the land will be received.

As the result of the enactment of the law, a number of cases have been brought in County Judge Merrill's court, for the purpose of establishing heir ship.

The opening of the reservation to heir bring up numerous questions.

The law makes the lands subject to taxation under the laws of the state, but not being situated in any town, how are the taxes to be levied by whom? Will white children residing on the tracts on the reservation be allowed to attend the government school? ect.

September 6, 1901 #16 BCD

GRIEVANCES OF ONEIDAS  
Mass Meeting Held at the Reservation Yesterday

A mass meeting of the Oneida Indians was held at the reservation yesterday for the purpose of protesting against recent rulings of the department of the interior in regard to the government of the reservation. Principal among the grievances of the Indians is a ruling by which they are prevented from disposing of any of the timber on their lands except what is cut for the purpose of clearing land for cultivation.

The meeting was held at George Doxtator's grove, near the Oneida station, a picnic having been arranged with refreshment stands, dancing floor, music by the two Oneida bands, etc. About 500 people were present.

The principal address was delivered by Attorney Evans of Green Bay who made a strong plea for granting the Oneidas full citizenship rights.

George Doxtator and J. Wheelock spoke in the Oneida language, while Supt. Hart of the reservation was also one of the speakers.

A petition was circulated and largely signed at yesterday's meeting asking the secretary of the interior, who has absolute control in the matter, to change his ruling in the case, and it is expected that the relief asked for will be granted.



April 17, 1903 #23 BCD

## TO MAKE ONEIDAS PAY

### Plan to Divide Reservation and Provide for Town Government

The first step looking toward the gradual disintegration of the Oneida Indian reservation will be taken by the Legislature within a few days, and if the movement meets with success the reservation may within a few years become merely a matter of history - that is, unless the federal government intervenes. Assemblyman Martin had prepared a bill dividing the reservation into two townships and providing for town governments. Inasmuch as the Oneida Indians have the right of suffrage, it is claimed there is no reason why the same exactions should not be required of them as of other citizens. Up to the present time the Indians have escaped taxation, but under the township system of government they will be obliged to pay their share of the burdens the same as the great mass of citizens generally.

The Oneida reservation runs through Brown and Outagamie counties. That portion in Brown county Mr. Martin's bill proposes to form into the town of Hobart and that portion in Outagamie County he proposes to form into the township of Oneida. At the present time all of the lands in the reservation are allotted and the Indians are about to sell many parcels to white settlers.

"Many of the Indians are well-to do and thrifty," said Mr. Martin in discussing his bill. "Many of them are very intelligent and make excellent citizens. I understand that many of the Indians are quite as anxious to secure a town government as the white settlers are."

Mr. Martin is in communication with Indian Agent Hart, who is known to favor the town government plan. He believes that there will be no objections from the government to the proposition, although the provisions of the federal laws relating to the sale of intoxicants to Indians will have to be observed. The government has been endeavoring to prevent lawlessness upon the reservation for many years. By vesting the Indians with local and self government it is believed the general tone of the reservation and the Indian will be improved.

In connection with the above, the following will be of interest:

A decision filed recently by Judge Sanborn in the United States circuit court of appeal, holds that although an Indian virtually becomes a citizen of the United States when he holds an allotment of land from the government, the statute making it a penalty to give an Indian liquor does not lose its force because of the Indian's citizenship. The decision was in the appeal of Edward Milligan, who was convicted in the federal district court in Kansas of selling whisky to Patrick Ko-Shuck, a member of the Pottawatomie tribe.

Mulligan appealed on the grounds that Ko-Shuck was a citizen of the United States since he held an allotment of land, and that therefore the whisky law did not apply to him. A citizen's rights could not be restricted by such a law, his attorneys argued. Justice Sanborn's decision holds that the law covers every Indian, citizen or member of the tribe.

