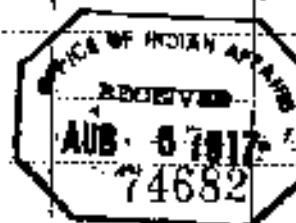


June 8, 1917

CENSUS of the Shoshone Indians of Ruby Valley Agency, Nevada

on 4/23/16 ~~713~~ Received by L. D. Creel, June 8, 1917.

NUMBER		INDIAN NAME	ENGLISH NAME	RELATION- SHIP	DATE OF BIRTH	AGE
Last	Present					
	1	Timocke, Macach				
	2	Timocke, Gene				
	3	Timocke, Bob				
	4	Timocke, Joe				
	5	Timocke, Jack				
	6	Timocke, Lucy				
	7	Timocke, Alice				
	8	Timocke, Frank				
	9	Timocke, Willie				
	10	Timocke, Jennie				
	11	Timocke, Gus				
	12	Timocke, Sallie				
	13	(Squint eye) Bill				
	14	Bill, Maggie				
	15	Bill, Meya				
	16	Bill, Nato				
	17	Bill, Young				
	18	Bill, Chas. Joe				
	19	Bill, Jennie				
	20	Bill, Ote				
	21	Bill, Archie				
	22	Bill, Bo-to-ka				
	23	Bill, Ega-po-ae-ze				
	24	Con-to-du-kien-aeat				
	25	Old Molly				



CENSUS of the Shoshone Indians of Ruby Valley Agency, Nev.

on 4/23/15, 1915 ~~received~~ Received by L. D. Creel, June 8, 1917.

NUMBER		INDIAN NAME	ENGLISH NAME	RELATION- SHIP	DATE OF BIRTH	SEX
Last	Present					
	26	Mollie, Young				
	27	Moon, Bert				
	28	Moon, Rosie				
	29	Moon, Young Bert				
	30	Moon, Carson				
	31	Carson, Treasa				
	32	Carson, Lonie				
	33	Carson, Julia				
	34	Carson, Willie				
	35	Carson, Jocie				
	36	Carson, Young Willie				
	37	Jim, Frank				
	38	Frank, Dopsy				
	39	Bill, Young Elko				
	40	Daughter of Harry Johnnie				
	41	Bill, Elko				
	42	Richard, Dick				
	43	Mose, Billy				
	44	Mose, Maggie				
	45	Mose, Mike				
	46	Mose, Tom				
	47	Mose, Geo.				
	49	Mose, Lucile				
	50	Mose, Young Geo.				

GENERAL OF THE INDIANS of INDIAN TERRITORY

CENSUS of the Shoshone Indians of Ruby Valley Agency, Nev.

on 4/23/15, 1915 ~~received~~ Received by L. D. Greel, June 8, 1917.

YOMRES.		INDIAN NAME	ENGLISH NAME	RELATION- SHIP.	DATE OF BIRTH.	SEX.
Last	First					
	51	Mosa, Maggie				
	52	Yose, Brownie				
	53	Mose, Young Brownie				
	54	" " "				
	55	" " "				
	56	Mosa, Charlie				
	57	Mose, Charlie Wife				
	58	Mose, McGinty				
	59	Conover, Aba				
	60	Conover, Mattie				
	61	Mother of Mattie Conover				
	62	Jim, Whiskey				
	63	Jim, Mary				
	64	Jim, Marry				
	65	Geo. Mound Valley				
	66	Geo. Agnes married Knight				
	67	Geo. Walter				
	68	Jim, Lezy				
	69	Old Judy Timonka				
	70	Knight, Sam				
	71	Knight, Oscar				
	72	Wife of Sam Knight				
	73	Seven children of Sam Knight				
	80	Long, John				

CENSUS of the Shoshone Indians of Ruby Valley French Nav

on 4/23/15, 1915, ~~received~~ received by L. D. Greel, June 8, 1917.

