

I would also call attention to the fact that the Assignments Refer to his wife, wife & husband to Ducklinton and Ducklinton to Calhoun were received in Indian Department and Ducklinton also called for that the Assignments as deposits in the Department would not be distributed and his letter now comes by recommendation except an account of the Department having admitted the Assignment Refer to Gilpin which was done without any notice to Ducklinton - And we feel confident that had the Department notified Ducklinton, so that he could have laid the facts before it, the Deposits to Gilpin Assignment would not have been received at all - And now that the facts are called to the attention of the Department we feel justified in expressing a confident hope that the rights of Mr. Dinmore acquired through foreclosure from Ducklinton will be respected.

15 April 45

" When giving a statement we mentioned being for the guidance of the Department some of the cases in Equity, which show that even in cases where husband possessed legal estate (and in this it was only an equitable one) conveyed directly to his wife, that while the deed was not operative in law to convey the legal estate, yet the effect of it is to constitute the husband a trustee for the wife - The estate in the present case being only equitable by the husband's assignment to wife, we later

(Contd over)