March 6, 1903 #22 BCD

## TO RAISE SUGAR BEETS - SALE OF LANDS - TOWNSHIP SYSTEM

The Indians on the Oneida Reservation will raise beets for the beet sugar factory to be erected in this county. Just how much acreage will be contracted on the reservation cannot be stated at this time but it is expected that it will amount to quite a little and the Indians are becoming quite enthusiastic over this way of utilizing their rich farming lands. J.C. Hart, superintendent of the government schools on the Oneida reservation, had a conference with Mitchell Joannes and seemed to think that he would be able to induce a large number of the people of the reservation to take up this new industry. Supt. Hart will act as agent of the beet sugar factory on the reservation and will make the contracts for acreage with the Indians. He said he would not allow any one to take over one acre, because he feared it would be neglected and the Indians would then be discouraged. They have very good land for this purpose and can get abundant help in the weeding, cultivation and care of the crop.

Superintendent J.C. Hart reports that numerous inquiries are being received by him regarding the sale of the Indian lands on the reservation. The lands which are under the law offered for sale are listed with him and inquiries are therefore sent to him. There are now between 40 and 50 tracts listed and between 12 and 15 inquiries are received each day from prospective bidders. The listing of lands is increasing each day. There are in all between 200 and 300 tracts which can be disposed of in this way, the tracts being the possession of heirs of deceased Indians to whom the lands were originally allotted. The inquiries for the lands come principally from farmers on the De Pere side of the reservation, Superintendent Hart says.

The matter of establishing township government on the reservation was discussed at a meeting of Assemblymen Finnegan and Martin and a number of Green Bay business men last Saturday. Mr. Hart in recommending the township system spoke of the sale of the Indian lands which is now authorized, and made the point that no one wanted property to which roads were not built. He stated that reservation contained about 64,000 acres of land of which only about 6,000 acres were under cultivation. The building of roads, which could be authorized under the township government, would throw open the entire reservation. He was sure that the poll tax would be worked out and go far toward building roads.

Supt. J.C. Hart left yesterday afternoon for Madison where he will take up the matter of putting the Oneida reservation under township government. Superintendent Hart has been encouraged by reports received from Madison and believes that Outagamie County will sanction the movement.

Friday October 9, 1903 #24 BCD

### ONEIDA MASS MEETING

Indians of Reservations Do Not Want Township Government.

The mass meeting at Oneida Tuesday to discuss the question of township government as affecting the Indians of the reservation was largely attended by the Oneidas. A feeling of universal opposition to the move was plainly expressed. No action was taken, as nothing can be done until the next election. Attorney Sheridan of Green Bay addressed the meeting.

Mr. Sheridan states that the Indians are unanimously opposed to the plan to resolve the reservation into townships, as they see that there will naturally be town taxes to pay, and not being sure of their right to sell their lands, they fear that their personal property will be seized, and that they will lose their ponies.

They say if they were sure of having the right to sell their lands, they would look upon the township plan with more favor, as the building of roads on the reservation would be of benefit to them. As it is, however, they have all the roads they desire, and have grown used to them and want no better.

Other made short addresses and George Doxtater, who proposed the picnic, and in whose grove the mass meeting was held, also spoke against the township plan. Superintendent Hart of the government schools, who has favored the plan was present but did not speak.

May 6, 1904 #25 BCD

## BEGINNING OF END

### Probable Result of Transfer of Lands on Reservation

Rev. J. W. Merrill, rector of the Episcopal mission on the Oneida reservation, was in Milwaukee this week to attend the commencement exercises of the Milwaukee Medical College, in which Josiah A. Powless an Oneida Indian, participated and in an interview said:

"We are proud of our Indian boy, who is the first of the tribe on the reservation to become a professional man outside of the Indian priests.

He is an unusually clever and capable man, and for the past few months has been on duty at Trinity hospital. His wife and child came down to see him graduate, and they are as beautiful a woman and child as one often sees.

The beginning of the end of Oneida reservation is at hand. By the agreement between the Indians and the government the heirs of the Indians to whom the land was originally allotted can transfer the property, and as much of the reservation is coming into the hands of white men.