NUMBER		INDIAN NAME	ENGLISH NAME	RELATION- SHIP	DATE OF BIRTH	SEX
Inst.	Present					
	81	Knight, Maud				
	82	Three children of John Long				
	85	Horse kill Charlie				
	86	Wife of Horse kill Charlie				
	87	Old Sallie				
	88	Old Brigham				
	89	Fat Chas.				
	90	Fat Chas. Wifo				
	91	Hardy, Bert				
	92	Johnson, Pete				
	93	Wife of Johnnie Johnson				
	94	Johnson, Johnnie				
	95	Johnnie, Dick				
	96	Four kids of Johnnie Johnson				
	100	Johnson, Indian				
	101	Moore, Geo.				
	102	Moore, Mamie				
	103	Brisker, Geo.				
	104	Johnnie, Roddy				
	105	Johnnie, John				
	106	Two women at Johnnie John Camp				
	108	Hookey, Johnnie				
	109	Hookey, Lucy				
	110	Two children of Johnnie Hookey				

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NOV 20 1917

Mr. Henry W. Dietz,

Superintendent of Irrigation.

My dear Mr. Dietz:

The Office is in receipt of your letter of October 15, 1917, with reference to land and water right matters in the Ruby Valley, wherein you suggest that surveyors of the General Land Office relocate the corners of a forty-acre tract in dispute between Indians and white claimants.

By letter dated March 13, 1917, the Assistant Attorney General advised the Secretary of the Interior that upon a further investigation of this matter the United States Attorney for the District of Nevada represents that the State of Nevada, to which this tract was listed as school land, has not yet divested itself of its title, but has simply executed a contract in favor of Ira D. Wines and that only one-fifth of the purchase price has been paid. The Attorney General suggested, as a precautionary measure, that the General Land Office be instructed to inform the State Land Register of the Government's views as to the improper certification of this tract, and to ask that no sale be made until the rights of the Government could be determined.

Under date of March 26, 1917, the Department directed the Commissioner of the General Land Office to advise the proper state officials of the request of the Department of Justice and it is expected that this may result in a determination of the question of title to this tract, possibly without resort to court proceedings.

The Office understands that appropriations available for survey work cannot be used on land, the title to which is in private ownership, and, until title to this particular tract is again invested in the Government, it is not deemed advisable to request the Commissioner of the General Land Office to have an official survey made with a view of relocating the original corners.

INITIALING COPY - FOR FILE.

As to the adjudication of water rights in the Ruby Valley, by conference with the State Engineer, as well as water rights in the Muddy River, from which source the Indians of the Kapa River Reservation obtain waters for irrigation purposes, it may be said that the Office is not in position at this time to detail some one from headquarters to attend this conference. Would it not be possible to arrange with the State Engineer to postpone this conference to a more convenient date?

Very truly yours,

(Signed) E. B. Merrill

11-b-LCW.

Assistant Commissioner.

220 N. Street, S.E.
Washington, D. C.

April 25, 1918

Mr. W. H. Reed,
Chief Engineer Indian Affairs,
Interior Department,
Washington, D. C.



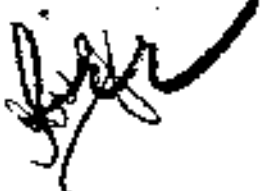
Dear Sir:

For a number of years your Department has had considerable correspondence in regard to land and water troubles of some Indians in Ruby Valley, Elko County, Nevada, Indians claiming land and water that were filed upon by the writer and associates.

At least eight or ten Inspectors from the different Departments of our Government have made inspection trips in the last few years and attempts have been made by assistants of land and water to settle all of the differences through the Indian Office at Reno, Nevada. The Indian Office in Reno have earnestly tried to settle the trouble, but the Indians do not seem to think anything is fair unless it is all in their favor. We have been put to a great deal of expense and a great deal of damage has been done as well as annoyance from the actions of these Indians. Threats have also been made against our lives.

I respectfully ask that the Washington Office of Indian Affairs take steps to settle all of the troubles at an early date.

The points that require attention are as follows:

- 
1. Some action to prevent the Indians from turning water (for which they have no right) on their land during the coming season.

