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File No.

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WAR-51334

*Wentley*  
*James*

Miss Nellie Everson,  
2459 North 57th Street,  
Milwaukee, Wisconsin.

My dear Miss Everson:

Receipt is acknowledged of your letter of February 7, asking whether or not there is any possibility of there being a settlement for the Six Nations Indians of their claims for land in New York State.

It is assumed that you have reference to claims being asserted by certain persons in Wisconsin who are asserting New York Indians for the alleged purpose of obtaining a settlement of these claims.

We have been informed on numerous occasions that collections are being received by certain persons for the purpose of enabling them to obtain a settlement with the State of New York. We know of no valid claims which the New York Indians have against the State. We have advised all New York Indians who have written this Office to refuse to pay any moneys to these self-constituted collectors, for the reason that we are of the opinion that little if anything can be gained by an expenditure of funds in this manner.

Sincerely yours,

(Signed) John Gallie

Commissioner.  
*ac*

2-26-34

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FILES

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1934

NEW YORK

File No.

057

6. Frazer Ave., Troy, N.Y.  
April 10/34

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

Honorable Sir:

Enclosed request received from Chief Jonas Schuyler  
1434-A-S, Second Street  
Milwaukee, Wisconsin.

I know nothing about any Oneida case about to be taken before Court in Chicago. The Chief has written me in the past regarding Mr. Everett's brief as he knew that I acted as private secretary to the Hon. E.A. Everett (deceased) when he was chairman of the New York State Indian Commission (1923), as well as official stenographer.

It is too deep a matter to attempt putting on paper as I have the Report which the New York Legislature refused to accept, as well as maps, books and other data which I have gathered.

If you desire to send someone to go over this material, I'll gladly submit what will be of material benefit to the Six Nations cause. Should you consider doing this, please write to

Director Palmer C. Ricketts,  
Rensselaer Polytechnic Inst.  
Troy, N.Y.

asking that I be excused pending the time required to go over the data with your representative.

Briefly, it was Mr. Everett's aim and ambition to settle the so called 'New York State Indian Problem' which, as expressed by the Indians, was a passing of the buck from the State to Federal authorities and vice versa. He wanted to abolish further 'junk Commission': to put the actual facts on the table before a commission comprised of representatives of the Federal, New York State and Six Nations Governments and adjust our errors and establish our integrity as a Nation in the eyes of the aborigines of this country.

It was not Mr. Everett's plan to return millions of acres to the rightful owners, according to our Constitution. But, he insisted that the claim of the Six Nations to the land of their ancestors was as legal under our Constitution as the title of white owners to their property and in many instances of superior title to the white occupants. This particularly affects the Aluminum Company of America and the Power Companies. Perhaps you know that our present Chief Justice, the Honorable Charles Hughes, a few years ago, appeared for the interests of the political and financial interests involved vs the Indians and the Federal Government again failed to intervene.

I can show you that New York not only violated the Federal Constitution but also violated her own Constitution. Doubtless you know of the Boylan-Moyer Oneida case wherein Judge Fay

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reverted the land to the Indian after the State Courts had taken it from the Indian. That should have been the basis of the James Deer case. The trouble with our lawyers is that they do not go to the foundation of the building. Cracks appear on the walls over which they put paper whereas the foundation requires attention if the repair is to be permanent. In other words, we cannot be guided by ex post facto laws or later decisions or State laws contrary to the Federal Constitution. We must get to the foundation of our relation with the Six Nations, to the Treaty of 1764-89, which in 1798 (for what remained) was executed by the Mohawks. We must recognize the stipulations of the Treaty and the Constitution of the United States as of superior authority to any State Law.

Under Section 175, Title 25 of U.S. Code, it is the duty of the United States to intervene and protect the interests of Indians living in tribal relations on reservations in all cases at Law in in Equity.

I presume that as Indian Commissioner, it is your duty to look into this Oneida case as well as the Mohawk case about which I wrote you on March 29, 1934.

Truly the Indians were right when they told us that Judge Fay knew his days were numbered when he rendered the decision in their favor in that Boylen-Meyer case. I can show you letters which cast a strange light on officials in Washington. If you earnestly strive to help the Six Nations, you will have to don a heavy Christian armor as you will be assailed by politics and money.

Very truly yours,



Mrs. L. G. Stillman  
c/o Rens. Poly. Inst.  
Troy, N.Y.

P.S.

As per my request of March 29/34 (your file 1367-33) were you able to get any information about the Mohawk Petition which we filed in January 1932? Shall I send you a copy?

P.S.

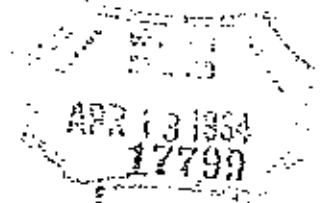
I have decided to draw your attention to the following:

UNITED STATES GOVERNMENT PRINTING OFFICE,  
Washington, 1931

Survey of the Conditions of the Indians in the United States.

Hearings  
before a  
Subcommittee on Indian Affairs United States Senate  
Seventy-first Congress  
Second Session  
Pursuant to  
S.Res.79 (70th Cong.)

NEW YORK INDIANS PART 12  
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I want to explain that Mrs. O.J. Kellogg (Oneida Indian married to a white attorney or lawyer Mr. O.J. Kellogg) attached herself to Mr. Everett after he set forth his ideas at Albany. Suffice to say that I do not trust her for one reason that she borrowed a couple hundred dollars from me which has never been returned. Outside of that I have letters from Indians which put a strange slant on some of her operations.

On page 4872 where Mr. Kellogg testified that Wise, Whitney & Parker received something like \$27,000 let me tell you that Mr. Carl Whitney wrote me that such was not the truth. I'd carefully check up on all that the Kelloggs testified as it was told to me that they had collected something like \$80,000 and that Mr. & Mrs. Kellogg each drew \$250 a month salary. It seems there was some case in Syracuse and one of the Indians wrote me about it.

Regarding the 2%, I suggest you be sure that the majority of the Six Nations are agreeable to paying them anything further.

In fact, I think it is the duty of Federal Officials to handle the grievances portrayed by the Six Nations without cost of attorney to the Indians.

April 10/34

Handwritten signature of P.P.

April 5, 1934.

1434 - A. S. Second St.  
Dear Mrs. Stillman

I would like to know if you could help us out by writing to Commissioner Collier, and tell him what you know about the brief that was made in 1928. I will also tell you that the two counties in Onida are held for One Million Dollar tax suit, which will be going in court in Chicago as soon as possible. So if you could help us out, we will appreciate your help.

Yours truly  
Chief James Shingles  
1434 - A. S. Second St.  
Milwaukee Wis.