It was the idea of the government in this way to have the Indians lose their old tribal relations and become individual citizens of the country and mingle with the white settlers and allow the tribe to disintegrate gradually. There is of course ore or less fondness for the old councils and tribal traditions, but money is the great argument and the Indians succumb to the endeavors of the white people who desire to purchase their land.

Much of the land has been lying practically unclaimed for year, and now that the first owners have passed away the heirs are looking up their titles, and selling the property to the whites.

The Indians of the reservation are taking a lively interest in politics this spring. They had their caucuses a few days ago and two of them bright young men were sent to the convention. When they returned I asked them how they like politics. They said that it was too much talkie, talkie.

They are all Republicans, but whether they belong to the Stalwart or Half-breed faction I do not know.

The Indians on the reservation regard the deputy marshals as some blind impending fate which seizes one and leaves another with an uncertainty that is beyond their comprehension. That is why they all run when a deputy marshal gets off the train, whether they have done wrong or not.

They do not want to be called upon as witnesses on one side or another they simply want to be let alone. It seems almost as though it was not right that they should be dragged off to a distant city, where they are put to temptations to answer to crimes that they do not understand or appreciate."

April 6, 1916 #26 BCD

## ONEIDAS MUST PAY TAXES

An Indian must pay personal property tax whether or not he had accrued little from the federal government to his allotment. It was decided by Judge Henry Grass in a decision in Green Bay in the case of the Town of Hobart against Paul Doxtator.

This decision is important because there are a large number of Indians on the Oneida Reservation who have returned to pay the tax on their personal property, claiming because they are Indians and not having title to their land they could not be taxed on personal property. The town is losing hundreds of dollars yearly being prominent Indians; some of them officers refuse to pay personal tax.

In deciding the case Judge Grass refers to a United States statute which declares that Indians who no longer follow the tribal customs and live as civilized beings, the United States upon granting allotments to them, make them citizens. Being citizens of the United States, the Judge says they are citizens of the state of Wisconsin and their property is not exempt from taxation; that the town has right to collect personal property tax even though situated on Indian lands within the reservation.

The federation statute says that when an Indian receives his allotment he shall be subject to jurisdiction to both civil and criminal laws of state.

April 1913 #27-1

Brown County  
Town of Hobart  
vs  
Paul Doxtator  
April 1913

To the circuit court for Brown County, in pursuance of the notice of and affidavit for appeal hereto annexed which were presented to me on the 2nd day April 1913. I John Murphy a justice of the peace of the city of De Pere in said county do return herewith to said circuit court all of the testimony proceedings and Judgment in he action of the Town of Hobart, against Paul Doxtator tried before me in which said appeal is taken together with the process pleadings undertakings and all other things in my office touching the aforesaid testimony proceeding and judgment to wit.

The following is a transcript of the Docket in said action showing all proceedings had therein and the Judgment Paul Doxtator

February 17th summons issued in the above entitled action desirable on the 18th day of February 1913 at 2 o'clock p.m. at this my office in the city of De Pere Brown County Wisconsin.

See summons on file John Murphy  
Justice of the Peace

February 18th 1913 2 o'clock p.m. case called court in session Defendant appeared in person and plaintiff appeared by Wm your Treasurer Eisenman on motion of the Defendant this case is adjourned till the 19th day of February 1913 at 2 O'clock p.m. of said day at this my office in the city of De Pere Brown County Wisconsin

John Murphy  
Justice of the Peace

2 o'clock p.m. February 19th 1913 Court in session the Defendant appeared by his attorney Joseph Martin and also in person the plaintiff appeared in person by Wm. Eisenman and by mutual consent of both parties this case is adjourned to the 14th day of March 1913 at 2 o'clock in afternoon of said day at this my office in the city of De Pere Brown County Wisconsin.

John Murphy  
Justice of the Peace

March 14th 1913 2 o'clock p.m. court in session case called no one appeared

held court open and at 4 o'clock p.m. Defendant appeared in person and by his attorney. Joseph Martin plaintiff appeared in person and by his attorney H.D. Merrill deputy District attorney.