We do not expect as much water during this season as last year, due to small amount of snow during the early part of the winter. We will have more grain planted than in previous years and hope we will not lose the crop as we have in the past, on account of Indians cutting our ditch, even when there was plenty of water in the main stream.

If we ask for an injunction or have them arrested as we would if they were white men, it may lead to serious troubles.

2. Suggest an adjudication of the waters of *Overland Creek* by the State Engineer of Nevada at the request of your Department, to determine the relative rights of this stream. This will also be a basis upon which the State Engineer can decide ~~whether~~, whether or not there is unappropriated water in this source, and if the application for water made by your office for the Indians can be approved by him.

3. Rights of way for main ditch already constructed over Indian land with their verbal consent, also for proposed new ditch to be built, or old ditch enlarged, that is shown on your map as "Indian Ditch."

In case I am called from Washington, all matters can be taken up with E. S. Taber of Elko, Nevada as my representative.

Mr. S. L. Lines of Ruby Valley, Nevada and Mr. W. A. Reinken of Elko, Nevada should be consulted by any representative you might send out if a field investigation is required.

Mr. W. A. Reinken of Elko, Nevada will manage the property this year.

I expect to be out of Washington in connection with my work most of the time, but any mail will be forwarded that is addressed to

220 B. Street, S.E., Washington, D.C.
and could arrange to meet any representative from your office if notified a week or so in advance.

July 11, 1918
 I respectfully recommend to the Commissioner of Indian Affairs, with the recommendation that it be given attention to the above mentioned items and if you deem it well advised for purpose of securing additional information
Whitehead
 Chief Engineer.

Very respectfully.

B. G. McBride
 Captain, Ord. E.C.

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May 22, 1918.

OFFICE OF INDIAN AFFAIRS
RECEIVED
MAY 27 1918
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The Secretary of the Interior.

Sir:

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I am in receipt of the First Assistant Secretary's letter of the 17th instant, inquiring as to action taken relative to the controversy between Ira D. and Stanley J. Wince and Joe Tincke, a member of a band of the Western Shoshone Indians, concerning the title to 40 acres of land in Baby Valley, Nevada.

I have the honor to inform you that the United States Attorney for the District of Nevada has been directed to file a bill in Equity, praying that certificate No. 1778 and any and all other instruments of title in said land held by Ira D. and Stanley J. Wince be decreed to be null and void and cancelled; that the defendants be required to account to the plaintiff in full for all the hay and grain taken by them, or either of them, from the land; that a restraining order be entered against the defendants personally enjoining them, their agents, and all persons claiming under or through them, from interfering in any

Original returned to Dept

manner with the possession and use of the land by the plaintiff or its ward, Joe Tishak, and a general prayer for relief.

The case is somewhat stiff and from my knowledge brought, and has required considerable correspondence in order that the Department and the United States Attorney might be thoroughly informed as to all matters involved and the decisions having a possible relation thereto.

Very respectfully,

For the Attorney General,

(Sgd) *F. J. Kearful*
Assistant Attorney General.

ADDRESS ONLY TO THE ATTORNEY GENERAL AND REFER TO INITIALS AND NUMBER

DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

CSE:JMT

RECEIVED
OCT 27 1919

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151648-26

In re: L-A
27216-17
H.V.C.

RECEIVED
OCT 18 1919
DEPT. OF THE INTERIOR

RECEIVED
OCT 25 1919
DEPT. OF THE INTERIOR

RECEIVED
OCT 27 1919

October 15, 1919.

The Secretary of the Interior.

Sir:

Further referring to the Assistant Secretary's letter dated March 26, 1917, and referring to Department letter of July 10, 1918 (K-AHS 181648-17), I have the honor to inform you that after the filing of suit against Ira D. and Stanley J. Wines, they wrote the United States Attorney that they would quit-claim the land, if refunded the money paid by them to the State of Nevada therefor, and requested the United States Attorney to use his best efforts to secure a refund from the State. He was directed to inform them that the Department was not disposed to assist them in securing from the State reimbursement for the money so expended, but authorized to furnish the proper State officials with a statement showing that the lands were inadvertently certified to the State, that suit had been brought against Ira D. and Stanley J. Wines for the annulment of the title claimed by them, and that they had thereupon executed in favor of the Indian a quit-claim deed to the land.