March 14 1913 after hearing all of the testimony and evidence offered this court finds that Defendant is indebted to plaintiff in the sum of \$5 05/100 Dollars damages and \$5 and 31/100 Dollars costs wherefore it is ordered and adjudged that the plaintiff the Town of Hobart do have and recover judgment against the Defendant Paul Doxtator of the sum of 5 and 05/100 Dollars damages and the costs of this action taxed at \$5 and 31/100 Dollars in all the sum of \$10 and 36/100 Dollars.

John Murphy  
Justice of the Peace

State of Wisconsin  
Brown County

I John Murphy a Justice of the Peace in the city of De Pere in said county do hereby certify that the above is a correct transcript from my Docket more in my custody of all the entries therein in the action of the Town of Hobart plaintiff against Paul Doxtator Defendant tried before me that I have compared said transcript with said original docket and that it is a true copy of the entries therein in said action and of the whole thereof.

Dated at De Pere Wisconsin  
This 28th day of April 1913  
John Murphy  
Justice of the Peace

It is stipulated that for the purpose of the trial of the case against Henry Doxtator that the evidence heretofore taken in the case against Paul Doxtator be the evidence submitted in said case against Henry Doxtator for the purpose of the decision of the court.

The following papers hereto attached marked respectively A.B.C. are the summons affidavit notice of appeal and testimony.

April 2nd 1913 the Defendant by his attorney Joseph Martin paid the Justice fees 3.56 state tax 1.00 clerk fees 2.00  
John Murphy J.P.

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Merrill has no mules, no sheep, any sleigh, no Bank stack, no ----- or mortgages, no bunker ties or pales, no vessel, no ----- automobile.

What personal property did you get from the government none have much ----- did you get from the government have been taking annuity for 10 years.

During the last 25 years what is the greatest amount you get in any one year 10 dollars, what was paid the ----- in 1905 in 1906 was paid the balance 71 dollars, were you paid any further amount during the last 25 years, more than one dollar in any one years, no.

----- have 5 cows I raised them where did you get the stack you raised them from 9 got one small heifer 30 years ago from Elijah Cornelius, has all this stick been raised from that one heifer no, ----- one other heifer from John Swamp 25 years ago. You raised all your stock from these two? Yes, about your homes where did you get them? Two spring colts I got from Elijah Cornelius same time I got heifers. Are the horses you now have descendants from original horses. Yes. Where did you get your wagon? From Aug Brehme 18-19 years ago. Where did you get the pig from? From Green Bay fair a year to six months. During the last ten years outside of Kansas Claim have you had more than one dollar per year from Govt.? No. Suppose you had harness. I bought out of Kansas Claim money. The buggy you have not paid. Two installments yet to pay. How much pension to you draw. I am drawing 16.50 per month in June I was getting \$12.00 payable each 3 months you were soldiers in Army. Yes in ----- about 22 months. You have sold personal property off your farm. Yes sold calve stock and crops. Have you at any time during the last 25 years when you have sold off your place asked the consent of Indian Agent. No. How long have you had the sleigh and house hold furniture? Sleighs about 12 years and the rest about 18 to 19 years. ---- any of the rest of this personal property which you bought with Kansas Claim money. Yes. Melodeon or organ. Cost you how much. 3 or 50. Organ? 30.00---- handed.

Joseph Martin

How long before you will it be before you get your fee simple patent. I don't know. Have made no application.

Issac Webster sworn and examined by Merrill

Stipulated, by the attorneys, in open court at Town of Hobart is an organized township and that the alleged assessment was made by the assessor in said town of Hobart, that the Town of Hobart is entirely with and a part of the Oneida Reservation and is in Brown County Wisconsin.

Attorney for the defendant moves that the defendant be discharged.



1916 #27-2

State of Wisconsin, Circuit Court, Brown County.

TOWN OF HOBART

vs

PAUL DOXTATOR

The town assessed the personal property of defendant and levied a tax of \$5.05 against the same.

The defendant is an Indian living upon an allotment of land from out the Oneida Indian Reservation under the Act of Feb. 8, 1887. His allotment was made and trust patent issued June 13, 1892.

The Town of Hobart is entirely within the Oneida Reservation.

The personal property assessed was not received by the defendant from the United States, nor as a ward of the United States, but was acquired by him by purchase.

The defendant's allotment and trust patent does not ripen into a patent in fee until year 1917. The land was allotted to him on June 13, 1902, and no (fee simple title) patent, would accrue until 25 years (the trust period) after the allotment unless specially applied for and granted. No application has ever been made by the defendant.

The question the court must decide is: "Can the personal property of an Indian, living upon an allotment, be taxed by the town before the Indian gets a fee title patent from the United States, such personal property having been acquired otherwise than from or through the U.S. for their civilization and education."

While the testimony does not show the fact--counsel for parties admitted on the argument-- and the court knows the fact to be such, that the Oneida Indians residing upon such reservation and allotted lands, have no tribal chief; have not tribal meeting forms or customs, no longer adhere to primitive modes of life; that the officers of the Town of Hobart, all at times have been Oneida Indians, and I believe are such today. They vote at all elections and attend churches conducted and kept by others not being of Indian blood. They have no Indian communal life, and observe the State laws as to marriages and divorces.

The Wisconsin Statutes Sec. 1038 provides what property is exempt from taxation, to wit:

"Then property of Indians who are not citizens, except land held by them by purchase."

Is the defendant, Paul Doxtator, a citizen? If he is not then his property is exempt from taxation and cannot be levied upon for taxes, except land held by him by purchase.

It is conceded that exemption from taxation of Indian property arises only when the property is either specifically exempted by State Statute or the property is either specifically exempted by States on an Indian Reservation and given to the Indians by the United States for their civilization and education.

This includes such personal property which was purchased by annuities or money derived by the Indians from the United State government.

The law is equally clear that their allotments are not taxable until the expiration of the trust period and patent in fee had been given the allottee.

Citizenship in its greatest significance is a matter of allegiance. To whom does Doxtator, the defendant, owe allegiance? Certainly to no tribe or chief--he owes allegiance to the United States by virtue of the law that gave him his allotment, viz. The Act of Feb. 8, 1887.

Sec. 6 of that Act provides:

"That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands of tribes of Indians to whom allotments have been made, shall have the benefit of and be subject to the Laws both civil and criminal of the State or Territory in which they may reside..... And every Indian born within the territorial limits of the United States, to whom allotments shall have been made under the provisions of this Act,.....is hereby declared to be a citizen of the United States."

Thus by the terms of this Act under which he holds his land he becomes subject to the laws of this State both civil and criminal.

The defendant opposes the contention that he becomes subject to the law of this State and a citizen of the U.S. upon being granted an allotment and trust patent. His brief to the court sets forth his view:

"It will be noticed that it is upon the completion of said allotments and patenting of the lands to said allottees that the Indians sever their tribal relations and become citizens of the State, subject to the State civil and criminal laws. Now, under our State Law, and Indian becomes a citizen of the State by being a citizen of the United States.

Section 6 determines when he is a citizen of the United States.

There was quite a little dispute as to the meaning of this first sentence of section 6. "that upon the completion of said allotments and the patenting of the lands to said allottees." Several of the state courts contended that the issuing of the preliminary allotment papers marked the time when the Indian became a citizen of the State and that it was not the issuing of the patent in fee simple and the completion of the allotments that was intended by the Statute. No high Federal Court or even a district court has passed on this question but Congress, in 1896, to clear up any ambiguity that might exist by reason of the language of Section 6, 24 Stat. L. 390 corrected the language so that there could be no question as to the intent of Congress as to when the Indian, holding allotted lands, should become a citizen of the State and subject to its laws.