The United States Attorney reported August 27, 1919,

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that he had communicated the facts to the Surveyor General of the State, as directed, and had requested him to make a notation thereof and also that the Government asserted ownership. He reported further that the Surveyor General replied in part as follows:

It seems to me that the proper course of procedure, as in all such cases, that upon the filing in this office of a certified copy of the U. S. Government's decree of judgment, or the deed from the state's applicant to the United States, then I can legally proceed to cancel the contract between the state and its applicant for the purchase of said land and re-convey by deed, the state's title to the United States, with the consideration of allowing the state to select other lands in lieu thereof, or to give the state credit on its grant for the number of acres.

I have the honor to suggest that your Department take up the matter with the proper officials of the State of Nevada with a view to inducing them to reconvey the land to the United States and to request that you inform the Department as to your action in the matter.

Very respectfully,

For the Attorney General,

Frank H. Keeler
Assistant Attorney General.

Land-allot
125909-15
92217-19
R V C

NOV 13 1919

Dear Mr. Fallman:

Your attention is invited to your letter of March 24, 1915, addressed to the Commissioner of Indian Affairs (558956 "Pa" B H C), concerning the ownership of the NE/4 of NW/4 Section 25, Township 20 North, Range 20, East, N. D. M., Nevada, claimed by Joe Timote, an Indian, which tract was selected by the State of Nevada under the Act of June 16, 1890 (51 Stat. 287), and certified by letter "Q" of your office January 20, 1898. It appears from the said letter that the tract in question was purchased by Ira D. Wines in 1897, who subsequently deeded it to his son, Stanley J. Wines.

This matter was subsequently presented to the Department of Justice upon the showing submitted on behalf of the Indian claimant, and it later developed that the State of Nevada had not at that time divested itself of its title, but had simply executed a contract to purchase in favor of Ira D. Wines and that only 1/5 of the purchase money had been paid.

In view of these facts, the matter was brought to your attention by Departmental letter of

INITIALING COPY - FOR FILE

March 28, 1917, and you were directed to inform the State Land Register of the views of the Government as to the improper certification of the land (as set out in the letter received by this Department under date of March 15, 1917, from the Department of Justice), and to ask that no sale thereof be made until the rights of the Government could be judicially determined.

It was claimed on behalf of the Indian, Joe Timcke, that he was occupying and had improved the land prior to the selection by the State, and for this reason, the land was not subject to selection or certification under the Act of June 16, 1860, supra.

It appears from the papers in the case that the said Departmental instructions of March 28, 1917, were transmitted to the local officers at Eiko, Nevada, by your letter "PS" dated March 31, 1917. There is also with the record a copy of your office letter of March 15, 1918 (558956 "PS" L E S), to the Register and Receiver at Eiko, Nevada, requesting a report in the matter.

Your attention is now invited to the enclosed copy of a letter from the Department of Justice, dated October 15, 1919, reviewing the action of the Government against Ira D. and Stanley J. Wines, and reporting the fact that the defendants had executed in favor of the Indian a quitclaim deed to the land. It will also be observed that in view of a statement made to the United States Attorney by the Surveyor General for the State of Nevada, the suggestion is made that this Department take up the matter with the proper officials of the State with a view to inducing them to reconvey the land to the United States.

You are, therefore, directed to call upon the proper officials of the State of Nevada and request that they execute a proper instrument reconveying the land involved in this suit to the United States. Please take prompt action in this case and notify the Department the result thereof.

Cordially yours,

(Sgd.) S. G. HOPKINS.

Assistant Secretary.

1 WHP 19 Hon. Clay Tallman,

Commissioner of the General Land Office.
Inclosure 672