Section 6 provides, being amended by the Act of May 8, 1906, Chap. 2348, 34 Stat. L. 182:

That at the expiration of the trust period and when the lands have been conveyed to the Indians by patent in fee, as provided in section five of this Act, then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made and who has received a patent in fee simple under the provisions of this Act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up within said limits his residence, separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians without any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

This clears up any question that there might be as to when an Indian becomes a citizen of the United States and he becomes a citizen of the State by virtue of his being a citizen of the United States. He is still within the terms of Section 1)38, subsection 6, and his property is not taxable because he is an Indian."

The defendant received his allotment before the amendment of 1886 quoted by his counsel. The provision of the Act of Feb. 8, 1887, were before the Supreme Court of the United States in the matter of Albert Heff, found in 197 U.S. 489 (49 Law Ed. 848). This part of the Act of 1887 was under consideration and in passing upon section 5 and 6 that court uses the following language"

"It is urged that this clause becomes operative only, when the final patent provided for by Section 5 is issued; but there are many reasons why such contention is unsound. In the first place it is hardly to be supposed that Congress would legislate at twenty-five years in advance in respect to the general status of these Indians. If they were to continue in the same relation to the government that they hitherto occupied, it would seem as tho' Congress would have said nothing, and waited until near the expiration of twenty-five years before determining what should be such status. Second, the language of the first sentence of Section 6 forbids the construction contended for. It is 'that upon the completion of said allotments and the patenting of the lands to said allottees.' Now the allotting and the patenting are joined together as tho' occurring at or near the same time. Further, when the first patent is issued the recipient ceases to be an allottee and becomes a patentee. Again, the second patent does not always go to the holder of the first patent, because as provided by Section 5, to many go to the first patentee or his heirs. And finally the last sentence indicates that the whole section deals with present conditions and present rights. It reads, 'and every Indian born within the territorial limits of the United States to whom allotments shall have been made under provisions of this Act..... is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges and immunities of such citizens.....without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property. This confers citizenship upon the allottee and not upon the patentee, while at the same time securing to him his right to tribal or other property. So far as his political status is concerned the allottee is declared to be a citizen-not that he will be a citizen after twenty-five years have passed, and a second patent shall have been issued."

Did the amendment of 1896 withdraw the U.S., citizenship granted to him by giving to him of his allotment an dtrust patent June 13, 1902? Nothing in the amendment has only a prospective effect, or that presumption obtains unless the contrary clearly appears.

This is borne out by the following provision as found in the amendment Act:

Provided further, that until the issuance of fee simple patents all allottees to whom trust patents shall hereafter be issued, shall be subject to the exclusive jurisdiction of the United States.

Defendant not having received his trust patent thereafter but having had it theretofore he does not come under the terms of the amendment.

Defendant is a citizen of the United States and of the State of Wisconsin, and upon his property acquired by purchases and not exempt, taxes can be levied. The defendant never surrendered his citizenship, nor has it ever been

declared forfeited.

Any personal property consisting of cattle, horses, machinery, and other property of like character, which had been issued to this defendant by the U.S. and which he was using upon his allotment, is not liable to assessments and taxation by the officers of the Town of Hobart. The U.S. government still considers such property its property although put into the hands of the defendant.

The testimony shows he is not an Indian dependent upon the United States.

It appears that in 1905 and 1906 the tribes of Oneidas were paid some money due them from the United States government pursuant to what they call Kansas claim money and which amounted to \$90. Outside of this defendant admits he received less than one dollar annually for the last 25 years. Defendant admits that the only property he purchased with any monies (Kansas claim) derived from the U.S. government was a harness and the organ. Such organ was not included in the tax. He admits he got no personal property from the government. At the time of levying the tax he owned by purchase, 5 cows, 3 horses, 1 pig, 1 organ, 1 wagon, 1 sleigh, 1 buggy, 1 mover, 1 plow, 2 harrows, and 1 disc harrow.

The court is of the opinion that the defendant being a citizen of the United State is liable for the tax levied upon his personal property, such property not being any property coming to him by his being a ward of the United States, or from any money given him by the United States government. The property upon which the tax was levied was property acquired by him by purchase and in which the United States government had no part.

Findings and judgment will be prepared accordingly.

By the court,

Henry Graass  
Judge.

